



## Committee of the Whole Revised Agenda

Monday, December 2, 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. **Planning and Development**
    - 5.1 Presentations
    - 5.2 Delegations

- \*5.2.1 Evan Sugden, Biglieri Group (Virtual Attendance)  
Re: PDP 56-24, Planning and Development (Planning Services) Department Report  
Heritage Permit Application – Request for Demolition of 114 Keith Street, Designated under Part V of the Ontario Heritage Act; HP-17-24

**Refer to Item 5.4.2, PDP 56-24**

5.3 Correspondence

5.4 Staff Reports

- 5.4.1 PDE 11-24, Planning and Development (Engineering Services) Department Report  
Re: Traffic Calming Guide and Policy Status Update

Recommendation:

That Report PDE 11-24 be received for information.

- 5.4.2 PDP 56-24, Planning and Development (Planning Services) Department Report  
Re: Heritage Permit Application – Request for Demolition of 114 Keith Street, Designated under Part V of the Ontario Heritage Act; HP-17-24

Recommendation:

That Council approve the Heritage Permit Application requesting demolition of the existing dwelling at 114 Keith Street (HP-17-24), as supported by the Heritage Whitby Advisory Committee, and in accordance with Section 42 of the Ontario Heritage Act.

- 5.4.3 PDP 57-24, Planning and Development (Planning Services) Department Report  
Re: 780 Garden Street – Designation of a Property under Part IV, Section 29 of the Ontario Heritage Act – Update #2

Recommendation:

1. That Council mutually agree to the owner's request for further extension of the 90-day deadline under Section 29(8) of the Ontario Heritage Act and Section 1(2) 1. of Ontario Regulation 385/21, for passing the Part IV Heritage Designation By-law for the portion of the property containing the Mayfield House, located at 780 Garden Street in Whitby; and,
2. That the extension be in effect until May 31, 2025.

5.5 New and Unfinished Business - Planning and Development

**6. General Government**

6.1 Presentations

6.2 Delegations

### 6.3 Correspondence

- 6.3.1 Memorandum from J. Romano, Commissioner, Community Services dated November 22, 2024 regarding 2025 Days of Significance for Proclamations

Recommendation:

That the proclamations for 2025 outlined in the Memorandum from J. Romano, Commissioner, Community Services dated November 22, 2024, be endorsed.

- \*6.3.2 Memorandum from J. Romano, Commissioner, Community Services dated December 2, 2024 regarding Community Connection Terms of Reference Update

Recommendation:

1. That the memorandum from J. Romano, Commissioner of Community Services, dated December 2, 2024 regarding Community Connection Terms of Reference updates be received for information; and,
2. That Council approve the revised Community Connection Terms of Reference appended to the memorandum.

### 6.4 Staff Reports

- 6.4.1 CLK 08-24, Office of the Town Clerk and Legal and Enforcement Services Department Joint Report

Re: Adjudication of Fence By-law Exemption Requests

Recommendation:

1. That Council delegate the authority for consideration of exemptions from Fence By-law # 4394-99, as amended, as well as exemptions from the forthcoming update to the Fence By-law, to the Municipal Licensing and Standards Committee in accordance with the Fence By-law Exemption Process appended to this Report as Attachment 1, and the Clerk be directed to amend the Terms of Reference for the Municipal Licensing and Standards Committee to include consideration of Fence By-law Exemptions;
2. That the Clerk be directed to bring forward a by-law to amend Fence By-law # 4394-99, as amended, to include the Fence By-law Exemption Process and repeal By-law # 7863-22 delegating authority for minor fence height exemption requests to the Commissioner of Legal and Enforcement Services/Town Solicitor;
3. That the Clerk be directed to bring forward a by-law to amend Fees and Charges By-law # 7220-17, as amended, to delete the fee for Minor Fence Height Exemptions and replace it with a new two-tier fee for Fence By-law Exemptions as noted in Section 5 of Report CLK 08-24;
4. That the fees for Fence By-law Exemptions be effective as of the date of enactment of the by-law noted in Recommendation 3, save and except that the fees will not apply on a one-time basis to those properties that currently have Fence By-law exemption requests pending before Council; and,
5. That Fence By-law exemption requests pending before Council be referred to the new Fence By-law Exemption Process through the Municipal Licensing and Standards Committee.

- 6.4.2 CAO 23-24, Office of the Chief Administrative Officer Report  
Re: Creative Communities Update

Recommendation:

That Report CAO 23-24, Creative Communities Update, be received for information.

- 6.4.3 CMS 17-24, Community Services Department Report  
Re: Appointment of Members to the Whitby 55+ Recreation Advisory Committee



Recommendation:

That Council approve and appoint the following members to the Whitby 55+ Recreation Advisory Committee effective January 1, 2025:

- Sharon Bagatto (term ending December 31, 2026);
- Jane Hilton (term ending December 31, 2026);
- Carol James (term ending December 31, 2025);
- Deborah Nanton (term ending December 31, 2025);
- Mary Poirier (term ending December 31, 2026);
- Joanne Smith (term ending December 31, 2026); and,
- Lise Watt (term ending December 31, 2026).

6.4.4 FS 24-24, Financial Services Department Report  
Re: 2025 Interim Property Tax Billing

Recommendation:

That a by-law be brought forward to allow for the Interim Tax Billing for the 2025 taxation year as outlined in Report FS 24-24.

6.4.5 FS 26-24, Financial Services Department Report  
Re: Temporary Borrowing By-law

Recommendation:

That a by-law be brought forward to authorize external temporary borrowing of up to \$68,925,000 from January 1, 2025, to September 30, 2025, and up to \$34,463,000 between October 1, 2025, and December 31, 2025, if required for cash flow purposes.

\*6.4.6 FS 47-24, Financial Services Department Report  
Re: Proposed Amendment to Policy F 190 – Acquisition, Sale, or Other Disposition of Land Policy to Expedite Housing Projects

Recommendation:

That the amendment to Town Policy F 190 related to the sale or other disposition of land, as outlined in Staff Report FS 47-24, be approved.

\*6.4.7 LS 16-24, Legal and Enforcement Services Department Report  
Re: Proposed Amendments to the Traffic By-law 8059-24, as Amended

Recommendation:

1. That Report LS 16-24 be received for information; and,
2. That a by-law be brought forward to Council on December 16, 2024 to authorize the proposed Traffic By-law amendments substantively as shown in Attachment 1 to this Report LS 16-24.

6.5 New and Unfinished Business - General Government

## 7. Adjournment

# Town of Whitby

## Staff Report

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### Report Title: Traffic Calming Guide and Policy Status Update

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** PDE 11-24

**Department(s) Responsible:**

Planning and Development Department  
(Engineering Services)

**Submitted by:**

Roger Saunders, Commissioner,  
Planning and Development

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

P. Angelo, Director, Engineering  
Services, x4918

T. Painchaud, Sr. Manager,  
Transportation Services, x4937

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### 1. Recommendation:

1. That Report PDE 11-24 be received for information.

### 2. Highlights:

- Traffic calming elements are being installed/planned on 10 streets annually.
- To date, the streets have been chosen based on requests from the community, discussions with Ward Councillors and input from Fire Services.
- The development of a Traffic Calming Guide and Policy is currently underway.
- New traffic calming elements will be implemented as the policy and guide is complete, and criteria and assessments are being consistently applied to requests and residents' input is received.

### 3. Background:

Staff had been directed to install traffic calming on 10 streets annually. To date, the streets have been chosen based on requests from the community, discussions with the Ward Councillors and Fire Services. At the time of writing the report, Transportation Services has 150+ requests for traffic calming.

The traffic calming elements installed have included speed humps, speed cushions (modified to traditional speed humps), radar message speed feedback signage, in-road flexible bollards, area specific speed limits, and a raised crosswalk. Not all traffic calming elements are suitable for any road. As an example, speed humps are not appropriate on a major road.

The streets chosen to date for traffic calming have not been selected based on supporting traffic data and impacted residents were not consulted. This practice has resulted in residents that are dissatisfied with the traffic calming and/or the placement and requests for removal have been received.

#### 4. Discussion:

Paradigm Transportation Solutions Limited (Paradigm) has been retained to assist the Town in developing a Traffic Calming Guide and Policy. The purpose of the Traffic Calming Guide and Policy is to have a framework for initiating, assessing, implementing, and monitoring traffic calming measures for Town of Whitby roads. A documented process aims to ensure that requests are considered equally and consistently across the Town, and so requests are not advanced without appropriate assessment and consultation. The project is underway with the anticipated milestone timelines identified in Table 1.

The following key elements will be considered in developing the Traffic Calming Guide and Policy:

- **What streets and what measures?** Identify candidate traffic calming treatment types appropriate for all road classifications, including but not limited to speed humps, raised intersections/crosswalks, Automated Speed Enforcement (ASE). There will be consideration of area wide versus localized application, as well as trial versus permanent applications.
- **Toolkit** of proven measures and techniques for implementation in different contexts and to solve various types of traffic concerns. Design details and implementation context will be included in the toolkit.
- **Level of neighbourhood support** to understand how neighbourhood input is used in the development and approval process for a traffic calming plan and the degree of support required to consider the implementation of traffic calming.
- **Removal and modification requests** and how to address these requests when they are received.
- **Screening, warrants and criteria** will support the application of traffic calming measures at locations where they will be most beneficial. A prioritization tool will also be developed.

**Table 1 Traffic Calming Guide and Policy Timelines**

Key Tasks	Timelines
Stakeholder Workshops (three)	November 2024 – February 2025
Research and Traffic Calming Policy Development	August 2024 – January 2025
Traffic Calming Guide Development and Report	November 2024 – March 2025
Public Consultation	March 2025
Web Portal Interface	April 2025
Summary Report and Presentation	April 2025

There are three stakeholder engagement workshops planned. The workshops will provide an opportunity for stakeholders to contribute to key aspects of a community-wide vision for traffic/neighbourhood safety as well as the emerging Traffic Calming Policy and Guide. Stakeholders will include both internal and external individuals/groups, and are expected to include, but are not limited to, Operational Services, Emergency Services, Durham Region Transit, Durham Student Transportation Services.

A key component of the Traffic Calming Guide and Policy will not only be the process for consideration and evaluation, but also public consultation. A standardized Public Engagement Process that can be incorporated into the Traffic Calming Policy and be implemented into future neighbourhood traffic calming projects will be developed. This process will clearly define the target audiences to be engaged, the tactics to be used to communicate and consult with the community and stakeholders (including surveys, community meetings and online engagement) and the roles and responsibilities in implementing communications and consultations.

**5. Financial Considerations:**

As shown in Table 2 below, the estimated cost for Paradigm Transportation Solutions Limited to complete the traffic calming plan and implementation study remains within the approved budget for capital project #40237105.

Table 2 Project Breakdown

<b>Project Breakdown</b>	
<b>Approved Capital Projects</b>	
Project #40237105 - Traffic Calming Plan & Implementation Study	\$150,000.00
<b>Total Approved Capital Project Budget</b>	<b>\$150,000.00</b>
<b>Project Expenditures</b>	
Costs Incurred to Date	\$6,179.38
<b>Remaining Project Costs / Commitments</b>	
Traffic Calming Plan & Study - Paradigm Transportation	\$126,108.62
Contingency	\$13,000.00
<b>Total Expenditures &amp; Remaining Commitments</b>	<b>\$145,288.00</b>
<b>Budget Surplus/(Shortfall)</b>	<b>\$4,712.00</b>

**6. Communication and Public Engagement:**

N/A

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

N/A

**8. Strategic Priorities:**

Report PDE 11-24 supports Pillar 1 and Pillar 4 priorities of the Community Strategic Plan. Specifically, Pillar 1, Whitby's Neighbourhoods, focuses on community safety. Pillar 4, Whitby's Government, is premised on the best use of technology, transparent and open decision-making, meaningful engagement, and a commitment to continuous improvement. In addition, sustainable transportation such as supporting walkability is a key sustainability principle.

**9. Attachments:**

N/A

# Town of Whitby

## Staff Report

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### Report Title: Heritage Permit Application – Request for Demolition of 114 Keith Street, Designated under Part V of the Ontario Heritage Act; HP-17-24

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** PDP 56-24

**Department(s) Responsible:**

Planning and Development Department  
(Planning Services)

**Submitted by:**

R. Saunders, Commissioner of Planning  
and Development

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

**For additional information, contact:**

John Taylor, Director of Planning  
Services, ext. 2908

Dave Johnson, Planner II – Heritage, ext.  
3166

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#### 1. Recommendation:

1. That Council approve the Heritage Permit Application requesting demolition of the existing dwelling at 114 Keith Street (HP-17-24), as supported by the Heritage Whitby Advisory Committee, and in accordance with Section 42 of the Ontario Heritage Act.

#### 2. Highlights:

- The Biglieri Group on-behalf of the owner has submitted a Heritage Permit Application (HP-17-24) to request the demolition of the existing dwelling at 114 Keith Street, which is located within the Werden’s Plan Neighbourhood Heritage Conservation District.
- A Cultural Heritage Impact Assessment (CHIA) and Structural Engineer’s Report was submitted along with the Heritage Permit application. The CHIA identifies how the dwelling is a candidate for demolition due to a fire in 2023, and previous unsympathetic alterations and the resultant loss of heritage integrity. The structural Engineers report identifies damages to both the interior and exterior of the dwelling.

- The Heritage Whitby Advisory Committee (HWAC) reviewed the application on November 12, 2024 and passed a motion of support for the requested demolition.

### **3. Background:**

#### **3.1 Site and Area Description**

The subject land, municipally known as 114 Keith Street is located between Byron Street South and Brock Street South and is approximately 0.07 ha in size (refer to Attachment #1). The subject land is designated under Part V of the Ontario Heritage Act and is located within the Werden's Plan Neighbourhood Heritage Conservation District. Low Density residential uses are located to the north, south and west, and mixed-uses to the east (refer to attachment #2).

#### **3.2 Heritage Permit Application**

A Heritage Permit Application has been submitted to request demolition of the existing dwelling at 114 Kieth Street, designated under Part V of the Ontario Heritage Act, within the Werden's Neighbourhood Plan HCD. Demolition of a designated property requires a decision of Council under the Ontario Heritage Act.

#### **3.3 Documents Submitted in Support**

- A Cultural Heritage Impact Assessment, prepared by Biglieri Group (refer to Attachment #3) dated September 2024.
- A Structural Engineers Report, prepared by Ehsan Tawhidi & Associates, dated June 2024, which includes an exterior and interior assessment of the damage caused by the fire (refer to Attachment #4).

### **4. Discussion:**

#### **4.1 Whitby Official Plan**

The subject land is designated "Low-Density Mature Neighbourhood" in the Downtown Whitby Community Secondary Plan (refer to Attachment #5). The Secondary Plan states that redevelopment of lands designated "Low Density Mature Neighbourhood" shall be compatible with and fit in with the existing physical character of the neighbourhood (11.3.7.1.5). Additionally, redevelopment of lands within the Werden's Plan Neighbourhood HCD may require a Heritage Permit and a Cultural Heritage Impact Assessment, and any redevelopment shall have regard for scale, massing, setbacks, building materials and design features in accordance with the policies of the Werden's Plan Neighbourhood HCD (11.3.6.2.6).

Section 6.1.3.7. of the Official Plan states that when reviewing proposals for the demolition, relocation, or removal of buildings and structures within a designated Heritage Conservation District, the Town shall be guided by the applicable Heritage Conservation District Plan guidelines and policies.



## **4.2 Zoning Bylaw**

The subject land is zoned Residential 3 – R3 in Zoning By-law 2585 (refer to Attachment #6). Residential uses permitted include a duplex dwelling, semi-detached dwelling, and single detached dwelling subject to compliance with associated provisions in the Zoning Bylaw

## **4.3 Werden's Plan Neighbourhood HCD**

The subject land is designated under Part V of the Ontario Heritage Act and is located within the Werden's Plan Neighbourhood Heritage Conservation District (HCD). The goal of the Werden's HCD Plan is to preserve the neighbourhood's small-town historic character through the conservation of cultural heritage resources. The Werden's Plan identifies the subject property as being "Historical."

The Werden's HCD Plan provides guidance for consideration of requests for demolition, including the requirement for a CHIA and/or other supporting documentation.

## **4.4 Heritage Permit Application and Review Process**

Biglieri Group on behalf of the owner has submitted a Heritage Permit Application (HP-17-24) as required by Section 42 of the Ontario Heritage Act, for properties designated under Part V of the Act, to request the demolition due to fire damage of the existing structure.

As part of the review process, the applicant is required to determine the site's historical significance through a Cultural Heritage Impact Assessment.

Under Section 42 of the Ontario Heritage Act, a decision to permit the demolition of a property designated under Part V of the Act must be made by Council.

Further, where a Council has established a municipal heritage committee, the Municipality is required to consult with the municipal heritage committee before making a decision. The subject Heritage Permit Application was considered by the Heritage Whitby Advisory Committee (HWAC) on November 12, 2024.

## **4.5 Evaluation of Proposed Demolition**

### **4.5.1 Cultural Heritage Impact Assessment:**

The applicant's CHIA (refer to Attachment #3) provided an evaluation of the proposed demolition of the existing dwelling in accordance with the Werden's Plan HCD Plan policies for Demolition. The Werden's Plan HCD discourages the demolition of property that are classified as "historic," except in extenuating circumstances. However, the Cultural Heritage Impact Assessment and Structural Engineers Report for 114 Keith Street, indicate that the property was very heavily damaged by fire in 2023.

According to the CHIA, and the information available to the Town, there is no known exact date of construction. The structure is a 1.5 storey single detached residential dwelling, which was converted into rental units. Based on the Property Information Sheet of the HCD Plan the residential structure is described as an early 20<sup>th</sup> Century profile including a classically inspired porch. The dwelling exudes several characteristics of an early 20<sup>th</sup> Century Edwardian architectural style featuring a gable roof, prominent front porch with simple architectural detailing.

The CHIA identifies how this dwelling is a candidate for demolition due to fire damage as follows:

- The interior of house has been severely damaged by fire, with the level of destruction making it difficult to discern the original layout of the dwelling. In the kitchen area of the dwelling, the ceiling has caved in, and the floor has completely caved in exposing the subfloor and burnt beams. In other parts of the house the walls have partially collapsed, and in the bathroom, there are significant areas of burned/charred walls, and the flooring is not stable. The CHIA includes many photographs detailing the extent of the damage.
- The interior of the rear addition has been destroyed with no detail left to discern a layout. There are collapsed walls, exposed framing and floors that have completely caved in.

The CHIA also outlines how the dwelling had undergone previous unsympathetic alterations prior to the fire, as follows:

- The dwelling has been mostly destroyed by an extensive fire. Prior to this, the house had undergone extensive unsympathetic alterations. As a result, the dwelling is no longer in its original or stable condition. The fire has destroyed or severely damaged any surviving physical and historical characteristics.
- Any of the key architectural and/or historically significant materials have been lost and/or irreparably altered, which diminishes the sites' ability to convey its original historical context. Without those defining characteristics, the dwelling can no longer support its historical or cultural significance.

The CHIA outlined the loss of heritage integrity as follows:

- The heritage integrity was assessed/evaluated through two key scenarios: the loss of originality and structural integrity. It is the opinion of the consultant that even before the fire the dwelling had already been heavily altered without regard for its original design. These changes include a large single storey addition, which was functional, but not in keeping with the original design of the house. The original layout for ingress and egress had been altered. Other modifications including the application of inappropriate siding materials over the original wood siding contributed to the loss of the original character.

#### **4.5.2 Structural Engineer's Assessment:**

The owner retained Ehsan Tawhidi & Associates, a structural engineering firm to evaluate the house's structural integrity and prepared a report (refer to Attachment #4).

The structural engineers performed a site visit in June 2024 and the engineers' structural assessment outlined the damages to the interior of the dwelling as follows:

- The interior side shows excessive burning and loss of sections of roof, walls, and floors. The front side shows excessive damage due to winter exposure. The heat from the fire in the rear side took a toll and has weakened the framing and has less redundancy to withstand cold temperatures.

The engineers' structural assessment outlined the damages to the exterior of the dwelling as follows:

- The exterior side shows signs of cracking, spalling, misalignments, bowing and sagging.

It is the opinion of the engineering firm that the house is irreparable due to the damage of the fire.

#### **4.6 Consultation with Heritage Whitby Advisory Committee (HWAC)**

The applicant attended the November 12, 2024, meeting of the Heritage Whitby Advisory Committee with the heritage consultant giving a presentation.

At the meeting, HWAC passed the following motion (refer to Attachment #7):

“That the Heritage Whitby Advisory Committee supports Heritage Permit Application HP-17-24, Demolition Request for 114 Keith Street.”

#### **4.7 Conclusion**

The owner's Heritage Consultant (Biglieri Group) and the owner's Structural Engineers (Ehsan Tawhidi & Associates ) have concluded that due to the severe damage caused by a fire at the house and the loss of heritage integrity/characteristics that occurred prior to the fire, the proposed demolition is negligible in terms of impact and demolition is recommended by the structural engineer to ensure public health and safety. HWAC has passed a motion of support of demolition request Heritage Permit application.

Accordingly, it is recommended that Council approve the Heritage Permit application requesting demolition of the existing dwelling at 114 Keith Street (HP-17-24), in accordance with Section 42 of the Ontario Heritage Act.

**5. Financial Considerations:**

Not Applicable.

**6. Communication and Public Engagement:**

Not Applicable.

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

Not Applicable.

**8. Strategic Priorities:**

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

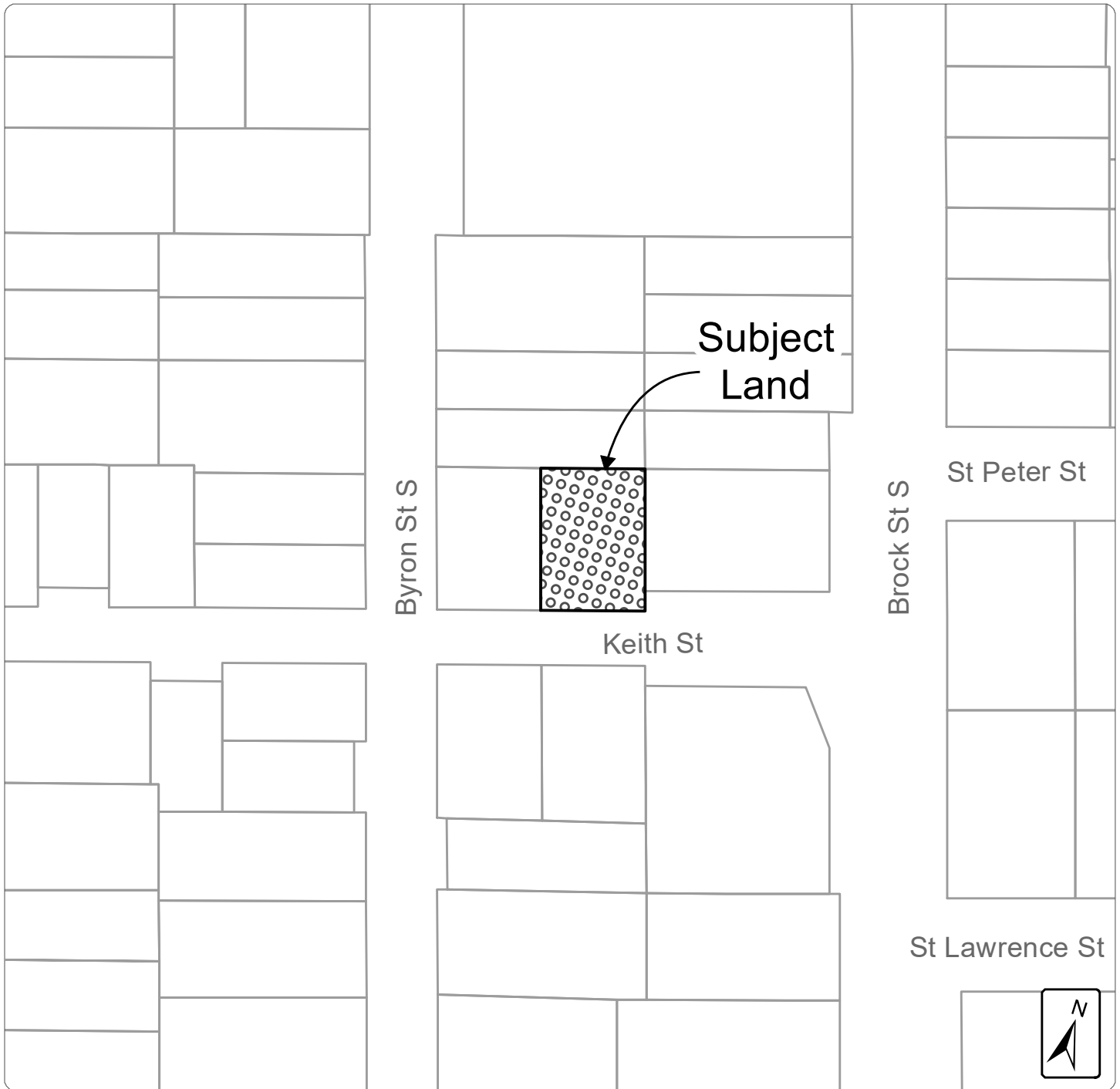
The Heritage Permit review process has provided the opportunity for input on the proposed application, which aligns with the objectives of the Corporate Strategic Plan to provide a consistent, optimized, and positive customer service experience.

**9. Attachments:**

- Attachment #1 Location Sketch – 114 Keith Street
- Attachment #2 Aerial Context map
- Attachment #3 Cultural Heritage Impact Assessment, prepared by Biglieri Group
- Attachment #4 Structural Engineers Report, prepared by Ehsan Tawhidi & Associates
- Attachment #5 Excerpt from Schedule H – Downtown Whitby Community Secondary Plan (Land Use)
- Attachment #6 Excerpt from Zoning By-Law 2585
- Attachment #7 Minutes of November 12, 2024, HWAC meeting

# Attachment #1 Location Sketch

PDP 56-24



## Town of Whitby Planning and Development Department

Address:

114 Kieth Street

Date:

December 2024

External Data Sources:

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# Attachment #2 Aerial Context Map



 **Town of Whitby Planning and Development Department**

Address:  
114 Kieth Street

Date:  
December 2024

External Data Sources:  
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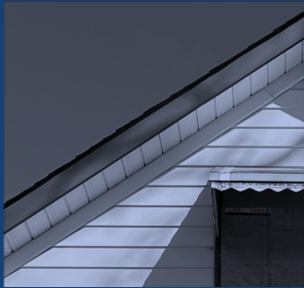




# Heritage Impact Assessment

114 Keith Street, Whitby, Ontario

Jenita Jeyan Baheerathan



September 2024

# ACKNOWLEDGEMENTS

## LAND ACKNOWLEDGEMENTS

As descendants of settlers to Canada, one of our goals is to inspire others to take action to support Indigenous communities. One of the ways we can help achieve this is through creating a meaningful and intentional land acknowledgement. Therefore, we respectfully acknowledge that the subject site and the Town of Whitby is located on the Lands of the Mississauga Nations whose communities include the Mississaugas of Scugog Island, First Nations of Alderville, Beausoleil, Curve Lake, Hiawatha, Chippewas of Georgina Island, and Rama. We are grateful to work on this land.

The Town of Whitby and the subject site is covered by three treaties. The first is the Dish with One Spoon Wampum Belt Covenant of 1701, made between the Anishinaabe Three Fires Confederacy and the Haudenosaunee Confederacy. The second is the Williams Treaties, signed on October 31 and November 15, 1923, by seven Anishinaabe First Nations and Crown representatives, addressed unsundered lands through a commission led by Treaty Commissioner A.S. Williams. The Treaties cover around 52,000 km<sup>2</sup>, from Lake Ontario's northern shore to Lake Nipissing, overlapping with earlier treaties. The third is the Johnson-Butler Purchase, also known as the "Gunshot Treaty," was made in 1788 between the Crown and certain Anishinaabe peoples. It covers land along Lake Ontario's north shore from the Toronto Purchase to the Bay of Quinte, with its boundary determined by the distance a gunshot could be heard. The land was confirmed in the Williams Treaties of 1923, and current communities in the area include Oshawa and Cobourg.

We are all treaty people. Many of us have come here as settlers, immigrants, and newcomers in this generation or generations past. We would also like to acknowledge and honour those who came here involuntarily, particularly those who are descended from those brought here through enslavement.



# BACKGROUND INFORMATION

## OWNER INFORMATION

The property municipally addressed as 114 Keith Street, Whitby (“subject site” or “site”) is presently owned by Jenita Jeyan Baheerathan.

## AUTHORS

This Heritage Impact Assessment was prepared by The Biglieri Group Ltd. (“TBG”). TBG is an urban planning, design, and heritage consulting firm based out of Toronto and Hamilton that specializes in the conservation and stewardship of cultural heritage resources across Ontario.

Evan Sugden, HBASc, MA, CAHP, RPP, MCIP is the primary author of this Heritage Impact Assessment. Mr. Sugden is a registered Heritage Professional with the Canadian Association of Heritage Professionals (CAHP), a Registered Professional Planner with the Ontario Professional Planners Institute (RPP) and a full member of the Canadian Institute of Planners (MCIP). He holds an Honours Bachelor of Arts and Sciences degree in Geography from Lakehead University and a Master of Arts degree in Planning specializing in heritage conservation from the University of Waterloo.

Historical research and report drafting was completed by Giuseppe Ferreri, B.ES., a Junior Heritage Planner, and graduate of the University of Waterloo’s Honours Planning Program.

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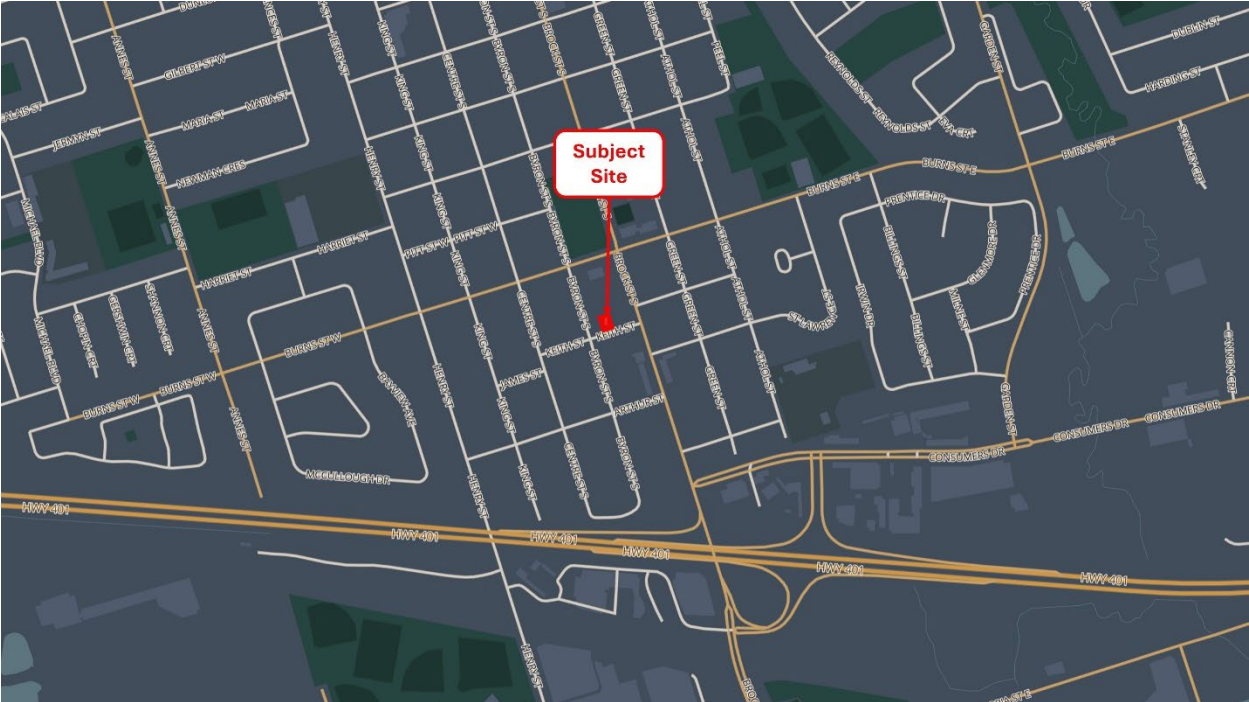
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# 1.0 INTRODUCTION

The Biglieri Group Ltd. (“TBG”) was retained by Intequa Designs, on behalf of the Owner, to prepare a Heritage Impact Assessment (“HIA”) and a Heritage Permit Application (“HPA”) for the proposed demolition of the structure at 114 Keith Street in Whitby, Ontario (the “subject site” or “site” – see Figure 1 below).

**Figure 1 - Location Map**



Source: VuMap, 2024a

The subject site is designated as a property of cultural heritage value or interest under Part V of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, through By-law No. 7297-17 (as approved / amended by the former Local Planning Appeal Tribunal on May 13, 2019) and is included on the Town of Whitby’s Municipal Heritage Register (the “Register”). This designation acknowledges the historical and cultural significance of the Werden’s Plan Neighbourhood as a whole and provides guidelines to manage physical changes in order to preserve its historic character over time.

The site currently contains a 1.5-storey dwelling with a single-storey rear addition, which has recently suffered severe fire damage and is now uninhabitable.

The purpose of this Heritage Impact Assessment (HIA) is to assess the potential impacts of the proposed demolition on the existing structure, to any adjacent heritage properties on the Town’s Register, and to the overall character of the Werden’s Plan Neighbourhood.

## 2.0 SITE AND SURROUNDINGS

### 2.1 THE PROPERTY

The subject site is located on the north side of Keith Street, between Brock Street South to the east and Byron Street South to the West, and south of Burns Street West. The major intersection nearest to the site is Burns Street West and Brock Street South. The subject site is legally described as:

*Part of Lot 27, Concession 1; Part Lot 7 East Side Of William Street Block D, Plan H50047; and Part Lot 8 East Side Of William Street Block D, Plan H50047 (Aka Byron Street) As In CO256458; Whitby.*

The site is a rectangular parcel measuring approximately 683.5 square meters (0.068 hectares), with about 22.3 meters of frontage along Keith Street and a lot depth of 30.5 meters. It features a 1.5-storey, single-detached dwelling with a vernacular front-gabled design influenced by Edwardian Classical architecture, along with a single-storey addition at the rear. The house is situated near the east side of the lot, resulting in a large side yard and, due to the size of the rear addition, a smaller backyard. Aside from the house, there are no other structures on the property. The southwest corner of the site, directly abutting Keith Street, contains a rectangular parking area that accommodates three to four vehicles. The house has been divided into rental units.

The house experienced a fire which has destroyed much of the interior but there are also clear signs of severe fire damage from the street, particularly around the front entrance and windows. In response to this damage, the house has been hoarded, with plywood boards covering the windows and doorways to prevent unauthorized access and further deterioration. A temporary fence has been erected around the property, serving as an additional security measure, indicating that the house is currently uninhabitable.

The figure below and images illustrate the subject site's aerial context within the neighbourhood and its existing conditions.



**Figure 2 - Aerial Context Map**



Source: VuMap, 2024b

*Subject Site from Keith Street Looking North (May 2024)*



Source: Original Photo



*Before Fire - Subject Site from Keith Street Looking Northwest (September 2014)*



Source: Google. 2014a

*Before Fire - Subject Site from Keith Street Looking Northeast (September 2014)*



Source: Google. 2014b



## 2.2 THE STRUCTURE

As mentioned above, the site consists of one structure: a 1.5-storey single-detached residential dwelling with a single storey rear addition that has been converted into rental unit, now damaged by fire. Based on the Werden’s Plan Neighbourhood District prepared by the Town of Whitby, the existing structure (prior to the recent fire) is described as an “*early twentieth century profile, including a classically inspired front porch.*”

The dwelling includes several characteristics of an early 20th Century Edwardian architectural style including a gable roof, prominent front porch, and simple architectural details. Throughout the years, the dwelling has gone through several renovations with alterations completed to the exterior as well as the interior. As documented through aerial photographs, there was a rear addition completed prior to 2009. This rear addition was added to accommodate additional rental units within the dwelling. Additionally, interior modifications were completed to transform the original dwelling into a rental accommodation.

### South (Front) Façade



Source: Original Photo

The south (front) façade showcases the house’s vernacular front-gabled design influenced by Edwardian Classical architecture. Its most defining feature is the steeply pitched, front-facing gable, a common element in early 20th-century homes. The façade is symmetrical, reflecting the Edwardian emphasis on order and proportion. A full-width front porch supported by simple, square columns extends across the front of the house, typical of Edwardian homes, providing a transitional space between the interior and exterior. The columns, while lacking in elaborate detail, echo a classical influence through their solid and straightforward design. The exterior cladding is white horizontal composite siding, which is modern addition, and appears to be overlaid atop original wood siding also horizontally laid. Decorative details are minimal, with understated trim (painted green) around the roofline and eaves that emphasize function over ornate design, consistent with the simplicity characteristic of Edwardian architecture.

The front façade features a rectangular window on the main floor offset left of centre and a square window in the gable above, both boarded up. The entrance door, slightly off-centre to the right, is also covered with plywood.

#### West (Side) Façade



*Source: Original Photo*

The west (side) façade of the house consists of two distinct sections. The front part of the structure is the original 1.5-storey dwelling, featuring a pair of rectangular 1 by 1 windows with two smaller square windows aligned horizontally to its right. These windows remain unboarded but show signs of fire-related damage around the siding.



The rear section is a single-storey addition that has been heavily affected by fire, resulting in significant damage. Large plywood sheets cover what were likely windows and doors, indicating that they have been boarded up for safety following the fire. The siding is missing or deteriorated in several areas, exposing the concrete block foundation. A small side porch (stoop) extends to the right of the addition providing access to the house. The stoop appears to be made of a mix of concrete and stone. The visible fire damage and weathering throughout the façade give the house an appearance of abandonment.

The rear addition is unsympathetic to the original design of the house as seen on the front façade due to its flat, box-like shape that contrasts with the traditional gabled roof and more classical / symmetrical design of the main structure. It lacks any of the decorative features or architectural harmony found in the main structure, using simple horizontal siding and a flat roofline that disrupts the cohesive aesthetic of the original house. This stark difference in style and design makes the rear addition appear as a more recent, functional extension rather than an integrated part of the house's architectural heritage.

#### North (Rear) Façade



*Source: Original Photo*

The north (rear) façade of the house features the single-storey addition showing signs of extensive fire damage. The upper part of the wall, including the eaves and roofline, displays visible charring and blackened marks consistent with fire exposure. Two large windows are present, both boarded up with plywood, indicating either damage from the fire or efforts to

secure the structure post-fire. The siding is horizontal and appears relatively intact, except for some discoloration and soot marks near the roof. The foundation is made of concrete blocks with small vent openings, indicating the presence of a crawl space. It is unclear if these holes in the block wall are intentional as part of the architecture or as a result of fire suppression efforts. Overall, the rear façade shows clear indications of fire damage, particularly in the upper portion, while the lower section seems structurally sound but weathered. Again, the rear addition can be seen here as unsympathetic to the original design of the house as seen on the front façade due to its flat, box-like shape that contrasts with the traditional gabled roof and more classical / symmetrical design of the main structure.

#### East (Side) Façade



*Source: Original Photo*

The east (side) façade of the house also showcases the two distinct sections: the original 1.5-storey portion at the front and a 1-storey addition at the rear. The original portion of the house has a gabled roof and features taller, narrower windows that are now boarded up. The siding here is horizontal, painted white, and sits above a foundation of mixed materials (i.e., concrete, concrete block, and a masonry wall clad with veneered fieldstone), providing a more textured and traditional appearance. The entryway, accessed via concrete steps with metal railings and stone veneers, is part of this section, reflecting its more detailed architectural design. In contrast, the rear 1-storey addition has a flat roofline that differs significantly from the pitched roof of the original house. This addition's façade is simpler and less detailed, with a concrete block foundation rather than the stone cladding of the original section. The windows on this addition are smaller, rectangular, and also boarded up. The material changes from stone to concrete, along with the differing rooflines and window sizes,



highlights the alterations over the years and the addition as a later, more utilitarian structure that contrasts with the style of the original house.

East (Side) Façade



*Source: Original Photo*

East (Side) Façade



*Source: Original Photo*

There is also a red brick chimney centrally positioned on the original 1.5-storey section visible from this side. Its simple, rectangular design lacks decorative details, indicating a functional purpose. The bricks appear weathered.

### Interior

The interior of the house has been severely damaged by fire, with the extent of destruction making it difficult to fully discern the original layout. In the kitchen area, the ceiling has partially collapsed, exposing charred beams and insulation, while the cabinets and walls are heavily scorched and covered in soot. This area shows significant damage, suggesting that the fire either started or spread intensely here. In another part of the house, the floor has completely caved in, exposing the subfloor and burnt beams, indicating the fire's likely impact on the structural integrity. The staircase and surrounding hallway show intense smoke and heat damage, with peeling paint and charred wood, yet the basic structure remains standing.

Other parts of the house, however, are more precarious, with walls partially collapsed and debris scattered across the floors. The bathroom, for example, shows significant heat damage with burn marks on the bathtub and tiles, while the surrounding flooring and walls appear dangerously compromised.

The photos below were taken with great caution, as weakened floors and collapsed sections rendered some areas inaccessible due to the ongoing risk of further structural failure. The conditions in these images make it clear that navigating the house was hazardous, and many parts could not be fully explored due to the instability caused by the fire. In places, the floor was completely burnt out exposing the level below.

The images below reveal that the rear addition of the house has been entirely destroyed, with no remaining layout remaining. The fire completely ravaged this section, leaving behind collapsed walls, exposed framing, and a floor that is no longer intact. The destruction is so severe that this area could not be safely explored, as any remaining structures appeared unstable and at high risk of further collapse.

The total destruction of the rear addition indicates that the fire may have burned most intensely here, leaving nothing but charred remnants and debris, making it impossible to access or assess without considerable danger.



*Kitchen and Fire Damage (Original Section)*



*Kitchen and Fire Damage (Original Section)*



*Room and Fire Damage (Original Section)*



*Burnt Through Floor (Original Section)*



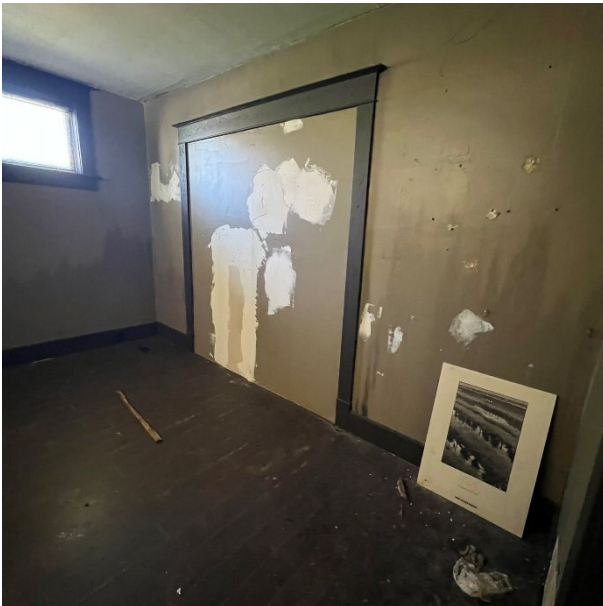
*Main Floor Entrance and Landing (Original Section)*



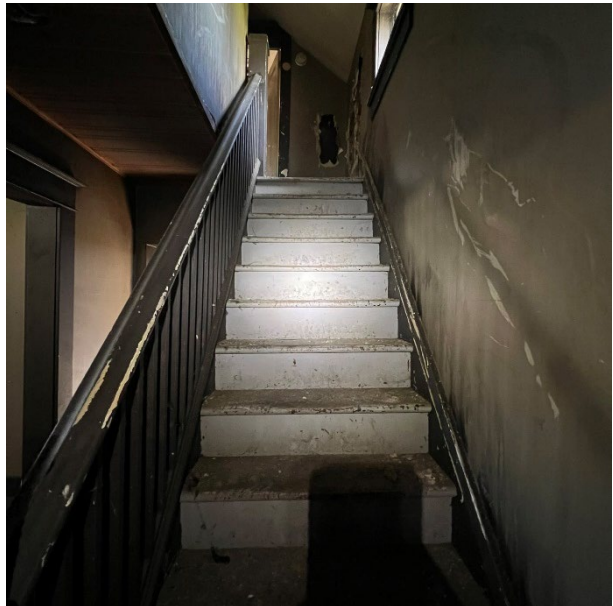
*Room and Fire Damage (Original Section)*



*Room and Fire / Fire Suppression Damage (Original Section)*



*Original Section Staircase*





*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*





*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level View of Addition*





*Upper-Level Room with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Bathroom with Fire / Fire Suppression Damage (Original Section)*



*Upper-Level Bathroom with Fire / Fire Suppression Damage (Original Section)*

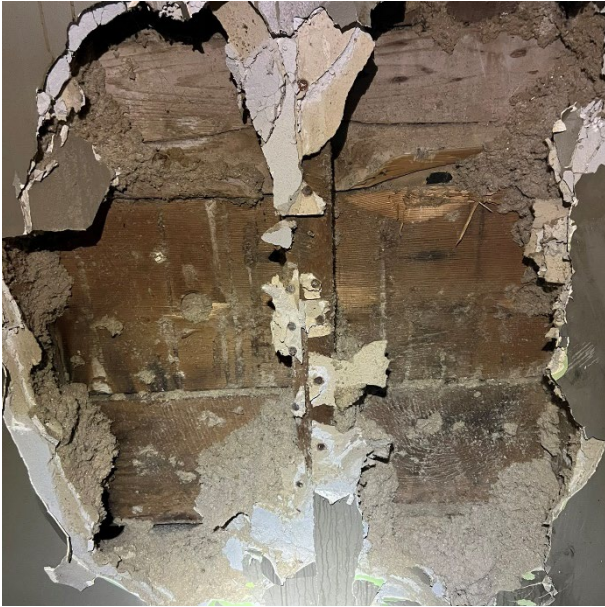


*Upper-Level Bathroom with Fire / Fire Suppression Damage (Original Section)*

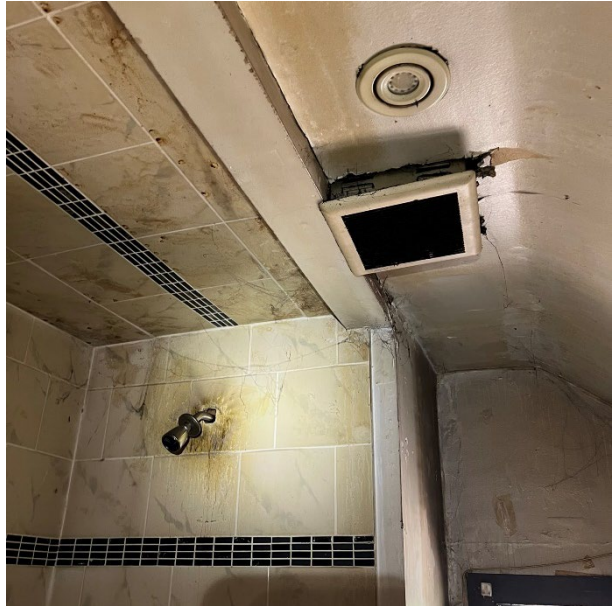




*Upper-Level Exposed Lathe and Plaster  
(Original Section)*



*Upper-Level Bathroom with Fire / Fire  
Suppression Damage (Original Section)*



*Rear Addition with Total Fire Destruction*



*Rear Addition with Total Fire Destruction*





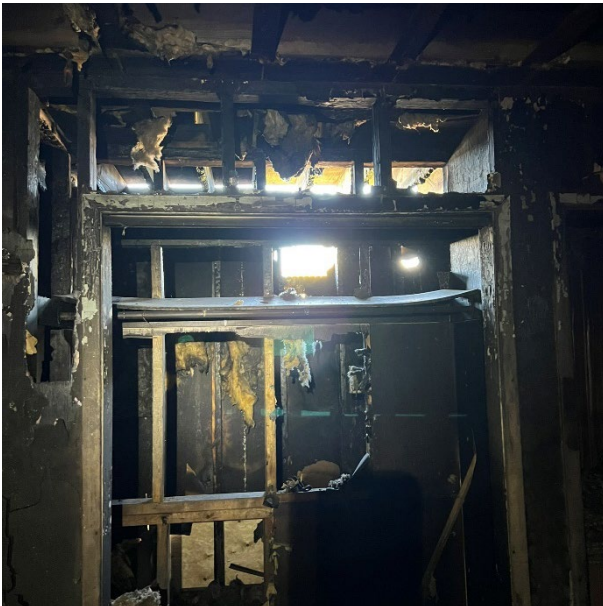
*Rear Addition with Total Fire Destruction*



*Rear Addition with Total Fire Destruction*



*Rear Addition with Total Fire Destruction*



*Rear Addition with Total Fire Destruction*





*Burnt Through Floor (Basement Visible Below)*



*Burnt Through Walls and Structural Elements*



*Stairwell to Basement*



*Electrical Panel (Basement)*





*Basement with Fire / Fire Suppression  
Damage*



*Basement with Fire / Fire Suppression  
Damage*



*Basement with Fire / Fire Suppression  
Damage*



*Basement with Fire / Fire Suppression  
Damage (Ceiling Collapse)*





*Closed Basement Entrance to Yard*



*Damaged Basement Bathroom*



Other Damage

*Cladding Destruction*



*Exposed Original Wood Siding*





*Exposed Original Wood Siding*



*Exposed Original Wood Siding*



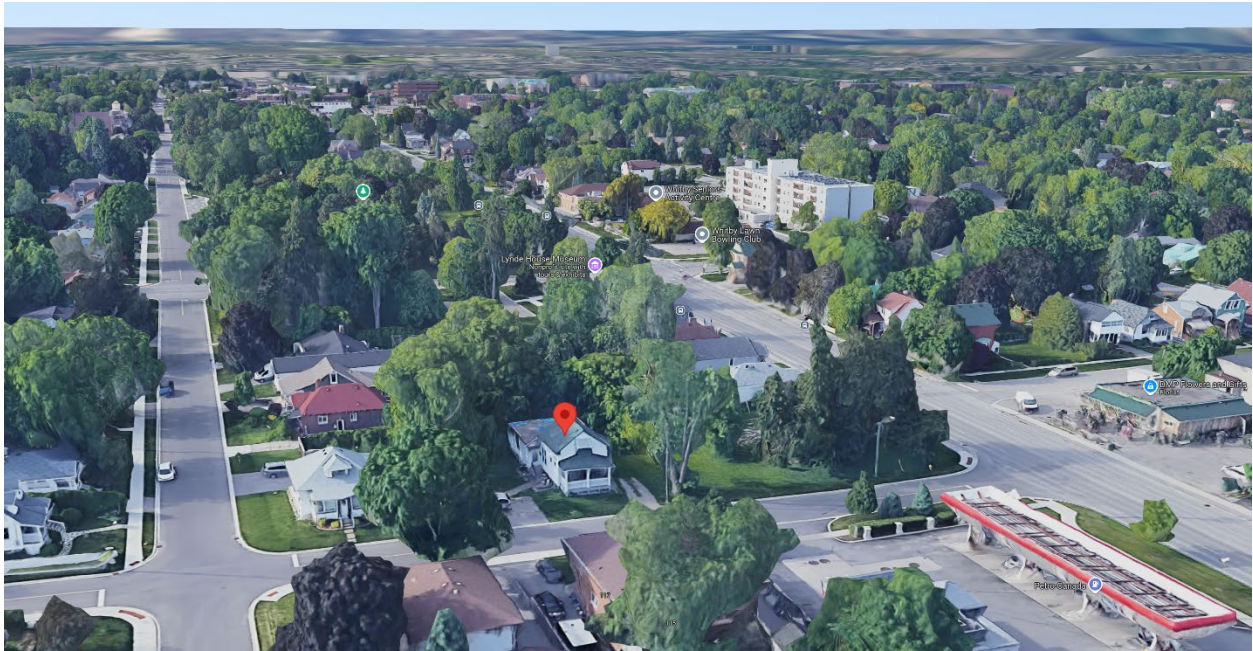
## **2.3 ADJACENT AND SURROUNDING**

The subject site is located in a predominantly residential area with detached homes to the north, west, and directly adjacent to the south. Across the street to the south, the context also includes a 2-storey walk-up apartment, adding a slightly higher-density residential character to the immediate surroundings. To the east, across Brock Street, the area transitions into a commercial strip, featuring a mix of small businesses. Notably, to the southeast, there is a gas station along with other commercial uses, indicating a more active, mixed-use corridor in contrast to the quieter residential setting around the subject property.

Further to the southeast along Brock Street, a variety of commercial establishments can be found, including professional offices, cafes, healthcare services, and specialty stores, indicating a diverse mix of small businesses. Continuing east, northeast, there are additional small businesses and service centers such as auto-related shops and florists. Further to the northeast, there is even a 5-storey apartment building at 850 Green Street. This blend of uses contributes to a dynamic urban edge along Brock Street, while the surrounding residential areas maintain a quieter suburban character.



**Figure 3 - 3D Aerial View of Lands North of Site (Site Indicated with Red Icon)**



Source: Google, 2024a

**Figure 4 - 3D Aerial View of Lands East of Site (Site Indicated with Red Icon)**



Source: Google, 2024b



**Figure 5 - 3D Aerial View of Lands South of Site (Site Indicated with Red Icon)**



Source: Google, 2024c

**Figure 6 - 3D Aerial View of Lands West of Site (Site Indicated with Red Icon)**



Source: Google, 2024d

## 2.4 HERITAGE CONTEXT

The subject site is a designated property of cultural heritage value or interest within Werden's Plan Neighbourhood Heritage Conservation District ("WPN-HCD") and is located at the southeast corner and edge of the WPN-HCD boundaries (see Figure 7 below). In the Register, the *Inventory of Part V Designated Properties – Werden's Plan Neighbourhood Heritage Conservation District*, classifies the subject site as a "Historic" resource.

The word "adjacent" is not a defined term in the Town of Whitby's Official Plan, therefore, it is assumed that the common definition for adjacent, meaning next to or adjoining is appropriate. Accordingly, there are four properties located adjacent to the subject site and two properties located across the street from the site, which in some municipalities is considered adjacent. These properties are 922 Brock Street South, 924 Brock Street South, 925 Byron Street South, 122 Keith Street, 119 Keith Street, 115-117 Keith Street, and 1006 Brock Street South. Of these adjacent properties, only 925 Byron Street South and 122 Keith Street have heritage status, with both being Part V designated properties classified as "Complementary" and "Historic" resources, respectively. Generally, everything to the west, northwest, and north of the site is designated by default as part of the WPN-HCD under Part V of the Ontario Heritage Act.

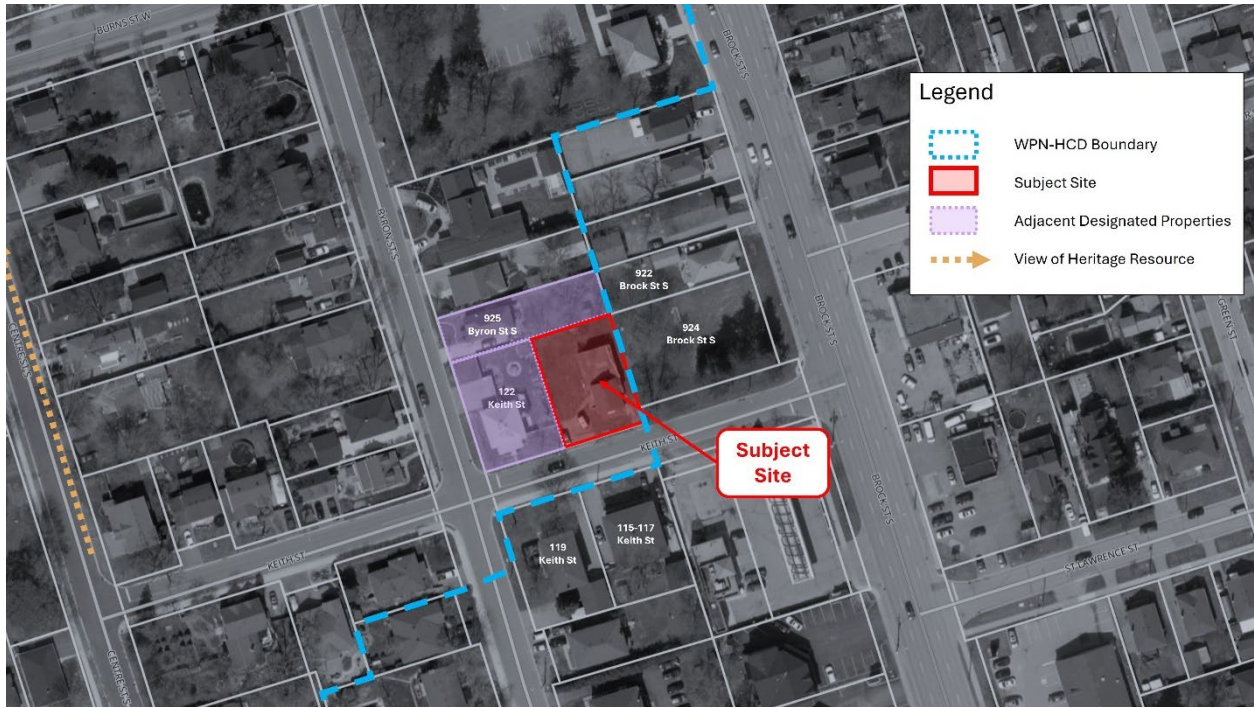
**Figure 7 - Werden's Plan Neighbourhood Heritage Conservation District**



Source: Town of Whitby, 2017a



**Figure 8 - Adjacent Heritage Context Map**



VuMap, 2024b

## 3.0 PROPOSAL

This Heritage Permit Application is proposing the demolition of the existing dwelling at 114 Keith Street. No other development is proposed at this time.

# 4.0 POLICY CONTEXT

## 4.1 Planning Act

The Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The Planning Act includes several sections that speak to matters relating to cultural heritage, including those matters of provincial interest in Section 2, which among other matters, states that:

*2 The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*

*(d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest; [...].*

To refine the matters of provincial interest described in Section 2 of the Planning Act, the Minister of Municipal Affairs and Housing, or the Minister together with any other minister of the Crown, issues policy statements on matters relating to municipal planning that are of provincial interest. In this regard, the in-force 2020 Provincial Policy Statement was prepared, which sets the rules for land use planning in Ontario.

## 4.2 Provincial Policy Statement

The 2020 Provincial Policy Statement (“PPS”), which is still in force and effect until October 20, 2024, includes policies about managing growth, using, and managing natural resources, protecting the environment, public health, and safety, and provides policy direction on matters of provincial interest including the wise use and management of cultural heritage resources.

Section 2.6 of the PPS provides specific policy direction with respect to cultural heritage and archaeology. Specifically, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved.

This HIA assesses the proposed demolition to determine any potential impacts to heritage attributes and adjacent heritage properties on the Town’s Register and suggest mitigation/conservation measures. This includes an assessment of alternative development options, if necessary.

### **4.3 Provincial Planning Statement, 2024**

On August 20, 2024, the Ministry of Municipal Affairs and Housing (“MMAH”) released a new Provincial Planning Statement (“2024 PPS”). The 2024 PPS is intended to be a streamlined land use policy framework that replaces the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe 2019. It builds on housing-supportive policies from both documents and provides municipalities with the tools and flexibility to increase housing supply, align development with infrastructure for a competitive economy, support rural viability, and protect agricultural lands, the environment, and public health and safety.

The 2024 PPS comes into force and effect on October 20, 2024, and therefore, the policies within it, have been included in this report, as a way to highlight the new provincial policy directions as it relates to cultural heritage.

In this regard, Section 4 of the 2024 PPS provides policy direction on the wise use and management of resources in Ontario, including cultural heritage and archaeological resources. Section 4.6 specifically provides policy direction on cultural heritage and archaeology, providing the following policies:

1. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
2. Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.
3. Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
4. Planning authorities are encouraged to develop and implement:
  - a. archaeological management plans for conserving archaeological resources; and
  - b. proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.



5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources and cultural heritage landscapes.

A protected heritage property is a defined term in the 2024 PPS, and means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Significant heritage resource is also a defined term in the 2024 PPS and means, in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Accordingly, the policies of 4.6.1, 4.6.3, and 4.6.4 apply to the proposal, and therefore, have been captured in this report. The focus for heritage conservation in Ontario, as per the 2024 PPS, has now shifted to conserving protected heritage properties (such as the subject site), which means properties listed or inventoried but not designated are not provincial priorities for conservation.

The 2024 PPS is not yet in force and effect, and this section was provided for reference only to the emerging new planning framework. This HIA assesses the proposed demolition to determine any potential impacts to the site as a protected heritage property and adjacent protected heritage properties on the Town's Register and suggests mitigation/conservation measures. This includes an assessment of alternative development options, if necessary.

#### **4.4 Ontario Heritage Act**

The Ontario Heritage Act, R.S.O. 1990, c. O.18 (the "OHA"), is provincial legislation that sets out the ground rules specifically for the protection of heritage properties and archaeological sites in Ontario. The OHA came into force in 1975, and has been amended several times, including in 2005 to strengthen and improve heritage protections in Ontario, amended again in recent years through several bills including Bill 108 in July 2021, in November 2022 through Bill 23, in December 2023 through Bill 139, and in 2024 through Bill 200.

Under the OHA, Part V, Section 39.1 to 46 provide the legislation for heritage conservation districts.

Section 42 of the OHA provides that, in a designated heritage conservation district, property owners must obtain a municipal permit before altering, erecting, demolishing, or removing

any building or structure on their property. This excludes the building's interior. However, minor alterations that are allowed in the district's conservation plan can be made without a permit. Accordingly, property owners in a designated heritage conservation district can apply for a permit to alter, erect, or demolish parts of their property. The application must include information required by the municipality, which will acknowledge receipt and decide within 90 days, either approving, refusing, or attaching conditions to the permit. If no decision is made within this timeframe, the permit is deemed granted. Owners can appeal a refusal or conditional approval to the Tribunal.

## 4.5 Ontario Heritage Tool Kit

The Ontario Heritage Tool Kit (“OHTK”) is a series of guides designed to help understand the heritage conservation process in Ontario. The OHTK guides explain the steps to undertake the identification and conservation of heritage properties using the Ontario Heritage Act. They also describe roles community members can play in municipal heritage conservation, as participants on municipal heritage committees, or through local research conducted by groups with an understanding of heritage.

Following recent amendments to the Heritage Act, the OHTK was updated to assist users understand the changes. Some changes to the Heritage Act came into effect as O. Reg. 385/21 on July 1, 2021, but the OHTK drafts dated May 2021 were never finalized. Notwithstanding, the May 2021 draft of the OHTK are still posted on the Environmental Registry of Ontario (ERO # 019-2770), and as such, are helpful in understanding the revisions being considered by the Province.

The original OHTK consist of five documents. The document entitled “Heritage Resources In The Land Use Planning Process” and specifically Info Sheet #5: Heritage Impact Assessments and Conservation Plans are the most applicable to this HIA and set out the high-level types of negative impacts to be considered. These negative impacts include, but are not limited to:

1. **Destruction** of any, or part of any, significant heritage attributes or features;
2. **Alteration** that is not sympathetic, or is incompatible, with the historic fabric and appearance;
3. **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
4. **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
5. **Direct or indirect obstruction of significant views or vistas** within, from, or of built and natural features;

6. **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and
7. **Land disturbances** such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

The May 2018 draft OHTK document entitled, “Designating Heritage Properties” is also relevant to this HIA as it describes what a designation is and how it works to protect cultural heritage properties, and how a designation can work to conserve the heritage value of a property by managing alterations and supporting ongoing maintenance and conservation, among other matters.

Under the Heritage Act, O. Reg. 9/06 sets out the criteria for determining cultural heritage value or interest. Under O. Reg 9/06, a property may be designated under Section 29 of the Heritage Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest. However, O. Reg 9/06 does not consider matters that relate to the heritage integrity of building or structures.

Although a heritage evaluation under O.Reg 9/06 is not a component of this report, Section 5.3 of the OHTK document “Heritage Property Evaluation” provides valuable insight related the discussion of “integrity”. Accordingly, a heritage property does not need to be in original condition, since few survive without alterations between their date of origin and today.

Integrity then, becomes a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

In this regard, buildings that have been irreversibly altered without consideration for design, may not be worthy of long-term protection. When surviving features no longer represent the design, the integrity has been lost. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, warrants an assessment of integrity. If a building has an association with a prominent owner, or if a celebrated event took place there, it may hold cultural heritage value or interest, but the challenge comes with defining the specific type of association.

Cultural heritage value or interest may also be intertwined with location or an association with another structure or environment. If these have been removed, the integrity of the property may be seriously diminished. As well, cultural heritage value or interest can be found in the evolution of a heritage property, as much can be learned about social, economic, technological, and other trends over time. The challenge again, is being able to differentiate between alterations that are part of an historic evolution, and those that are expedient and offer no informational value.

Section 5 of the May 2021 Draft OHTK document “Designating Heritage Properties” also provides draft guidance on conserving the heritage value of a designated property. The guidance provided in this section is helpful, as it speaks to matters regarding the loss of heritage integrity.

Accordingly, if a property is noted as being important for its architectural design or original details, and that design has been irreparably changed, it loses its heritage value and its integrity. Likewise, if a property is designated for its association with a significant person or event, but the physical evidence from that period has disappeared, the property’s cultural heritage value is diminished. For example:

*What a difference it makes to see the symbols and hideaway places associated with the Underground Railroad in a building, compared with only the ability to say, “this happened here.”*

As well, the same consideration applies to contextual qualities. A building, structure or other feature that has lost its context, has lost an important part of its heritage value.

## **4.6 A Place To Grow: Growth Plan For The Greater Golden Horseshoe**

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”) came into effect as of May 16, 2019, replacing the previous 2017 Growth Plan. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter must conform with the Growth Plan, subject to any legislative or regulatory provisions providing otherwise.

Subsequently, on August 28, 2020, the Growth Plan was amended by Growth Plan Amendment No. 1. The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the Greater Golden Horseshoe (GGH) to the year 2051 and supports the achievement of complete communities.

The subject lands are located within the GGH, and therefore, the policies of the Growth Plan apply. It is noted that once the 2024 PPS comes into force and effect on October 20, 2024, the Growth Plan will be repealed.

The Guiding Principles, which are important for the successful realization of the Growth Plan, are set out in Section 1.2.1. The key principle relevant to the proposal includes conserving and promoting cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.

In this regard, Section 4.2.7 of the Growth Plan sets out the policy framework for cultural heritage resources within the GGH. Specifically, Policy 4.2.7.1 states that *cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.*

This Growth Plan policy will be considered in the context of this report through the assessment below.

## **4.7 Envision Durham (Durham Region Official Plan)**

The Regional Municipality of Durham adopted their new Regional Official Plan (“New DROP”) on May 17, 2023, which is the culmination of work completed through Envision Durham, the Municipal Comprehensive Review (MCR) process. The New DROP addresses a wide variety of strategic land use planning and development matters. Envision Durham also represents the Region’s provincially mandated exercise to ensure that the New DROP conforms with Provincial Plans or does not conflict with them; has regard to matters of Provincial interest; and is consistent with the Provincial Policy Statement.

On September 3, 2024, the Minister of Municipal Affairs and Housing approved Envision Durham, in part, with modifications. All of Whitby is included within this approval. Details on the approval of the new Regional Official Plan are available on the Environmental Registry of Ontario

The New DROP has a much more robust policy section on cultural heritage. Though not directly a cultural heritage policy, Section 3.2 of the New DROP provides policy direction with respect to climate change and sustainability. Section 3.2.10.c) speaks to promoting the use of sustainable design principles and green building design in the planning and construction of buildings, including adaptive reuse, and energy efficient building materials and designs. Similarly, Section 3.3 speaks to the creation of complete communities, with one of the objectives being the support for the adaptive reuse of cultural heritage sites and properties.

Generally, the Region prioritizes the recognition, conservation, and enhancement of cultural heritage in the region, including resources and landscapes, such as downtowns, historical areas, scenic lookout areas, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association with the community. Objectives in this regard include: supporting the preservation of heritage and character within the region’s historic downtowns, streetscapes and neighbourhoods; promoting the conservation, protection and enhancement of Durham’s built and cultural heritage resources and landscapes, including Indigenous cultural heritage; promoting a balanced approach to intensification in downtowns where appropriate, while preserving built and cultural heritage value; supporting the adaptive reuse of cultural heritage sites and properties.



Policy 3.3.33 of the New DROP provides it is the policy of Council to strengthen, restore and enhance the local, historical and cultural heritage, character and role of Durham's downtowns and historical areas as walkable centres of tourism, recreation, housing, employment, main street shopping and social gathering to foster cultural capital and a creative economy. Policy 3.3.41 encourages area municipalities to adopt measures that protect and enhance cultural heritage resources. This includes incorporating heritage protection policies in official plans, using the Ontario Heritage Act to conserve heritage resources, establishing Municipal Heritage Committees for consultation during planning processes, regularly updating heritage registers, creating urban design standards in historic districts, and maintaining a list of cultural heritage landscape features with policies to protect and enhance them across the region.

Accordingly, these policies will be considered in the context of this report through the assessment below.

## **4.8 Town of Whitby Official Plan**

The Town of Whitby Official Plan, as amended ("OP") sets policy directions for land use planning matters regarding long-term growth and development in the municipality. The OP provides policies and directives for the overall management of growth, maintenance of the existing community, and sustaining the natural and cultural heritage environments.

In this regard, general goals and objectives related to cultural heritage are set out in Policy 2.3.4.2.4 and 2.3.4.2.5(g) the Town's goal is to protect and preserve the municipality's cultural heritage for future generations while fostering a sense of civic identity. This will be achieved by maintaining a high standard of community design in all future development and redevelopment, ensuring new projects are sensitively integrated with existing structures, including cultural heritage resources.

Accordingly, Section 6 of the OP provides the specific policy direction with respect to cultural heritage resources and archaeological resources in the Town. In this section, the specific objectives are to identify, conserve, and enhance cultural heritage resources in accordance with the Ontario Heritage Act, ensuring these resources are protected during the development approval process in compliance with relevant legislation, plans, programs, and guidelines. Additionally, they aim to conserve and enhance the character of Heritage Conservation Districts by carefully considering any proposed changes within or adjacent to the district.

### **Cultural Heritage Resources**

The OP defines Cultural Heritage Resources as resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, event, or a people and include built heritage, cultural heritage landscapes, archaeological resources, and documentary heritage left by people.

Policy 6.1.3.1 provides that the Municipality shall protect and conserve cultural heritage resources in accordance with applicable legislation, policies, and recognized heritage protocols. In this regard, Policy 6.1.3.4 states that:

*The Municipality, in consultation with the municipal heritage committee, shall encourage the designation and retention of cultural heritage resources on the original site and that such resources be integrated into new development and redevelopment, where appropriate, through the development approval process and other appropriate mechanisms. Retention of façades alone will generally be discouraged.*

Notwithstanding, Policy 6.1.3.6 provides that Council shall not restrict the right of the owner to alter a property designated under the Ontario Heritage Act, provided that the necessary permits are obtained, the alterations maintain the integrity of the property's cultural heritage values and attributes, and the alterations conform to the policies of this Plan, any applicable Heritage Conservation District Plan, designating by-law, and the Zoning By-law. Similarly, Policy 6.1.3.7 goes on to say that, in reviewing proposals for construction, demolition, relocation, removal, alterations, additions, renovation, or restoration of buildings or structures within a designated Heritage Conservation District, the Town shall be guided by the applicable Heritage Conservation District Plan guidelines and policies. The WPN-HCD Plan is discussed in the next section of this report.

Should any of these proposals be submitted, Policies 6.1.3.8 and 6.1.3.9 state that the Town may require a cultural heritage impact assessment that details the cultural heritage resource, assesses potential impacts of development, and suggests strategies to mitigate negative effects when alterations, development, or redevelopment are proposed on or adjacent to properties designated under Part IV or Part V of the Ontario Heritage Act. Additionally, a cultural heritage impact assessment may be required for the removal of a property from the Heritage Register or the demolition of part or all of a building or structure on a property listed on the Heritage Register. This HIA has been prepared in response to Policy 6.1.3.9 of the OP.

The Town may also impose, as a condition of any development approvals, the implementation of appropriate conservation, restoration, or mitigation measures to ensure the conservation of any affected cultural heritage resources (Policy 6.1.3.10).

With respect to proposed demolitions, Policy 6.1.3.11 states that “where cultural heritage resources cannot be retained, they shall be documented and are encouraged to be commemorated where appropriate.” This HIA can be utilized as an appropriate form of documentation. In addition, a structural assessment has been submitted as part of the complete HPA, and recommends that the house on site (i.e., the cultural heritage resource) as it cannot be retained.

#### **4.9 Werden’s Plan Neighbourhood Heritage Conservation District (By-Law No. 7297-17)**

The Werden’s Plan Neighbourhood Heritage Conservation District (“WPN-HCD”) is an agreement between the Town of Whitby and property owners in the Werden’s Plan Neighbourhood to preserve its historic small-town character. It guides long-term management of physical changes in the neighbourhood, covering public works and certain private property alterations requiring heritage review. It outlines which changes need review and those exempted, excluding most interior alterations. The WPN-HCD was designated under Part V of the Ontario Heritage Act through By-law No. 7297-17 (as approved / amended by the former Local Planning Appeal Tribunal on May 13, 2019) and is included on the Town of Whitby’s Municipal Heritage Register (the “Register”).

Proposals for demolition, alterations, and new construction are evaluated based on the plan’s guidelines. While property owners are not required to restore buildings, the plan supports those interested in doing so. Redevelopment is allowed but limited to specific types of construction, ensuring preservation and enhancement of the historic character.

The WPN-HCD covers the western part of Asa Werden's 1854 subdivision and parts of the Radenhurst and Wallace Plans, reflecting Whitby’s early growth (see Figure 9 below). It spans from Colborne Street West in the north to a historic cottage on James Street in the south, and from Brock Street South in the east to Henry Street in the west. The district includes 250 properties with historic residential streetscapes and key landmarks like St. Mark’s United Church, the Ontario County Courthouse, and the Whitby Central Library. The district preserves the area’s historic character while recognizing its significance in Whitby’s development.

In Werden’s Plan Neighbourhood, planning matters such as zoning and land subdivision will align with the Heritage Conservation District Plan. If there is a conflict between the WPN-HCD Plan and other planning documents, the WPN-HCD Plan takes precedence. In cases of

conflict with municipal by-laws, the WPN-HCD Plan will prevail, but the by-law remains valid in other respects to the extent of the conflict.

Within the WPN-HCD, the subject site is classified as a “Historic” property with the date of construction being unknown in the Register, and the house being un-named. “Historic properties are one of three classes created to describe the relative significance of property in the neighbourhood. This class of property includes those developed when Whitby was a stable small town, before its expansion in the mid-twentieth century. It excludes those properties built during the historic period, but which have been greatly or irreversibly altered. The other two classes of properties in the WPN-HCD are “Complementary” properties and “Uncharacteristic” properties.

Although the site is classified as “Historic” it is not identified as one of the features important in the WPN-HCD (see Figure 10 below).

“Complementary” properties are those that include properties dating, or appearing to date, from the mid-twentieth century or later (built after 1950), and are from this time period and are compatible with the district’s historic character. “Uncharacteristic” properties are neither “historic” nor “complementary.”

As of 2019, there were 24 individually designated properties under Part IV of the OHA, which are also subject to the WPN-HCD Plan’s objectives, policies, and guidelines. These properties are as follows: 210 Trent Street West; 219 Keith Street; 300 Byron Street South; 300 King Street; 301 Centre Street South; 306 Gilbert Street West; 312 and 316 Colborne Street West (merged as 312 Colborne Street West); 300 King Street; 319 Dunlop Street West; 400 Byron Street South; 400 Centre Street South; 400 King Street; 401 Centre Street South; 402 Byron Street South; 404 Byron Street South; 413 Byron Street South; 416 Centre Street South; 501 Byron Street South; 508 Byron Street South; 513 Centre Street South; 600 King Street; 604 Brock Street South; 616 King Street; 800 Centre Street South; 900 (910) Brock Street South. None of the 24 individually designated properties are located adjacent to the subject site, nor is the site itself an individually designated heritage property.

Notwithstanding, there are two properties located adjacent to the subject site that have heritage status: 925 Byron Street South and 122 Keith Street have heritage status, with both being Part V designated properties classified as “Complementary” and “Historic” resources, respectively. Generally, everything to the west, northwest, and north of the site is designated by default as part of the WPN-HCD under Part V of the Ontario Heritage Act.







remained a stable small town. The district contains the largest concentration of historic residential streetscapes in Downtown Whitby and landmarks of local and provincial importance. Public open spaces and assets contribute to its value. Most buildings are single-detached houses reflecting a range of traditional architectural styles, showcasing the domestic aspirations of the time. There is a mix of house sizes, indicating social diversity typical of small towns, with larger homes on spacious lots that maintain Whitby's historic pattern of private open spaces. Many houses share similar features like front yards, mature trees, and detached garages, creating a cohesive neighbourhood character. Historic landmarks, including St. Mark's United Church and the Ontario County Courthouse, further enhance the district's significance. Additionally, public spaces like Rotary Centennial Park and long views of key buildings like All Saints' Anglican Church and the old County Courthouse define the district's visual appeal. The district also preserves the small-town feel through its tree canopy and the rural section of many streets.

Although there are no direct policies related to the demolition or removal of Historic buildings, this plan states that Town staff will consider proposals for demolition according to the plan's objectives, policies, guidelines and implementation strategy. Accordingly, Section 3.2.2 of the WPN-HCD Plan states that one of the objectives for buildings in the WPN-HCD is to consider buildings which are neither from the historic period nor are complementary to be candidates for demolition and replacement. Furthermore, Section 4.2.1.1 provides that the district's five historic landmarks, including St. Mark's United Church, R.A. Sennett School, the former Ontario County Registry Office, the Centennial Building, and St. Arsenije Sremac Serbian Orthodox Church, will be preserved. The Town will support their maintenance and restoration by seeking funding and ensuring any new uses do not compromise their heritage attributes. If removal, demolition, or alterations are proposed, a cultural heritage impact assessment may be required, and the Town reserves the right to refuse such applications, with property owners having the right to appeal.

The subject site is not one of the district's five historic landmarks. However, Section 4.2.1.2 provides that existing house forms on historic properties will be retained. If removal or demolition is proposed, the property owner must prepare a cultural heritage impact assessment. Similarly, Section 6.1.2.1 states that building demolition is one of the types of proposals requiring heritage review via a HPA, and Section 6.1.6 requires a HIA for such a proposal. Accordingly, this HIA has been prepared as part of a complete HPA requesting demolition of the house on site.

In the WPN-HCD Plan, retention is preferred for Historic or Complementary properties and that buildings classified as uncharacteristic are candidates for demolition or removal.

What the WPN-HCD fails to discuss is matters pertaining to the loss of heritage integrity in existing "Historic" or "Complementary" buildings.

# 5.0 HERITAGE IMPACT ASSESSMENT

This section assesses the potential impacts of the proposed demolition of the house on site, as well as any potential impacts on adjacent heritage properties. Additionally, this section assesses how the proposed mixed-use development might affect the character and overall setting of the Werden's Plan Neighbourhood Heritage Conservation District.

Development impacts can be either direct or indirect, and they may impact resources and landscapes differently over time. The impacts on a cultural heritage resource or landscape can either be specific to the site or widespread, and they can vary in severity from low, moderate, or high. The subsequent sub-sections examine the development proposal's potential impact on various impact categories, as outlined in Info Sheet #5: Heritage Impact Assessments and Conservation Plans the Ontario Heritage Toolkit.

## 5.1 Alteration

Alterations are not proposed to the structure on site, nor to any of the existing structures adjacent to the subject site. Therefore, an assessment of impacts as a result of alterations is not applicable.

## 5.2 Shadows

No new additions, alterations, or other interventions are proposed for the structure on site, or on the subject site in a new location, nor is any development proposed to adjacent properties. Therefore, an assessment of impacts as a result of shadows is not applicable.

## 5.3 Isolation

The house on site is proposed to be demolished as a result of extensive fire damage. No heritage resources or adjacent heritage structures will be isolated as a result of this. Therefore, an assessment of impacts related to isolation of resources is not applicable.



## **5.4 Direct Or Indirect Obstruction Of Views**

The house on site is proposed to be demolished as a result of extensive fire damage. No identified views or view corridors will be affected as a result of this. Therefore, an assessment of impacts related to the direct or indirect obstruction of views is not applicable.

## **5.5 Change In Land Use**

No change in land use is proposed for the subject site or the adjacent designated properties. Should the HPA be approved resulting in the demolition of the house on site, the site will become vacant, leaving a hole in the building edge along this section of Keith Street.

While the demolition of the house on Keith Street will result in a temporary gap in the building edge, this impact is expected to be negligible, especially over time. The Town's Official Plan and Zoning By-law generally support infill development and provide policies and regulation that will help any future building application to align with the existing neighbourhood character. Future construction on the site can be designed to complement the surrounding area, adhering to any applicable design guidelines and the Werden's Plan Neighbourhood Heritage Conservation District Plan. These existing documents represent the planning framework for the area. Although there may be a short-term disruption as a result in the site becoming vacant, the long-term development of the site will be directed, regulated, and guided by this framework, providing a basis from which a future building can be designed to maintain the aesthetic and cultural integrity of the neighbourhood.

## **5.6 Land Disturbances**

Land disturbance impacts are typically associated with archaeological matters below grade. The only land disturbances proposed would be part of the demolition activities to excavate the existing basement.

As such, we do not anticipate any impacts with respect to new soil disturbances on site, especially since the only earth moving activities proposed are exceptionally non-invasive and limited to the removal of the existing foundation and basement, which will require minimal excavation. Accordingly, no impacts related to land disturbances are anticipated.

## 5.7 Destruction

The house has been mostly destroyed by fire and, prior to that, had undergone extensive alterations and additions over the years. As a result, it is no longer in its original or stable condition. Therefore, in our opinion, the proposed demolition will have a negligible impact on both the site and the overall character of the Werden’s Plan Neighbourhood Heritage Conservation District. If the house had not already been severely destroyed by fire, the demolition of the house, as a “Historic” property in the WPN-HCD would be more severe.

### **Destruction by Fire**

As seen in the images above, the house on site has been burned and ravaged by fire and has, in our opinion, experienced a significant loss of heritage integrity. The fire has destroyed or severely damaged the surviving physical features and original craftsmanship that would have once represented the cultural heritage value of the property. Any key architectural details and/or historically significant materials have been lost and/or irreparably altered, which diminishes the site's ability to convey its original design and historical context. The loss of physical evidence due to the fire further erodes its cultural heritage value. Without these defining elements, the house, in our opinion, no longer adequately supports its historical or cultural significance.

### **Loss of Heritage Integrity**

Heritage integrity is typically assessed through two key scenarios: the loss of originality and / or the loss of structural integrity. First, when a building suffers damage beyond reasonable repair—whether due to fire, neglect, or other causes—its structural integrity may be compromised to a point where restoration is no longer feasible. Second, when a building has undergone significant alterations or modifications over time, resulting in the loss of its original design and materials, it may no longer represent the historical value for which it was recognized. In both cases, the loss of heritage integrity often leads to a re-evaluation of whether a building is still worthy of long-term protection.

#### Originality

In our opinion, even before the fire, the house on the site had already been heavily altered without regard for its original design. Based on the site visit, these changes included a large single-storey addition with a flat roof at the rear that, while functional, was not in keeping with the original house design; the subdivision of the house into multiple rental units; and the creation of new primary access points, altering the original layout for ingress and egress to accommodate tenants. Additional modifications, such as the application of composite siding over the original wood rather than its repair and maintenance, along with a mix of

materials around the base of the house, further contributed to the loss of its original character.

### Structural Integrity

Ehsan Tawhidi & Associates, a structural engineering firm, was retained to undertake a structural assessment of the house. A copy of their structural assessment is enclosed as part of the complete HPA.

Ehsan Tawhidi & Associates has concluded that the house on site has suffered severe structural damage due to the fire and prolonged exposure to winter conditions. The rear addition of the house is extensively burnt, with collapsing wood framing and cracking foundation walls, making it unsafe. The front (original portion) of the house is also compromised, with signs of fire and frost damage and structural misalignments. The damage is so extensive that repair work would be extensive if not a complete reconstruction and repair costs were suggested to exceed the cost of rebuilding.

Overall, Ehsan Tawhidi & Associates have recommended that the house be demolished immediately to ensure public safety. The site should be cordoned off, and a demolition company should be hired.

### **Conclusion**

In our opinion, due to the destruction of the house and its loss of heritage integrity that has already occurred, the proposed demolition is both negligible in terms of impact and recommended by the structural engineer to ensure public health and safety.



# 6.0 MITIGATION & CONSERVATION RECOMMENDATIONS

## 6.1 Alternative Development Options

A Heritage Impact Assessment typically explores alternative development options for the subject site to evaluate all possible land-use alternatives in relation to heritage conservation. The goal is often to determine if there are less intrusive or impactful options available while balancing the objectives of both conservation and development.

Given the absence of identified negative impacts, the only feasible alternatives are to leave the site as it is or to carry out comprehensive repairs. However, leaving the site untouched is not advisable due to the house's severe state of disrepair, which poses a significant health and safety risk and visually detracts from the character of the area given the hoarding and visible fire damage. Therefore, this option is not recommended.

The rehabilitation option would involve extensive disassembly, inspection, and reconstruction to the point where the house would almost, if not entirely, be rebuilt—essentially amounting to a demolition. Moreover, the scale of the work required to reconstruct the building, which has already lost much of its heritage integrity, would result in a structure that is more a reimagining than a true conservation effort. This process would also be prohibitively expensive, as confirmed by a structural engineer, likely costing more than demolishing and constructing a new building. As such, this alternative is also not recommended.

## 6.2 Recommendations for Mitigation & Conservation

The following mitigation and conservation options are recommended:

1. Hoarding Plan and Warning Clauses During Demolition Activities: To ensure the protection of the adjacent structures at 925 Byron Street South and 122 Keith Street during demolition activities, a comprehensive hoarding plan is recommended. This plan should involve the installation of a solid barrier along the property lines of the adjacent structures at these addresses. The hoarding should be at least 8 feet in height, constructed with durable materials such as plywood or metal panels, and designed to withstand environmental factors and potential debris from the demolition. Stability will be further ensured through reinforced

bracing systems to prevent any collapse or damage due to the proximity of heavy machinery.

A safe buffer zone should be established between the demolition site and these neighbouring properties by positioning the hoarding at a sufficient distance from both structures. This will help minimize any potential vibrations or structural stress during the demolition process. Daily cleanup protocols should also be implemented to prevent any accumulation of loose materials near the hoarding, further safeguarding the surrounding area.

Clear communication with the owners or occupants of 925 Byron Street South and 122 Keith Street should be maintained throughout the demolition process, providing updates on the schedule and contact information for addressing any concerns or emergencies.

In the demolition permit notes, it is recommended to include specific instructions to contractors regarding the careful operation of machinery near the adjacent properties at 925 Byron Street South and 122 Keith Street. Contractors should be instructed to exercise extreme caution when operating equipment in close proximity to these structures to avoid causing unintended damage.

Additionally, contractors should minimize the use of high-impact equipment, such as hydraulic hammers or other heavy-duty machinery, near these sensitive areas to reduce vibrations and avoid compromising the foundations or structures of the adjacent properties. Operators must be aware of the buffer zones established by the hoarding and maintain safe distances at all times.

Contractors should also be reminded to document these properties prior to commencing any demolition and monitor the conditions of the adjacent properties throughout the demolition process, reporting any signs of damage or movement immediately. Regular checks and communication with site supervisors are recommended to ensure that all machinery is being operated with care near these properties. These precautions must be reinforced in the daily briefings to ensure all personnel are aware of the safety measures in place.

By adhering to this hoarding plan, the demolition process can be conducted in a manner that prioritizes the safety and protection of the adjacent properties, minimizing risks and ensuring structural integrity is maintained.

### **6.3 Implementation & Monitoring**

Implementation and monitoring of the above recommendations should be as follows. Normally, each recommendation is assigned their own timing category and who is responsible for carrying out each recommendation. However, for each of the above recommendations, the implementation and monitoring are the same.

Accordingly, the timing for completion should be tied to the demolition permit process. That is, the final demolition permit should include the suggested hoarding plan and warning clauses.

The responsibility will be on the Owner / Developer to agree to these recommendations which could be secured through the final demolition permit itself. Monitoring of these recommendations can take place through the execution of the demolition permit via the final inspection conducted to ensure that all work has been carried out in compliance with the permit conditions.

## 7.0 CONCLUSIONS

This Heritage Impact Assessment for the proposed demolition of the house at 114 Keith Street in Whitby, has carefully assessed the potential impacts on both the subject site and the surrounding Werden's Plan Neighbourhood Heritage Conservation District.

The existing structure has suffered extensive damage from fire, resulting in a significant loss of heritage and structural integrity. Based on structural assessments and the state of disrepair, rehabilitation is neither feasible nor practical, and leaving the structure in its current condition poses a public safety risk.

The assessment concludes that the demolition will have no to negligible adverse impacts on the subject site, the character of the WPN-HCD, or adjacent heritage properties, provided that appropriate mitigation measures, such as the recommended hoarding plan, are implemented to protect neighbouring properties during demolition activities. With these safeguards in place, the demolition can be carried out safely, preserving the adjacent heritage homes.

Based on the findings and recommendations, it is concluded that the proposed demolition will have no or negligible impact on the subject site, as the house is already largely destroyed. Furthermore, the demolition will not diminish the cultural heritage value of the district. Therefore, approval of the Heritage Permit Application is recommended.

Your truly,

**The Biglieri Group Ltd.**



**Evan Sugden, HBASc, MA, CAHP, RPP, MCIP**

Associate | Heritage Lead



**Giuseppe Ferreri, BES**

Junior Heritage Planner



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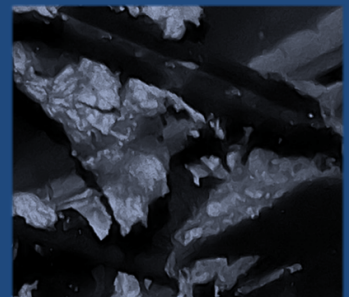
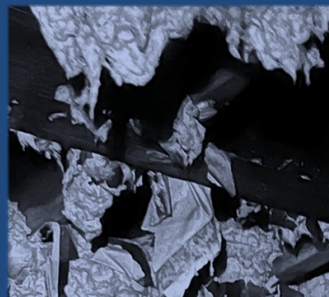
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# GENERAL STRUCTURAL REVIEW



**Of fire damage to existing house at 114 Keith Street,  
Whitby, Ontario,**

**June 13th, 2024**



**Ehsan Tawhidi & Associates,  
Civil/Structural design, analysis, inspection and detailing  
58 Grainger Crescent, Ajax, Ontario, L1T 4Y6  
647-999-7160, [engineers@rogers.com](mailto:engineers@rogers.com)  
<http://ehsan-tawhidi.com>**





The Owners of,  
114 Keith Street,  
Whitby, Ontario, L1N 1H6

June 13th, 2024.

Attn: - Mr. Sam,

**Danger to Life and / or property.**  
**Immediate Action Needed**

Project: - **General Structural review**  
**Collapsing wood framing and cracking foundation walls etc.**

Dear Mr. Sam,

As per your request we have performed a site visit of the property located at 114 Keith Street, Whitby, Ontario on June 12th, 2024. The property consists of a 1.5-storey residential facility with semi-finished basement and a single-storey with crawl space at rear side. We were informed that there was a fire incident, a year from now, at the rear side. When we visited the site, we visually noticed that the rear side floor and flat roof framing was severely burnt, and it is not even safe to walk through and inspect. We could still smell the burning smoke and char etc. The fire damage at rear side is very extensive and we have never seen such lateral / horizontal extension of fire or in other words fire encapsulating such larger area. We do these kinds of inspections and usually the fire damage is one vertical shaft, above fire source location and from that level up everything is gutted. The second-floor front side and roof seems intact. However, the framing structure at the joint with rear side is severely burnt and may collapse any time. Furthermore, as the house is left unattended, unoccupied and unheated during recent winters, seems like frost heave has taken toll on it. We do see, visually; some vertical and horizontal misalignments in building superstructure from outside, cracking of existing foundation walls and spalling with exposed rebars of concrete stairs etc. The broken window glass makes it even worse by letting cold air roam in and out of the house. Please see pictures below for reference.





In our opinion, based on our visual observations during our site visit, the interior side show excessive sign of burning and section loss in roof, walls and floors of rear side and at joint with front side. The front side has been showing excessive damage due to winter exposure. The heat due to fire in the rear side already took toll on it and weakened its framing and had less redundancy to withstand cold temperatures. The exterior side shows cracking, spalling, misalignments, bowing and sagging etc. There is no point salvaging any portion and we recommend taking down the entire residential facility in entirety. If needed, a new facility shall be built from scratch. We have advised adding cautionary tape around the property and putting bold signs at main door / front elevation exhibiting danger etc. Also to inform all adjacent neighbours to practice caution and stay away from the party / common area. They may consider relocating until this house is safely demolished.

### **Executive summary**

1. The house is not at all habitable as of now.
2. There is an excessive and extensive number of repairs required to make the house habitable today which is likely to overshoot the cost of full rebuild.
3. The structural components of both the original house and addition have seriously and dangerously compromised the building's integrity.
4. As a result of the fire and structural issues now present, and the extent of the repairs / re-build necessary, the house should be demolished ASAP to ensure public health and safety.





**THE FACILITY SHALL BE TOTALLY CORDON OFF / ISOLATED WITH IMMEDIATE EFFECTS. A QUALIFIED, FULLY INSURED, LICENSED AND EXPERIENCED DEMOLITION COMPANY SHALL BE HIRED AND THE SUPERSTRUCTURE SHALL BE REMOVED IMMEDIATELY. THE SUB STRUCTURE CAN BE DONE AT A LATER STAGE SO FAR THE NEWLY FORM DITCH IS ABSOLUTELY PROTECTED FROM ANYONE'S ACCESS. IN OUR OPINION THIS IS THE ONLY SAFE SOLUTION.**

You are advised to formally request the Whitby city's municipality office for permission to start the demolition work ASAP taking full advantage of warm weather approaching.

No drawings, specifications or any technical data were provided to us, and our opinion is solely based on our visual observations during our field visit.

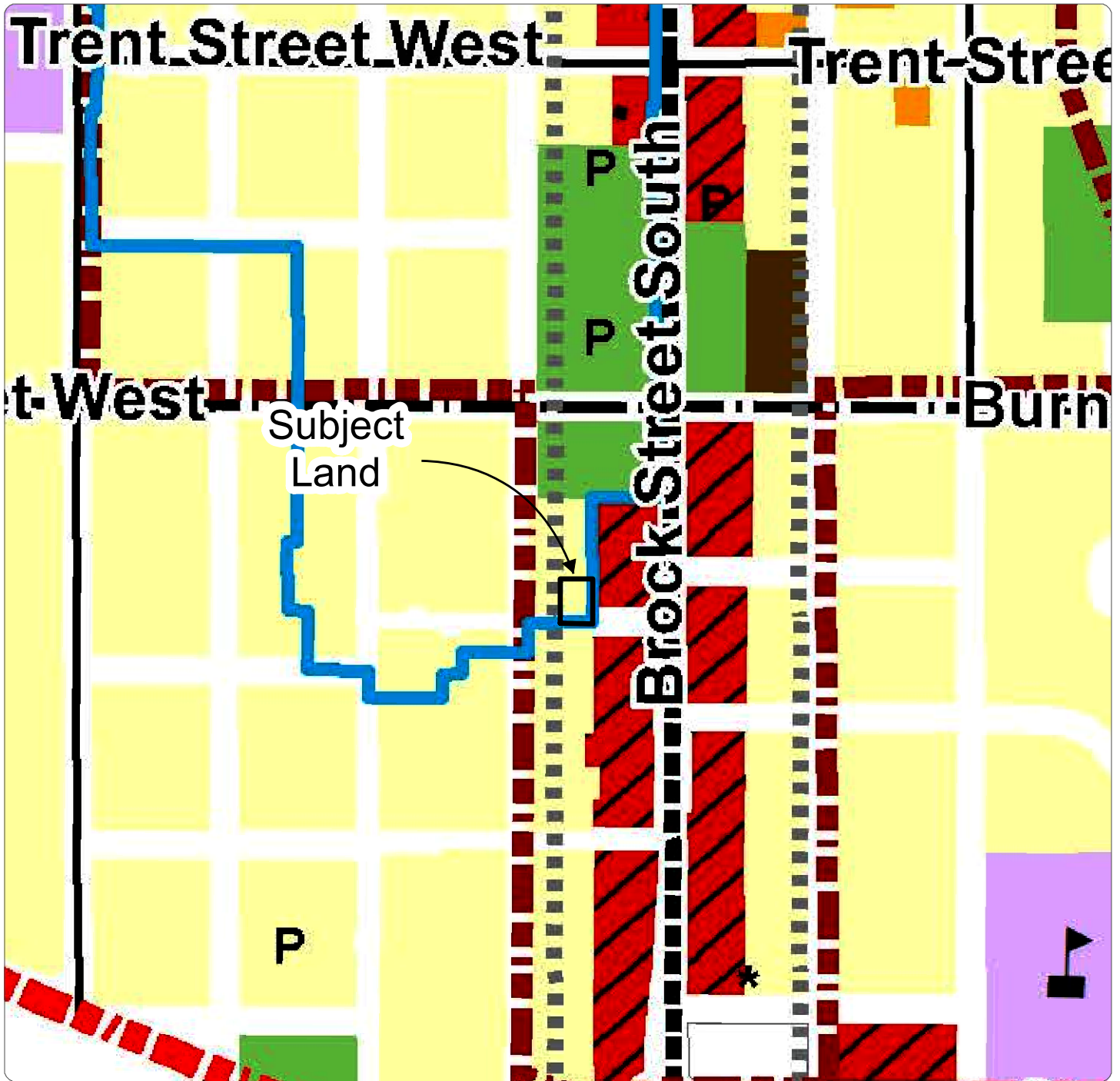
The owner or their representative is responsible for obtaining all necessary permits from relevant authorities. It is also recommended that the owner should check with City of Whitby offices for any drawings of this property available in their records and advise us also.

Please feel free to contact us if you need any further engineering advice.

Yours truly,  
Ehsan Tawhidi, P.E., P.Eng.



Excerpt from Schedule H - Downtown Whitby Community  
Secondary Plan (Land Use)



**Legend**

- Secondary Plan Area Boundary
- Major Central Area Boundary
- Intensification Area
- Intensification Corridor
- Werden's Plan Neighbourhood Heritage Conservation District
- Natural Hazards
- Low Density Mature Neighbourhood
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Downtown Mixed Use Area
- Corridor Mixed Use Area
- Heritage Mixed Use Area
- Institutional
- Existing Park & Open Space
- Proposed Park
- Urban Square
- Elementary Schools
- Secondary Schools
- Type B Arterial
- Type C Arterial
- Collector Road
- Proposed Connection
- Railway
- Full Interchange
- Major Transit Station

**Downtown Whitby Community  
Secondary Plan  
Land Use**



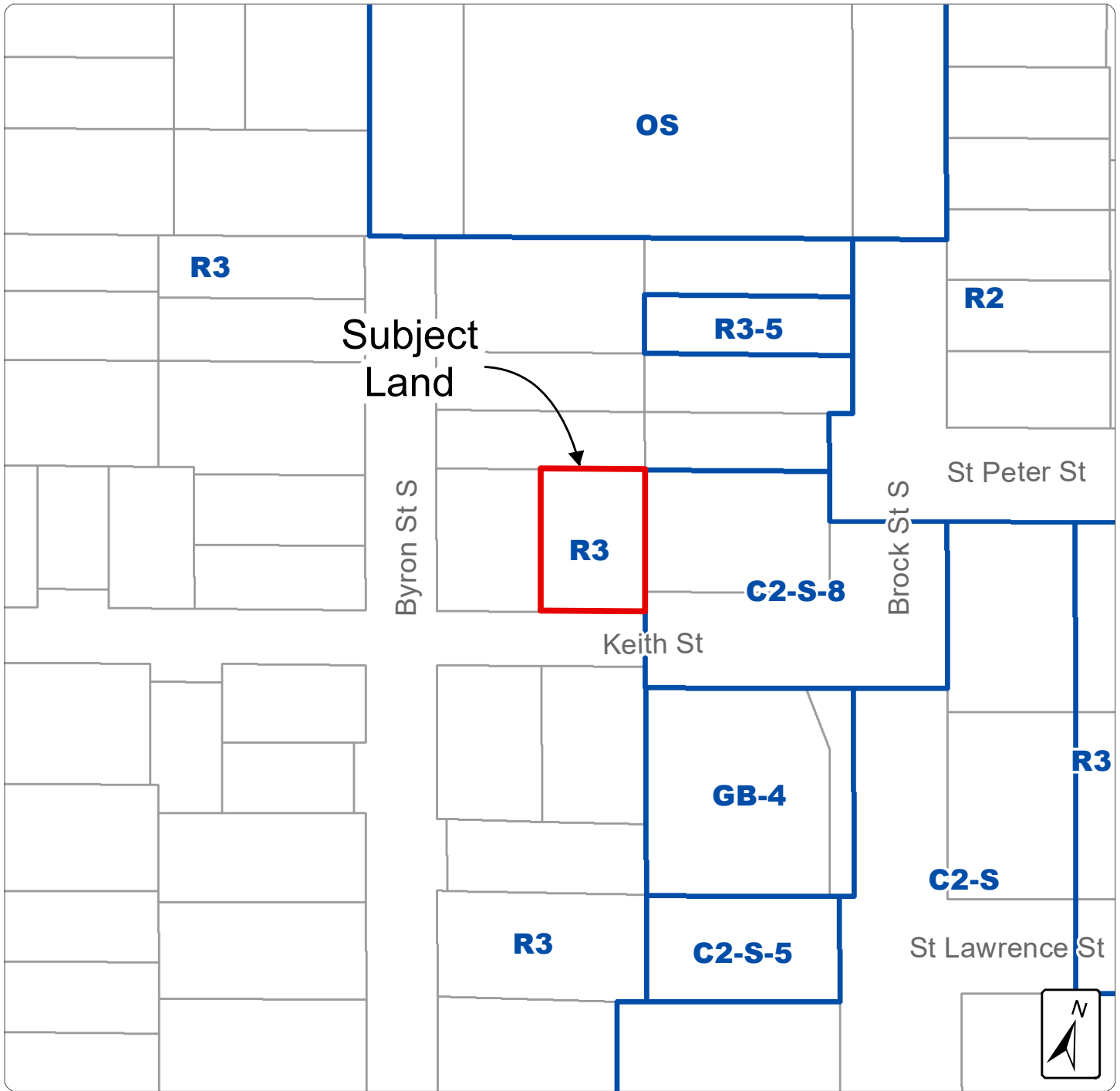
**Official Plan  
Town of Whitby**





Attachment #6  
Excerpt from Zoning By-Law 2585

PDP 56-24



 **Town of Whitby Planning and Development Department**

Address:  
114 Kieth Street

Date:  
December 2024

External Data Sources:  
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## Attachment #7

### Excerpt from HWAC Minutes of November 12, 2024

#### 4. Presentations

##### 4.1 Jenita Jeyan Baheerathan, Property Owner, and Evan Sugden, Heritage Planner, The Biglieri Group

Re: 114 Keith Street, Heritage Permit Application, Demolition Request

Evan Sugden provided a presentation regarding the demolition request for 114 Keith Street. Highlights of the presentation included:

- the site location within the Werden's Plan Neighbourhood Heritage Conservation District (HCD) Plan and adjacent properties;
- the scope of fire damage to the interior and exterior of the original building;
- recommendation for demolition of the existing building and potential impacts on the Werden's Plan Neighbourhood HCD Plan; and,
- proposed mitigation measures to safeguard surrounding heritage properties during demolition.

A question and answer period ensued regarding:

- estimated timeline between demolition and a proposed building design;
- whether a cultural heritage value assessment under O. Reg. 9/06, Ontario Heritage Act was conducted;
- the proposed location of a future building on the property;
- the age of the original building and foundation material;
- whether the fire or erosion caused the foundation damage;
- feasibility of restoring the existing building; and,
- the extent of exterior damage and structural integrity of the original building.

Discussion ensued regarding:

- preserving the cultural and historical value of the original building;

- confirming the original building dates to the late 1800s;
- requesting a full historical evaluation of the building before considering demolition;
- the value of reviewing a cultural heritage evaluation report in conjunction with demolition applications;
- requiring a cultural heritage evaluation report with all future demolition applications; and,
- assigning a summer student to conduct a historical evaluation of the subject property and document the property with photographs.

Recommendation:

Moved by Don Mitchell

That the Heritage Whitby Advisory Committee supports Heritage Permit Application HP-17-24, Demolition Request for 114 Keith Street.

**Carried**

# Town of Whitby

## Staff Report

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



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### Report Title: 780 Garden Street – Designation of a Property under Part IV, Section 29 of the Ontario Heritage Act – Update #2

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** PDP 57-24

**Department(s) Responsible:**

Planning and Development Department  
(Planning Services)

**Submitted by:**

R. Saunders, Commissioner of Planning  
and Development

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

**For additional information, contact:**

John Taylor, Director of Planning  
Services, 905-444-2908

Dave Johnson, Planner II – Heritage,  
905-444-3166

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#### 1. Recommendation:

1. That Council mutually agree to the owner's request for further extension of the 90-day deadline under Section 29(8) of the Ontario Heritage Act and Section 1(2) 1. of Ontario Regulation 385/21, for passing the Part IV Heritage Designation By-law for the portion of the property containing the Mayfield House, located at 780 Garden Street in Whitby; and
2. That the extension be in effect until May 31, 2025.

#### 2. Highlights:

- A Notice of Intention to Designate the existing House at 780 Garden Street was issued on December 4<sup>th</sup>, 2023. The objection period ended on January 3<sup>rd</sup>, 2024, and no objections were received by the Clerk.
- Under Part IV (Section 29) of the Ontario Heritage Act, the deadline for Council to pass a by-law to formally designate the property at 780 Garden St is 90 days from the end of the Objection Period.



- An extension was previously allowed (refer to [PDP-06-24](#)) to provide additional time for the associated Site Plan and/or Subdivision application processes for the adjacent townhouse development on 780 Garden Street to be completed and a 40R-Plan or 40M-Plan for the Block on which the Mayfield House is located to be registered.
- The owner is seeking a second extension to the deadline, through mutual agreement between the owner and Whitby Council, which is permitted under Section 29(8) of the Ontario Heritage Act, and Section 1(2) of Ontario Regulation 385/21.
- This extension, if granted, would allow further time to finalize Site Plan and Subdivision matters, as well as allow the owners to address recent heritage related comments from the Ministry of Citizenship and Multiculturalism (MCM) to update their Cultural Impact Assessment.

### 3. Background:

During the past few years, Staff consulted with the property owner to designate the Mayfield House under Part IV of the Ontario Heritage Act. The owner has indicated that they are amenable to the designation.

On February 14, 2023, the Heritage Whitby Advisory Committee passed a motion recommending that Council designate the existing Mayfield House at 780 Garden Street.

In 2023, the applicant submitted Draft Plan of Subdivision and Zoning By-law Amendment applications (DEV-23-23, SW-2023-02, Z-07-23), which identified retention of the Mayfield House (as a residential or office use) and proposed townhouse development on the remainder of the 780 Garden Street lands.

On November 13, 2023, Staff brought forward a report to Committee of the Whole to begin the Designation process under Part IV of the Ontario Heritage Act for the portion of the 780 Garden Street property on which the existing Mayfield House is located (Refer to staff report [PDP-42-23](#)). On November 27, 2023, Council authorized staff to begin the heritage designation process.

On December 4, 2023, the Notice of Intention to Designate (NOID) was issued on the Town website and was served on the owner and the Ontario Heritage Trust. The objection period ended on January 3, 2024, and no objections to the NOID were filed with the Clerk.

Under the Ontario Heritage Act, if there are no objections to the NOID, and if Council wishes to designate a property, the deadline to pass a by-law to designate is 90 days from the end of the objection period.

On January 29, 2024, Council approved the Draft Plan of Subdivision and Zoning Amendment applications (Refer to staff report [PDP 02-24](#)). The next step would be Site Plan application and approval process, and registration of the Draft Plan of Subdivision.

The legal description for the portion of the property on which the Mayfield House is located and would be designated, needs to be determined through the Site Plan approval process (final 40R plan of survey) or through the Subdivision approval process (registration of the 40M plan).

The owner's request for an extension to the 90-day deadline for passing the By-law to designate, to December 31, 2024, was mutually agreed to by Council in February of 2024 (refer to [PDP-06-24](#)) to allow for Site Plan and Subdivision matters to be finalized so that the designation By-law could be passed.

However, the Site Plan and Subdivision processes have not advanced to a point where the 40R Plan or 40M Plan could be registered, which is required in order to provide a more specific legal description for the portion of the site where the Mayfield House sits. Further, recent comments from the MCM have necessitated a further extension to address archaeological matters.

#### 4. Discussion:

The property owner at 780 Garden Street is seeking a second extension to the deadline for passing the Designation By-law through mutual agreement between the property owner and Whitby Council, as enabled under Section 29(8) of the Ontario Heritage Act, and Section 1(2) of Ontario Regulation 385/21. The extension would facilitate the registration of a 40R-Plan or 40M-Plan, in order to ensure the portion of the property where the Mayfield House is located is designated, rather than the entirety of the existing property being designated.

The second extension request would also facilitate the owner addressing recent comments from the MCM relating to archeological matters and to have their CHIA updated accordingly (refer to Attachment #1).

Staff are supportive of the extension period to allow for the 40R-Plan and/or 40M-Plan to be registered and to address comments from MCM. As the Subdivision and Zoning applications have been approved, and the Site Plan process is underway, the registration of a 40R-Plan or 40M-Plan identifying the Mayfield House is imminent, pending resolution of MCM's comments regarding potential archaeological resources.

Should an extension not be granted, then the Designation By-law would need to use the current legal description for the entirety of the existing property. An amendment to the Designation By-law would then be required at a later date, to correct the legal description once the 40R-Plan and/or 40M-Plan has been registered defining the portion of the property containing the Mayfield House. Extension of the deadline would avoid a future amendment to the Designation By-law.

Should the extension be granted, as a condition of the extension, there should be no work undertaken that would impact (alter) the Cultural Heritage Value or Interest of the property (i.e. work on the exterior of the building that would impact the reasons for designation).

**5. Financial Considerations:**

N/A

**6. Communication and Public Engagement:**

Staff have been consulting with the property owner throughout the development application process and designation process, and over the course of the extension period. The owner has indicated they continue to be amenable to the designation of the portion of the existing property at 780 Garden Street that contains the Mayfield House.

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

At its meeting of February 14th, 2023, HWAC recommended that Council designate 780 Garden Street under Part IV of the Ontario Heritage Act (Refer to [Minutes of HWAC meeting](#)).

**8. Strategic Priorities:**

Protecting heritage properties supports Pillar #1 of the Community Strategic Plan, Whitby Neighbourhoods, by promoting and strengthening the local arts, culture, heritage, and the creative sector.

Heritage conservation further supports Pillar #2, Whitby's Natural and Built Environment, by enhancing community connectivity and beautification.

**9. Attachments:**

Attachment 1: Letter from Property Owner



The Corporation of the Town of Whitby  
Planning Department  
575 Rossland Road East  
Whitby, ON  
L1N 2M8

November 1, 2024

Attention: Mr. Ed Belsey, Senior Manager Policy and Heritage Planning

Re: Report PDP 42-23 Committee of the Whole Meeting November 13, 2023  
Notice of Intention to Designate a Property under Part IV, Section 29, Ontario Heritage Act  
780 Garden Street, Whitby

Dear Mr. Belsey:

Further to our recent conversations we are writing to you at the request of our client and as it relates to the captioned matter to hereby request and extension to the passage of the Heritage By-law.

AS we have discussed with you there are recent matters which require an amendment to the draft by-law in order to cover off concerns raised by the Ministry of Citizenship and Multi-Culturalism relating to archaeological matters.

Our consulting team is working on the resolution and would appreciate your assistance with these matters by delaying passage of the by-law.

Our client would also appreciate Councils co-operation and assistance in delaying the passage of the Designation By-law until these recently identified matters have been resolved.

We thank you for your co-operation in advance.

Regards

A handwritten signature in black ink that reads 'R. Miller'.

Rodger Miller,  
Principal



**New and Unfinished Business - Planning and Development**

<b>Item Number</b>	<b>Description</b>	<b>Resolution</b>	<b>Meeting Date</b>	<b>Due Date</b>	<b>Revised Date</b>	<b>Explanation/Comments</b>
P&D-0004	Automated Speed Cameras on Town Roads	That staff report to Council on the feasibility and cost of adopting an Automated Speed Enforcement program on Town Roads in School Safety Zones and Community Safety Zones.	29 Nov 2021	06 Mar 2023	05 May 2025	ASE will be considered through the Traffic Calming Policy. Details from the Region of Durham and area municipalities to support future consideration and help identify cost to implement. Policy and Guidelines are underway with anticipated completion in spring 2025.
P&D-0005	Planning and Development (Engineering Services) Department Report, PDE 02-22 Re: Boulevard Permit Parking Program	That Report PDE 02-22 be referred to Staff to review concerns raised by the Committee.	28 Feb 2022	13 Mar 2023	02 Jun 2025	Boulevard parking will be reviewed and considered as part of the residential parking permit program.
P&D-0007	Thistledown Crescent Emergency Access Review	That Staff be directed to report on the following issues: c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required.	07 Mar 2022	TBD		The road has not been constructed. Monitoring, through Radar Message Boards, and observations will occur following the opening of the roadway. Timing is currently unknown. Date to report back will continue to be delayed until construction/opening is known.

**New and Unfinished Business - Planning and Development**

<b>Item Number</b>	<b>Description</b>	<b>Resolution</b>	<b>Meeting Date</b>	<b>Due Date</b>	<b>Revised Date</b>	<b>Explanation/Comments</b>
P&D-0012	PDP 66-22, Planning and Development (Planning Services) Department, Financial Services Department, and Legal and Enforcement Services Department Joint Report Re: Ontario Bill 109, More Homes for Everyone Act, 2022	3. That staff report back to Council following completion of the Development Application Approval Process and Fee Review study regarding any further proposed process and fee changes required to adequately address the impacts of Bill 109.	12 Dec 2022	04 Dec 2023	20 Jan 2025	Report back following completion of DAAP in 2024.
P&D-0019	PDE 05-24, Planning and Development (Engineering Services) Department Report Re: Update Traffic By-law - No Parking on Hunter Street	This item was deferred at the Committee of the Whole meeting on June 10, 2024 to a future meeting to allow Town Staff and affected residents an opportunity to meet and review.	24 Jun 2024	28 Oct 2024	02 Jun 2025	Further delay until planning pre-consultation resolved.
P&D-0020	PDE 06-24, Planning and Development (Engineering Services) Department Report Re: Garden Street On-Street Parking Consideration	This item was deferred at the Committee of the Whole meeting on June 10, 2024 to a future meeting to allow Town Staff and affected residents an opportunity to meet and review.	24 Jun 2024	28 Oct 2024	20 Jan 2025	Consultation with residents has occurred. Lay-by design and cost estimates to be included in the report is ongoing.
P&D-0021	Memorandum from T. Painchaud, Sr. Manager, Transportation Services, dated September 6, 2024 regarding Whitburn Street, Speed Hump Engagement Results	2. That Staff be directed to report to Council with information about the cost and other implications associated with removing the speed humps, reducing the number of speed humps, and maintaining the speed humps in their current configuration.	09 Oct 2024	24 Feb 2025		An update regarding the Whitburn Street Speed Hump Engagement Results were provided on the September 6, 2024 CII and the September 23, 2024 Committee of the Whole agenda

# Memorandum to Council

Community Services Department

Recreation Services Division



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**To:** Mayor and Members of Council

**CC:** Sharon Meredith, Director, Recreation; Kim Evans, Manager, 55+ Recreation, Accessibility, Diversity

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

**Date:** November 22, 2024

**File #:** N/A

**Subject:** 2025 Days of Significance for Proclamations

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

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Annually, the Whitby Diversity and Inclusion Advisory Committee (WDIAC) recommends days of significance to Council for proclamations to raise awareness of culturally significant days and create community recognition, acceptance and support the development of an inclusive community. The Committee selected dates based on the Government of Canada's identified [commemorative days](#), community input and group consensus.

While WDIAC does not actively promote dates, save and except for working with the Town to promote events hosted by WDIAC (example: supporting the Region's Black History Month event), the Town actively promotes dates of significance through a variety of channels. These include the Town's website, social media, eNews, print advertising and other channels, as appropriate. Approved dates of significance are also specifically recognized on the Town's [Flag Raising and Proclamations](#) webpage.

The Committee has reviewed the 2025 days of significance and are advancing the attached dates (Attachment 1) for proclamation by Council.

# 2025 Dates of Significance

## January 2025

Date	Observance	Overview
January	<a href="#">Alzheimer's Awareness Month</a>	To encourage individuals and organizations across Canada to learn more about dementia and its impact on Canadians.
January	<a href="#">Tamil Heritage Month</a>	To increase awareness about the Tamil culture and to honour the contributions and achievements of Tamil people.
January 4	<a href="#">National Ribbon Skirt Day</a>	National Ribbon Skirt Day commemorates the experience of Isabella Kulak, a member of Cote First Nation in Saskatchewan who was shamed for wearing a handmade ribbon skirt to a formal day at her elementary school. Ribbon skirts have been worn by First Nations and Métis women, girls, and gender-diverse people for generations. With their vibrant colours, bold patterns, and intricate designs, they are a symbol of pride and offer a deep connection to Mother Earth. Isabella's story reminds us of the ongoing challenges Indigenous Peoples face, including racism and inequity, and of the work we need to continue doing, together, on the shared path of reconciliation.
January 4	<a href="#">World Braille Day</a>	World Braille Day reminds us of the importance of accessibility and independence for those who are blind or visually impaired.
January 17	<a href="#">Raoul Wallenberg Day</a>	To remember Raoul Wallenberg, Canada's first honorary citizen, who saved thousands of persecuted Jews during the Second World War. This day is an opportunity to reflect on the atrocities of the Holocaust and honour the millions of victims, survivors and their families.
January 21	<a href="#">Lincoln Alexander Day</a>	Pays tribute to Canada's first Black Member of Parliament, Cabinet Minister, and Lieutenant-Governor of Ontario.



January 24	<a href="#">World Day for African and Afrodescendant Culture</a>	Celebrates the many vibrant cultures of the African continent and African Diasporas around the world and promotes them as an effective lever for sustainable development, dialogue, and peace.
January 24	<a href="#">International Day of Education</a>	Celebrates the role of education for peace and development.
January 27	<a href="#">International Day of Commemoration in Memory of the Victims of the Holocaust</a>	Pays tribute to the memory of the victims of the Holocaust and reaffirms unwavering commitment to counter antisemitism, racism, and other forms of intolerance.
January 29	<a href="#">National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia</a>	A day to honour the memory of victims of the Islamic Cultural Centre of Quebec attack and to denounce Islamophobia and all other forms of racism, hate and religious discrimination.
January 29	<a href="#">Lunar New Year</a>	The Lunar New Year also known as the Spring Festival, Chinese New Year, Tet Nguyen Dan for Vietnamese Canadians, or Seollal for Korean Canadians and is celebrated in Canada and around the world. 2025: Year of the Snake.

## February 2025

Date	Observance	Overview
February	<a href="#">Black History Month</a>	During Black History Month, Canadians celebrate the many achievements and contributions of Black Canadians and their communities who, throughout history, have done so much to make Canada a culturally diverse, compassionate, and prosperous country.
February 4	<a href="#">World Cancer Day</a>	A day to come together to honour and remember everyone affected by cancer and take action to change the future of cancer forever.
February 13	<a href="#">Wear Red Canada Day</a>	Celebrated annually across Canada to raise awareness about women's heart health.

February 15	<a href="#">National Flag of Canada Day</a>	Celebrating our national flag as a symbol that unites Canadians and reflects the common values, we take pride in — equality, freedom, and inclusion.
February 20	<a href="#">World Day of Justice</a>	Recognizes the efforts of the international community in poverty eradication, promotion of full employment and decent work, gender equity and access to social well-being and justice for all.
February 21	<a href="#">International Mother Language Day</a>	Recognizes that languages and multilingualism can advance inclusion, and the Sustainable Development Goals' focus on leaving no one behind.
February 22	<a href="#">Human Trafficking Awareness Day</a>	Focuses on understanding healthy relationships and raises awareness about Human Trafficking.
February 26	<a href="#">Pink Shirt Day</a>	Aims to raise awareness about the impact of bullying.

## March 2025

<b>Date</b>	<b>Observance</b>	<b>Overview</b>
March	<a href="#">Greek Heritage Month</a>	An opportunity to recognize and celebrate the many achievements and contributions of Greek Canadians to Canada, and an occasion to mark and enjoy the history of Greek culture.
March	<a href="#">Irish Heritage Month</a>	Celebrates the contributions of Irish Canadians to the story of Canada and serves as an opportunity to learn more about Irish-Canadian history.
March	<a href="#">Bangladeshi Heritage Month</a>	Honours the many significant contributions Bangladeshi Canadians have made, and highlights their important role in strengthening Canada's multi-cultural fabric.
March 1	<a href="#">Zero Discrimination Day</a>	A call to action to eradicate discrimination in all forms and promote social inclusion and tolerance.

March 8	<a href="#">International Women's Day</a>	A global day celebrating the social, economic, cultural, and political achievements of women.
March 20	<a href="#">International Francophonie Day</a>	Celebrates the French language and Francophone culture.
March 21	<a href="#">International Day for the Elimination of Racial Discrimination</a>	A day to re-commit our efforts to combat all forms of racial discrimination, injustice, systemic racism and hate to ensure a world where everyone is respected, safe, and has equitable access to contribute meaningfully to all aspects of society.
March 21	<a href="#">World Down Syndrome Day</a>	Encourages awareness about Down Syndrome and showcases the abilities of people with Down Syndrome.
March 22	<a href="#">Earth Hour</a>	A symbolic event to show collective support for the planet.
March 25	<a href="#">International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade</a>	A time to pay tribute to the millions of Africans who were torn from their homelands and communities through slavery and to stand up in solidarity against racism everywhere.
March 31	<a href="#">International Transgender Day of Visibility</a>	Dedicated to celebrating trans people and raising awareness of discrimination faced by transgender people worldwide.

## April 2025

Date	Observance	Overview
April	<a href="#">Genocide Remembrance, Condemnation and Prevention Month</a>	To honour the memory of the victims of genocide and reflect on the root causes of these tragedies, so that they never happen again.

April	<a href="#">Sikh Heritage Month</a>	To recognize the many past and current contributions of the Sikh community in Canada.
April 2	<a href="#">World Autism Awareness Day</a>	To raise awareness about Autism and recognize those on the Autism spectrum, their families, caregivers, and communities.
April 9	<a href="#">Vimy Ridge Day</a>	To remember Canadians who fought in the battle of Vimy Ridge in northern France during the First World War.
April 9	<a href="#">International Day of Pink</a>	A day recognized internationally to wear pink as a sign of solidarity and to stand against bullying.
April 22	<a href="#">Earth Day</a>	Honors the achievements of the environmental movement and raises awareness of the need to protect Earth's natural resources for future generations.
April 27 – May 3	<a href="#">National Volunteer Week</a>	A chance to highlight the value of volunteers and their positive impact on society.
April 28	<a href="#">National Day of Mourning</a>	The National Day of Mourning is not only a day to remember and honour those lives lost or injured due to a workplace tragedy, but also a day to collectively renew our commitment to improve health and safety in the workplace and prevent further injuries, illnesses and deaths.
April 30	<a href="#">Journey to Freedom Day</a>	The commemoration of the exodus of Vietnamese refugees and their acceptance in Canada after the fall of Saigon and the end of the Vietnam War

## May 2025

Date	Observance	Overview
May	<a href="#">Asian Heritage Month</a>	An opportunity to learn more about the many achievements and contributions of Canadians of Asian heritage.



May	<a href="#">Mental Health Awareness Month</a>	An opportunity to learn about mental illnesses, the effect on people's lives and learning more about how to reduce the stigma around mental illnesses.
May 5	<a href="#">Dutch Heritage Day</a>	To honour the sacrifices made by past members of the Canadian armed forces in the liberation of the Netherlands during the Second World War and an opportunity to celebrate the many contributions that generations of Dutch Canadians have made.
May 5	<a href="#">National Day of Awareness for Missing and Murdered Indigenous Women and Girls</a>	Also known as Red Dress Day, it is encouraged for people to wear red or display red clothing to honor and commemorate missing and murdered Indigenous women, girls and two-spirit people.
May 17	<a href="#">International Day Against Homophobia, Transphobia and Biphobia</a>	To celebrate sexual and gender diversity and to condemn the discrimination, violence, and stigma that members of 2SLGBTQ+ communities continue to experience in Canada and globally.
May 21	<a href="#">World Day for Cultural Diversity for Dialogue and Development</a>	Provides an opportunity to deepen understanding of the values of cultural diversity and to advance the four goals of: 1) Supporting sustainable systems of governance for culture; 2) Achieving a balanced flow of cultural goods and services and increase mobility of artists and cultural professionals; 3) Integrating culture in sustainable development frameworks; and 4) Promoting human rights and fundamental freedoms.
May 25 – May 31	<a href="#">National AccessAbility Week</a>	An opportunity to celebrate Canadians with disabilities and raise awareness of the critical need for accessibility and inclusion for all in our communities and workplaces.

## June 2025

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

June 21	<a href="#">National Indigenous Peoples Day</a>	A day for all Canadians to recognize and celebrate the unique heritage, diverse cultures and outstanding contributions of First Nations, Inuit and Métis peoples.
June 21	<a href="#">Summer Solstice</a>	The summer solstice is the day of the year with the longest light. It is a day with spiritual significance for many people and is a good time to celebrate Indigenous people and cultures. Activities for National Indigenous Peoples Day are organized across Canada every year.
June 27	<a href="#">Canadian Multiculturalism Day</a>	A day to honour the many cultural communities that help build a strong and vibrant Canadian society.

## July 2025

Date	Observance	Overview
July 1	<a href="#">Canada Day</a>	Canada's national holiday for citizens to celebrate being Canadian.
July 18	<a href="#">Nelson Mandela International Day</a>	To honour the legacy of Nelson Mandela, South Africa's former President, and his values, through volunteering and community service.
July 30	<a href="#">World Day Against Trafficking in Persons</a>	A day set aside to raise awareness of the plight of human trafficking victims and to promote and protect their rights.

## August 2025

Date	Observance	Overview
August 1	<a href="#">Emancipation Day</a>	Marks the actual day, in 1834, that the Slavery Abolition Act of 1833 came into effect across the British Empire. A time to reflect, educate and engage in the ongoing fight against anti-Black racism and discrimination.

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

## September 2025

<b>Date</b>	<b>Observance</b>	<b>Overview</b>
September 7	<a href="#">Ukrainian Heritage Day</a>	To celebrate the contributions of Ukrainians to economic, political, social and cultural life across Ontario.
September 10	<a href="#">World Suicide Prevention Day</a>	Focuses attention on death by suicide to reduce stigma and raise awareness among organizations, government, and the public, giving a singular message that suicide can be prevented.
September 21	<a href="#">International Day of Peace</a>	A day devoted to strengthening the ideals of peace, through observing 24 hours of non-violence and cease-fire.
September 25	<a href="#">Franco-Ontarian Day</a>	A time to celebrate the Franco-Ontarian community and its history.



September 30	<a href="#">National Day for Truth and Reconciliation</a>	Honours the children who never returned home and Survivors of residential schools, as well as their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process.
September 30	<a href="#">Orange Shirt Day</a>	In recognition of the harm the residential school system did to children's sense of self-esteem and well-being, and as an affirmation of people's commitment to ensure that everyone around us matters.

## October 2025

<b>Date</b>	<b>Observance</b>	<b>Overview</b>
October	<a href="#">German Heritage Month</a>	A celebration of the contributions Canadians of German heritage have made and continue to make in Canada.
October	<a href="#">Hispanic/Latin American Heritage Month</a>	Recognizes the Latin American community's contribution to Canadian society.
October	<a href="#">Islamic Heritage Month</a>	Recognizes the Muslim community's contribution to Canadian society.
October	<a href="#">Somali Heritage Month</a>	Recognizes the contributions of the Somali Canadians have made in Canada.
October	<a href="#">Women's History Month</a>	A celebration of the outstanding achievements of women and girls throughout Canada's history.
October 1	<a href="#">International Day of Older Persons</a>	Celebrates and thanks older adults for the role they play in our communities.

October 4	<a href="#">National Day of Action for Missing and Murdered Indigenous Women and Girls</a>	To honour the lives of missing and murdered Indigenous women, girls and gender diverse people by creating change and committing to ending the violence that disproportionately impacts their communities
October 10	<a href="#">World Mental Health Day</a>	To raise awareness of mental health issues around the world and to mobilize efforts in support of mental health.
October 11	<a href="#">International Day of the Girl Child</a>	A day dedicated to celebrating the voices and power of girls, championing their rights worldwide, and reflecting on the challenges they continue to face because of their gender.

## November 2025

<b>Date</b>	<b>Observance</b>	<b>Overview</b>
November	<a href="#">Albanian Heritage Month</a>	Recognizes Albanian Heritage and the contributions that the Somali Canadians have made in Canada.
November	<a href="#">Hindu Heritage Month</a>	Recognizes Hindu Heritage and the contributions of that the Hindu community has made in Canada.
November 5 – 11	<a href="#">Veterans Week</a>	An opportunity to honour all the brave Canadians who have served the country and defended the values Canadians hold dear.
November 2 – 8	<a href="#">Treaties Recognition Week</a>	This annual event honours the importance of <a href="#">Treaties</a> and helps students and residents of Ontario learn more about Treaty rights and relationships. By learning more about our collective Treaty rights and obligations, we can create greater understanding and nurture relationships between Indigenous and non-Indigenous peoples.
November 11	<a href="#">Remembrance Day</a>	Marks the end of hostilities during the First World War and an opportunity to recall all those who have served in the nation's defense.

November 20	<a href="#">National Child Day</a>	To celebrate the rights of children.
November 20	<a href="#">National Transgender Day of Remembrance</a>	An annual observance that honors the memory of the transgender people whose lives were lost in acts of anti-transgender violence.
November 25 - December 10	<a href="#">16 Days of Activism Against Gender-based Violence</a>	An annual international campaign that begins on November 25, the International Day for the Elimination of Violence Against Women, and goes until December 10, the Human Rights Day. This campaign started in 1991 to call out and speak up on gender-based violence, and to renew our commitment to ending violence against women, girls, and 2SLGBTQI+ individuals.
November 25	<a href="#">International Day for the Eliminations of Violence Against Women</a>	A time to reflect on, renew, amplify, and strategize to achieve commitments to eliminate violence against women by 2030.

## December 2025

<b>Date</b>	<b>Observance</b>	<b>Overview</b>
December	<a href="#">Christian Heritage Month</a>	Recognizes Christian Heritage and the contributions that the Christian community has made in Canada.
December 1	<a href="#">World AIDS Day</a>	An opportunity to raise awareness of HIV/AIDS, support those living with HIV, and remember those who have passed away.
December 3	<a href="#">International Day of Persons with Disabilities</a>	To promote the rights and well-being of persons with disabilities at every level of society and development, and to raise awareness of the situation of persons with disabilities in all aspects of political, social, economic, and cultural life.

December 6	<a href="#">National Day of Remembrance and Action on Violence Against Women</a>	To remember those who have experienced or loss their lives to gender-based violence and to educate people and communities on gender-based violence and speak up against harmful behaviours.
December 10	<a href="#">Human Rights Day</a>	To recognize the day when, in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights to guarantees human rights without distinction of nationality, place of residence, gender, national or ethnic origin, religion, language, or any other status.
December 18	<a href="#">International Migrants Day</a>	A day set aside to recognize the important contribution of migrants while highlighting the challenges they face.
December 21	<a href="#">Winter Solstice</a>	The winter solstice is the shortest day and longest night of the year. In the Northern Hemisphere, it takes place between December 20 and 23, depending on the year. (The reverse is true in the Southern Hemisphere, where the shortest day of the year occurs in June.) Cultures around the world have long held feasts and celebrated holidays around the winter solstice. Fire and light are traditional symbols of celebrations held on the darkest day of the year.
December 26 – January 1	<a href="#">Kwanzaa</a>	An African American cultural holiday that has been adopted around the world, including in Canada, to celebrate African family, community and culture.



# Memorandum to Council

Community Services Department

Recreation Services Division



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**To:** Mayor and Members of Council  
**CC:** Sharon Meredith, Director, Recreation,  
John Watkins, Manager, Recreation &  
Community Programs  
**From:** John Romano, Commissioner of  
Community Services  
**Date:** December 2, 2024  
**File #:** N/A  
**Subject:** Community Connection Terms of  
Reference Update

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

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The Community Connection Executive Board has recommended an update to their Terms of Reference to realign the Board positions from (9) positions to (5) positions. With the updated Terms of Reference, the Community Connection Executive Board would consist of a Chairperson, Vice Chairperson, Treasurer, and (2) Directors at Large and a Town of Whitby Staff.

Currently, the Board has not been able to regularly achieve sufficient quorum numbers due to inconsistent attendance and vacant positions. Also being a large Board, it has been challenging to recruit enough Board members to fill vacant positions.

## Background

Community Connection serves the community by partnering with the Durham District School Board and the Town of Whitby to offer a wide variety of affordable recreation and leisure programs in local schools.

Community Connection was established in 1987 in partnership with the Town of Whitby and the Durham District School Board. For each school that serves as a Community Connection site, a memorandum of agreement outlining the terms and conditions is entered into between the Town of Whitby and the Durham District School Board. Each memorandum of agreement outlines roles and responsibilities and times of use of the school and a fee structure.

The Community Connection program is based on the concept of local centres, usually schools, serving as a central place for community members to participate in recreation and leisure programs in their neighbourhood. Community Connection is operated by a community-based Board of Directors in conjunction with the Community Services Department. Community Connection permits space from the Durham District School Board in accordance with the memorandums of agreement established between the Town of Whitby and the School Board.

Through the revenue that Community Connection generates from their programs, the organization donates funds back to the school locations to purchase equipment and supplies and provides contributions to community events and initiatives.

#### Attachments

Attachment 1: Updated Community Connection Terms of Reference



# Community Connection Executive Board of Directors Terms of Reference

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<b>Number:</b>	ToR-LB-02
<b>Reference:</b>	Council Resolution #492-17
<b>Date Approved:</b>	October 30, 2017
<b>Date Revised:</b>	December 16, 2024
<b>Approval:</b>	Council
<b>Point of Contact:</b>	Manager, Recreation and Community Programs (Staff Liaison)

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## 1.0 Enabling Legislation

The Municipal Act provides the municipality with the authority to create advisory committees for specific purposes. The Town of Whitby Council has deemed it advisable to establish the Community Connection Executive Board of Directors.

## 2.0 Mandate and Responsibilities

### 2.1 Purpose

The purpose of the Executive Board is to oversee all the Community Connection sites as well as all related expenditures and revenue generated by these programs and to partner with the Town of Whitby and the Durham District School Board or other governing agencies.

### 2.2 Objectives of the Executive Board

- a) To provide accessible programs to all Town of Whitby residents.
- b) To enrich community spirit through involvement.
- c) To utilize Town of Whitby and Durham District School Board and other governing agencies property for community activities.

### 2.3 The Executive Board is appointed by Council to provide direction in the following areas:

- a) Evaluate the recreational needs in the community as they pertain to the purpose for Community Connection;
- b) Design and implement programs;
- c) Participate in the development and implementation of policies and procedures to maintain fiscal responsibility for the organization; and,

- d) Advise members of the Town of Whitby, the Durham District School Board and other governing agencies on the policies of Community Connection.

3.0 Lead Department

- 3.1 The Community Services Department will be the lead for the Community Connection Executive Board of Directors. Staff from other departments may attend meetings as required to provide expertise or report on various matters.

4.0 Membership and Composition

- 4.1 All members shall agree to abide by and comply with the Terms of Reference of Community Connection.
- 4.2 All residents of the Town of Whitby are entitled to apply to be appointed by Council to the Executive Board.
- 4.3 All members must attend a minimum of 75% of the Executive Board meetings, unless special circumstances warrant.
- 4.4 All members must be available to contribute time to special events and program demands.
- 4.5 All members must attend Executive Board training sessions, as offered by the Town of Whitby, to remain current with Town policies and procedures.

#	Board Members	Member Type
5	Citizen Members	Voting
1	Town of Whitby Representative	Voting

5.0 Executive Board Composition and Duties

- 5.1 Positions on the Executive Board must include the following: Chairperson, Vice-Chairperson, Treasurer, two (2) Members at Large. Appointments to the Executive Board will be made by Council for the term of Council, unless otherwise recommended by the Board and approved by Council.

- 5.2 The duties of the appointed members of the Executive Board shall be:

Chairperson

- Chairs all executive meetings and working committees as needed.
- Leads and looks out for the best interests of the Executive Board, volunteers and anyone involved in the Community Connection organization.
- Assists Director of Operations as needed.



- Other duties as required.

#### Vice-Chairperson

- Assists duties of Chairperson and assumes duties in absence of Chairperson.
- Other duties as required.

#### Treasurer

- Works with Bookkeeper and Director of Operations as needed.
- Helps create and implement the annual operating budget.
- Other duties as required.

#### Town of Whitby Representative (Staff Member)

- Supports Community Connection in its entirety, specifically focusing on areas in need of assistance as they arise.
- Represents the Town of Whitby's investment and interest in Community Connection as a member of the Executive Board.
- Supports the Director of Operations.
- Signing Officer for the Executive Board account.

#### Members at Large

- Represents Community Connection and makes decisions that impact the organization.
- Brings recommendations to Executive Board, as needed.
- Other Duties as required.

5.3 Meetings of the Executive Board shall be held the last Thursday of each month unless otherwise specified.

5.4 Where a vacancy occurs on the Executive Board for any reason, Council shall appoint a person qualified to hold office for the remainder of the term for which his/her predecessor was appointed.

5.5 A quorum shall consist of 50% plus 1 of the Executive Board and must include two (2) of the Chairperson, Vice-Chairperson, Treasurer

5.6 Only members of the Executive Board (Chairperson, Vice-Chairperson, Treasurer, and Members at Large) may vote at the Board meetings and the Annual General Meeting.

5.7 A simple majority vote of the Executive Board members present shall be followed.

5.8 The appointed individuals by Council will be appointed into their positions of the Executive Board at the Annual General Meeting or as needed.

5.9 An Executive Board Member may not instruct or be employed by Community Connection.

## 6.0 Fees

6.1 All program fees shall be reviewed and set by the Director of Operations, on an as needed basis.

## 7.0 Employment

7.1 The Executive Board has the authority to set the compensation and job descriptions of the employees of the organization.

7.2 Shared services from the Town of Whitby's Human Resources Department may be provided to the Board on an agreement basis.

7.3 Community Connection employs the following positions:

- a) Director of Operations – oversees Community Connection operations as a whole and reports to the Executive Committee but is not a voting member. Signing Officer for the Executive Board account.
- b) Program Coordinator – reports to Director of Operations and assists in supervision of school locations and staff.
- c) Facilities Advisory – reports to Director of Operations and Program Coordinator and carries out assigned duties related to school locations and staffing.
- d) Program Attendants – reports to Director of Operations and Program Coordinator and carries out assigned duties related to specific school location(s).
- e) Instructors – reports to Program Attendant and carries out duties specific to the class they are conducting.
- f) Camp Staff – responsible for the delivery of Community Connection camp programs and reports to the Director of Operations.
- g) Secretary of the Executive Board – responsible for recording and distributing meeting minutes.
- h) Bookkeeper – reports to Director of Operations, Treasurer and Executive Committee. Responsible for accounting entries, deposits, disbursements, payroll, reports, year-end documents and assists in creating annual

operating budget.

7.4 Employed positions shall be paid by cheque.

7.5 Staff hires are conducted by a hiring committee comprised of Executive Board members and staff, as necessary.

## 8.0 Annual General Meeting

8.1 The Annual General Meeting shall be held prior to the end of March.

8.2 Annual General Meeting Agenda:

- a) Appointments to Executive Board positions;
- b) Report of the Chairperson;
- c) Minutes of the last Annual General Meeting;
- d) Report of the Treasurer;
- e) Report of the Town Representative; and,
- f) Such other business deemed pertinent for the benefit of the community.

## 9.0 Personal Conduct of Members

9.1 The full Executive Board may at its discretion suspend or terminate membership with a vote. If a member is terminated, the Clerk at the Town of Whitby would be notified accordingly to amend the Executive Board membership information.

9.2 Where an official position or statement is required, the official spokesperson for the Executive Board is the Chairperson or designate. No Executive Board Member may speak on an issue which requires the collective decision of the Executive Board.

9.3 The Executive Board shall only represent the community in matters that pertain to the purpose of Community Connection.

## 10.0 Deputations to the Executive Board

10.1 The Executive Board will receive deputations at monthly meetings based on the following:

- a) Deputations must be submitted to the Secretary of the Executive Board in written form one (1) week prior to the next Executive Board meeting;
- b) Only two deputations may be presented at a monthly meeting, unless otherwise approved by the Executive Board;
- c) The Executive Board reserves the right to ask questions but may elect to receive the information and give a formal response at a later date; and,

- d) Spectators attending deputations are not permitted to speak or may be asked to leave by the Chairperson, if the meeting is disrupted.

## 11.0 Finances

- 11.1 The Bookkeeper shall provide Corporate Services with a Review Engagement Report each fiscal year that details Community Connection and the Board's finances.
- 11.2 The Director of Operations and the Staff Liaison shall be the signing officers for the Board's operating account.



# Town of Whitby

## Staff Report

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



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### Report Title: Adjudication of Fence By-law Exemption Requests

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** CLK 08-24

**Department(s) Responsible:**

Office of the Town Clerk  
Legal and Enforcement Services

**Submitted by:**

C. Harris, Director, Legislative Services/Town Clerk

F. Santaguida, Commissioner, Legal and Enforcement Services/Town Solicitor

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

**For additional information, contact:**

K. Narraway, Sr. Manager, Legislative Services/Deputy Clerk, 905.444.1934

A. Gratton, Sr. Manager, Enforcement Services, 905.430.4902

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### 1. Recommendation:

1. That Council delegate the authority for consideration of exemptions from Fence By-law # 4394-99, as amended, as well as exemptions from the forthcoming update to the Fence By-law, to the Municipal Licensing and Standards Committee in accordance with the Fence By-law Exemption Process appended to this Report as **Attachment 1**, and the Clerk be directed to amend the Terms of Reference for the Municipal Licensing and Standards Committee to include consideration of Fence By-law Exemptions;
2. That the Clerk be directed to bring forward a by-law to amend Fence By-law # 4394-99, as amended, to include the Fence By-law Exemption Process and repeal By-law # 7863-22 delegating authority for minor fence height exemption requests to the Commissioner of Legal and Enforcement Services/Town Solicitor;

3. That the Clerk be directed to bring forward a by-law to amend Fees and Charges By-law # 7220-17, as amended, to delete the fee for Minor Fence Height Exemptions and replace it with a new two-tier fee for Fence By-law Exemptions as noted in Section 5 of Report CLK 08-24;
4. That the fees for Fence By-law Exemptions be effective as of the date of enactment of the by-law noted in Recommendation 3, save and except that the fees will not apply on a one-time basis to those properties that currently have Fence By-law exemption requests pending before Council; and,
5. That Fence By-law exemption requests pending before Council be referred to the new Fence By-law Exemption Process through the Municipal Licensing and Standards Committee.

**2. Highlights:**

- Council provided direction to develop a new Fence By-law Exemption process at the Committee of the Whole meeting on September 23, 2024.
- The new Fence By-law Exemption Process will see exemptions considered by the Municipal Licensing and Standards Committee instead of by Staff or Council.
- Exemptions to the Fence By-law will be available for fences that exceed the maximum permitted height in the by-law and for fences that are located within the setback distances for intersections noted in the by-law, to an upper limit of 2.60 metres (8 feet, 6 inches).
- The new Fence By-law Exemption Process will replace and expand upon the current delegated authority for the Commissioner of Legal and Enforcement Services/Town Solicitor to approve minor fence height exemptions.
- The Municipal Licensing and Standards Committee will weigh a variety of factors when considering exemptions from the Fence By-law, including:
  - a report from Staff that includes comments, recommendations, and input from Town divisions deemed appropriate, to review the request based on the nature of the exemption being sought;
  - the impact approving the request would have to adjacent residents and whether there were objections received;
  - whether the fence request is generally appropriate for the lands in question;
  - for setback relief from intersections, that the fence is located on private property and provides sufficient visibility to maintain pedestrian and

- motorist sight lines;
  - the impact of approving the request would have to intersection safety and road user visibility;
  - whether the exemption maintains the general intent and purpose of the Fence By-law; and,
  - how the grading of surrounding land may limit the perceived height of fencing from the perspective of neighbouring properties.
- The Municipal Licensing and Standards Committee will have broad authority to grant exemptions to the maximum heights and setback distances from intersections for fences, however an absolute maximum fence height of 2.60 metres (8 feet 6 inches) has been established along with safety and performance standards for fences near intersections. The Fence By-law currently permits fences up to 1.0 metres (3 feet 3 inches) in height in front yards and 2.0 metres (6 feet 6 inches) in height in side and rear yards. Fences in rear yards that are adjacent to arterial roads are permitted to 2.4 metres (8 feet) in height.
  - A two-tier fee will be established of \$750 for minor fence height exemptions (a variance of up to 10% from the applicable maximum permitted height) and a higher fee of \$1,500 for all other Fence By-law exemptions.
  - Through the delegation of authority to the Municipal Licensing and Standards Committee, Council will no longer hear any Fence By-law exemption requests and decisions of the Municipal Licensing and Standards Committee will be deemed final.

### 3. Background:

Over the past few years, there have been an increasing number of requests for exemptions to the Fence By-law. The number of requests has increased from a historical average of near zero to between five and ten each year. The time required from Council to consider each exemption request is significant.

In an attempt to address the increasing number of exemption requests, Council considered [Report LS 03-22](#) at the Regular Council Meeting on March 7, 2022 and approved an amendment to the Fence By-law to delegate authority to the Commissioner of Legal and Enforcement Services/Town Solicitor to approve minor height exemptions to the Fence By-law, up to a 10% variance to the maximum height provisions. Despite the delegated authority granted to the Commissioner, several requests for Fence By-law exemptions exceeding the authority conferred to the Commissioner continue to be received, requiring Council to consider these matters.

At the Committee of the Whole Meeting on September 23, 2024 Council provided direction to Staff to review and report back on the current Fence By-law exemption process, including reviewing the existing scope of delegated authority to the

Commissioner, expanding the percentage variance for delegated authority over existing fence heights, reviewing associated fees, and identifying a process to handle requests beyond the authority delegated to Staff.

#### **4. Discussion:**

Council is in a challenging position when acting as the adjudicating body for licensing and standards matters as they may be required to navigate contentious circumstances between neighbouring residents. Further, considering individual by-law exemption requests takes considerable time and analysis, which is not an efficient use of senior Staff and Council's time. It's more appropriate for Council to provide broad policy direction for the adjudication of these matters by other bodies.

The Municipal Licensing and Standards Committee is a citizen member Committee of Council acting in a quasi-judicial capacity. The Committee currently hears a number of appeals, including appeals of various orders and licensing matters. Members of the Committee have experience mediating contentious licensing and by-law standards matters, and as such, it is recommended that Council delegate hearing of Fence By-law exemptions to the Committee and that Council waive the ability to appeal decisions of the Committee regarding these matters.

It is recommended that the Municipal Licensing and Standards Committee consider all Fence By-law exemptions going forward and that the delegated authority granted to the Commissioner of Legal and Enforcement Services/Town Solicitor to approve minor height exemptions to the Fence By-law (up to a 10% variance to the maximum height provisions) be rescinded. This will provide overall consistency in the decision-making process for Fence By-law exemptions.

A two-tier fee will be established for exemption requests. A lower fee of \$750 will be applied to fence height exemptions of up to a 10% variance to the applicable maximum height provisions. The lower fee is appropriate for these minor variances as there are likely to be less objections from neighbours and less analysis of the exemption requests required by both Staff and the Municipal Licensing and Standards Committee. A higher fee of \$1,500 will be applied to all other Fence By-law Exemptions, including height variances above 10% of the applicable maximum height and for variances to the setback provisions around intersections. Owners will be permitted to apply for more than one variance through the payment of a single application fee (e.g. a height variance above 10% and a reduction of setback requirements from an intersection). Further details about the financial rationale for these fees can be found in the Financial Considerations section of this Report.

Persons seeking exemptions will be required to submit an application and supporting documentation as detailed in the attached Fence By-law Exemption Process document. Applications will be circulated to neighbouring residents for review and comment. Comments received from neighbouring residents will be examined and Staff will prepare a summary document/report for consideration by the Municipal Licensing and Standards Committee.

The attached Fence By-law Exemption Process document contains general guidelines to be considered by the Municipal Licensing and Standards Committee when reviewing

exemption requests. In particular, the guidelines provide the Committee with factors they should consider when analyzing an exemption request including whether the exemption is appropriate for the lands in question, whether the exemption maintains the general intent and purpose of the Fence By-law, the impact to adjacent residents, and how the grading of surrounding land may limit the perceived height of fencing from the perspective of neighbouring properties. For example, a taller fence that is installed along a property line where there is a steep grade difference between adjacent lands may be desirable if it provides both neighbouring residents with satisfactory privacy from the perspectives of their yards.

The guidelines provide the Committee with broad authority to grant exemptions to either the height provisions or the setback provisions around intersections in the by-law, however there are absolute limitations to the Committee's authority. For fence height exemptions, the Committee will be restricted to permitting fences up to 2.6 metres in height. The Fence By-law permits, as of right, fences of 2.0 metres in height in side and rear yards in most instances with fences of 2.4 metres in height being permitted in rear yards adjacent to arterial roads. For fences encroaching on the setback requirements from intersections, these exemptions will only be permitted if the fencing is located on private property and if the fencing is open fencing that provides sufficient visibility through the fence structure to maintain pedestrian and motorist sight lines.

In all instances, an exemption will not be as-of-right. Further, decisions of the Municipal Licensing and Standards Committee must adhere to the Fence By-law Exemption Process attached as Appendix 1 to this Report, as well as provisions in the Fence By-law that prohibit fences from creating unsafe conditions, or obstruct the visibility of motorists, or obstruct traffic signs or traffic control devices.

## **5. Financial Considerations:**

The financial impacts of the new Fence By-law Exemption process are limited as only five to ten exemption requests are received each year. However, the amount of Staff time required to prepare for and consider an exemption request is significant. Requests for exemptions above a 10% variance are currently heard by Council at Committee of the Whole and Council meetings, resulting in Members of Council and senior Staff engaging in lengthy hearings.

The new Fence By-law Exemption Process will create efficiencies by removing Council as the adjudicating body for these matters and delegating authority for hearing exemption requests to the Municipal Licensing and Standards Committee.

Members of the Municipal Licensing and Standards Committee receive remuneration of \$100 per meeting and the Committee consists of five citizen members, meaning that total remuneration per meeting is \$500. The Committee is scheduled to meet on an as needed basis, and Staff attempt to coordinate so that multiple files can be considered by the Committee at the same meeting. Establishing a two-tier Fence By-law Exemption application fee of \$750 and \$1,500 provides for a better recovery of Town costs (e.g. offsets the remuneration paid to Committee Members and helps to offset Staff time involved in administering hearings, circulating notices to adjacent property owners regarding exemption requests, and preparing briefing documents for the Committee's



review).

**6. Communication and Public Engagement:**

Information about the new Fence By-law Exemption process will be made available to persons requesting exemptions from the provisions of the Fence By-law.

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

This Report was developed by the Office of the Town Clerk in response to direction received by Council at the September 23, 2024 Committee of the Whole Meeting. The Legal and Enforcement Services Department and Financial Services Department has reviewed and provided input into this Report.

**8. Strategic Priorities:**

Establishing a new Fence By-law Exemption Process is in alignment with Strategic Pillar 4 of the Community Strategic Plan – Accountable and Responsive Government. The new Fence By-law Exemption Process will allow exemption requests to be considered in a more expeditious and efficient manner by the Municipal Licensing and Standards Committee.

**9. Attachments:**

Attachment 1 – Fence By-law Exemption Process

# **Schedule 'A' to Town of Whitby Fence By-law # 4394-99, as amended – Exemptions from the Fence By-law**

## **Overview**

The Municipal Act, 2001 allows municipalities to pass by-laws regulating structures, including fences. The Council of the Town of Whitby adopted Fence By-law # 4394-99, as amended (the Fence By-law), for the purpose of prescribing the height and description of fences.

The provisions of the Fence By-law are absolute, however there are circumstances where flexibility from certain provisions contained in the Fence By-law are appropriate.

The purpose of this Schedule is to outline the process for seeking exemptions to the provisions of the Fence By-law, the types of exemptions that may be granted, and to provide an overview of the administration of the exemption process.

## **Responsibilities**

The Municipal Licensing and Standards Committee (MLSC) shall be responsible for considering all Fence By-law exemption applications.

The MLSC is an independent quasi-judicial body appointed by Council. Council does not ratify and cannot appeal a decision of the MLSC related to Fence By-law exemptions.

The MLSC is authorized to provide the following exemptions from the provisions of the Fence By-law:

- Exemptions from the height maximums in the Fence By-law, noting that exemptions for minimum fence heights required for pool enclosures or other minimum fence heights identified in other Town By-laws (e.g., salvage yard fencing) are not eligible for exemptions; and,
- Exemptions from the setback distances of fences from an intersection in the Fence By-law, noting that fences that create unsafe conditions, obstruct the visibility of motorists, or obstruct traffic signs or control devices are not eligible for exemptions.

Requests for exemptions from other provisions of the Fence By-law are not available and shall not be considered by the MLSC or Council.

## **Applications**

An owner may apply for an exemption from the height maximums and/or the setback distances from an intersection in the Fence By-law by providing the following to the Town's Legal and Enforcement Services Department:

## **Schedule 'A' to Town of Whitby Fence By-law # 4394-99, as amended – Exemptions from the Fence By-law**

- A Fence By-law exemption application on a form to the satisfaction of the Commissioner, Legal and Enforcement Services/Town Solicitor, or their designate;
- The applicable fee for an exemption application as identified in the Town of Whitby Fees and Charges By-law, as amended, has been paid in full;
- A description of the fencing, the exemption being sought, and any circumstances, including the grading of surrounding lands, that support the request for an exemption;
- A drawing of the property clearly identifying the location of the fence;
- In the case of an existing fence, photographs of the fence; and,
- Any other information that, in the opinion of the Commissioner of Legal and Enforcement Services/Town Solicitor, or their designate, is necessary for the assessment of the exemption application.

### **Circulation of Applications**

Upon receipt of a complete Fence By-law exemption application, the Commissioner of Legal and Enforcement Services/Town Solicitor, or their designate shall circulate notice of the application to adjacent property owners directly affected by the application to determine if there are objections to the application.

In instances where a Fence By-law exemption application abuts or may otherwise potentially impact Town property, the Commissioner of Legal and Enforcement Services/Town Solicitor, or their designate, shall circulate the application to relevant Town departments for review and comment.

### **Hearing of Applications, Guiding Principles and Limitations**

When considering exemptions from the provisions of the Fence By-law, the MLSC shall:

- Review the application and any supporting documents;
- Review any related staff reports and written submissions, including any objections;
- Meet in a public forum (in-person or virtual format) and hear presentations by applicants and any other interested party; and,
- Make a decision based on the reports, submissions, and public presentations to approve with or without conditions, refuse, or table the application.

Further to the section above, an exemption shall not be granted as a matter of course, or as-of-right. In determining whether an exemption shall be granted, the MLSC shall take the following into consideration when assessing the appropriateness of exemptions from the provisions of the Fence By-law:

## **Schedule 'A' to Town of Whitby Fence By-law # 4394-99, as amended – Exemptions from the Fence By-law**

- Whether there is a need for the exemption, or whether an exemption is desirable for the lands in question;
- Whether the exemption maintains the general intent and purpose of the Fence By-law;
- Whether an exemption would create a negative impact to adjacent property owners and residents; and,
- For exemptions from the height maximums, the grading of surrounding land and the perceived height of fencing from the perspective of neighbouring properties.

When considering exemptions from the height maximums in the Fence By-law, maximum fence heights of up to 2.60 metres in total height may be provided by the MLSC where deemed appropriate, in consideration of the factors noted above. Maximum fence heights of 2.60 metres shall generally be reserved for exterior side yard, interior side yard, and rear yard fencing. Fence height exemptions above 2.60 metres in total height are not available.

When considering exemptions from the setback distances from an intersection in the Fence By-law, only open fencing located wholly on private property that provides sufficient visibility through the fence structure to maintain pedestrian and motorist sight lines shall be permitted.

### **Applicability of Other Legislation**

Fences that are approved for exemptions to the Fence By-law remain subject to the provisions of the Division Fence By-law # 3657-95 and the Line Fences Act, R.S.O. 1990, c. L.17.

**Schedule 'A' to Town of Whitby Fence By-law # 4394-99, as amended – Exemptions from the Fence By-law is hereby approved by Council Resolution ###-24 on this [INSERT DAY] day of [INSERT MONTH], [INSERT YEAR].**

# Town of Whitby

## Staff Report

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



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### Report Title: Creative Communities Update

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** CAO 23-24

**Department(s) Responsible:**

Office of the Chief Administrative Officer

**Submitted by:**

Sarah Klein, Deputy CAO & Director,  
Strategic Initiatives

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

**For additional information, contact:**

Christy Chrus, Sr. Manager, Creative  
Communities

Lara Toman, Manager, Events, Culture  
and Tourism

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### 1. Recommendation:

1. That Report CAO 23-24, Creative Communities Update, be received for information.

### 2. Highlights:

- Report CAO 23-24 provides an overview of highlights, key actions and achievements of the Creative Communities Team from 2024. It further provides a snapshot of deliverables to be focused on in 2025.
- Creative Communities is responsible for the overall management and development of Whitby's cultural sector which acts as a driver for investment and economic growth and includes Events, Culture, Tourism, and Downtown Development.
- The team continues to deliver on actions from the Community Strategic Plan (CSP), the Downtown Whitby Action Plan, the Special Events Strategy, and the



Destination Whitby Tourism Strategy to advance the priorities of the Community and Council.

### 3. Background:

The Creative Communities division is part of Strategic Initiatives and was formed in 2020 to align several strategic priorities within the organization to optimize decision-making and support community building and economic development. Creative Communities is responsible for the overall management and development of Whitby's Events, Culture, Tourism, and Downtown Development portfolios.

A creative community is a place where creative people, experiences, places, businesses, and organizations are connected to foster new ideas and collaborate, transform, and implement those ideas and actions to build a healthy, vibrant, and dynamic community.

The Creative Communities team continues to build new partnerships with various stakeholders and foster strong relationships with cultural groups, organizations, tourism partners, downtown businesses, and internal departments to collaborate on new opportunities to showcase and strengthen Whitby's creative economy, making Whitby an exceptional place to live, work, and explore.

### 4. Discussion:

This section provides an overview of major accomplishments from the division in 2024, along with a snapshot of upcoming/new initiatives for 2025.

#### 2024 Accomplishments

##### Events

- [Town Events](#) – the Town's annual events had over 50,000 people in attendance and included Family Day, National Indigenous Peoples Day, Canada Day, Music in the Park, Movies in the Park, Harvest Festival, Ghost Walks, Whitby Lights the Night, and Christmas in the Village, amongst others.
- Music in the Park – two more evenings of music were added to the summer calendar of events related to CSP Action Item 1.2.2. The annual Call for Performers saw a record high of 131 musicians and artists apply to be part of Whitby events.
- Town Supported and Third-Party Events - permitted 37 Town-Supported/Third-Party events such as Rotary Ribfest, Food Truck Frenzy, Remembrance Day Parades, BIA Christmas Market, Brooklin Tiki Festival and the new Durham Summer Fest. This is a 25% increase in approved permits from the previous year. Also worked with the Downtown Whitby BIA to permit new events this year including Movies in the Square, Summer Art Series and Comic Con.
- [Volunteer Training](#) – a new online Volunteer Training program was created and launched with over 50 volunteers trained in the last few months. The annual

Volunteer Appreciation Night was hosted in November at Landmark Theatres to thank volunteers for their significant contributions to the Town's events. This year, volunteers dedicated over 1,000 hours to supporting the Town's events.



Caption: Town of Whitby event volunteers

## Culture

- Public Art Policy and Public Art Procedure - Council adopted the Public Art Policy in January (Report CAO 03-24). The purpose of the Public Art Policy is to outline the processes and responsibilities of the Town to support new art commissions, art donations and loaned art. Staff have completed the Public Art Procedure, a document that provides step-by-step guidance on implementing the Public Art Policy.
- Public Art Inventory – staff undertook an inventory of Whitby's public art, inclusive of artwork both inside municipal buildings and as part of the [Public Arts Trail](#). The new public art at the Whitby Sports Complex will be added to the Arts Trail once completed.
- New Public Art in Whitby – two new public art pieces have been created and installed this year including:
  - “The Hive” a tree carving by Ryan Locke using a century-old black walnut tree that was transformed into a honeycomb with bees, located across from the Centennial Building.



Caption: The Hive tree carving by Ryan Locke

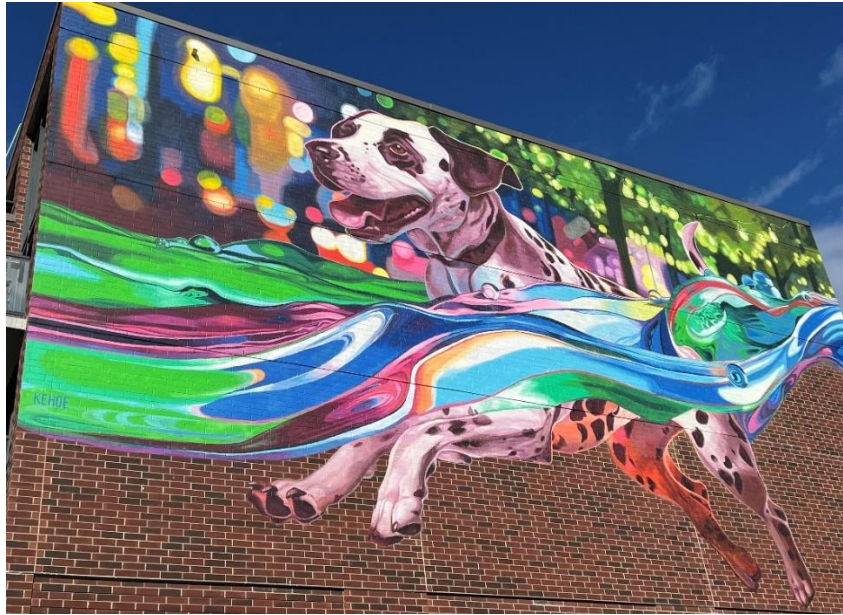
- “Dancing in the Light” and “Welcome Home” digital print murals by Indigenous Artist Emily Kewageshig located at Rotary Park and sponsored by Elexicon Energy.



Caption: Digital print murals by Indigenous Artist Emily Kewageshig

- [Station No. 3 Mural](#) – staff worked collaboratively with Brookfield Residential to support the promotion of the story behind the new mural on the south side of Station No. 3 by local artist Meaghan Claire Kehoe. A [video](#) was created to highlight the artwork and honour and remember Molly the Fire Dog.





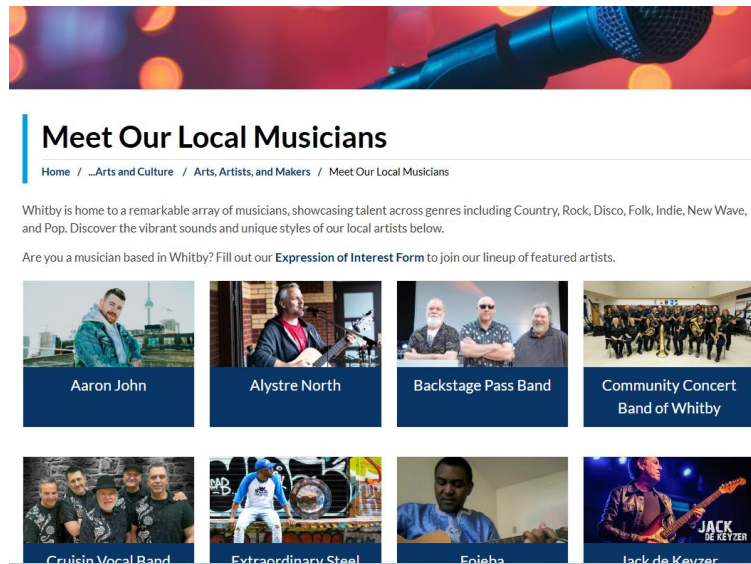
Caption: Station No. 3 mural by Meaghan Claire Kehoe

- [Culture Pop-Ups](#) – a series of five culture pop-ups were launched from June to October including Bollywood on the Pier, Greek Summer Night, Sunset Tango, En Plein Air Painting Event and Unravel for Change knitting event. Over 1,050 people attended these events throughout the summer. Culture Pop-Up content was some of the top-performing posts of the year, with over 11,140 views on Instagram and 369,000 impressions on Facebook and X.



Caption (Left to Right): Bollywood on the Pier, En Plein Air Painting Event, and Greek Summer Night Culture Pop-Up events.

- [Musician Database](#) – to support Whitby’s musical talent and an Action Item identified in the Community Strategic Plan, a new section on the Town’s [Arts and Culture website](#) was created to showcase the various featured musicians.



Caption: Page from the Town of Whitby's Arts and Culture website.

- Culture Roundtable – the second annual Culture Roundtable event was hosted in the Avalon Room at the Port Whitby Marina in March and brought together artists, makers, musicians, and cultural organizations to connect, network and learn from each other. Overall, the group enjoyed learning about Whitby's arts and culture workplan and how they could compliment or support ongoing and new initiatives.

## Tourism

- [Food Tours](#) and the [Whitby Food Guide](#) – to support the award-winning Whitby Food Guide, a series of food tours were created. The Town hosted 19 Walking Food Tours in Downtown Whitby and Downtown Brooklin and three Trolley Food Tours with close to 500 people attending and supporting 42 businesses. Promotion of the tours on Facebook and X had 37,000 impressions and 7,290 video views. On Instagram, food tour videos received over 5,700 views. The third edition of the [Whitby Food Guide](#) was released in June with an additional 12 pages of content. To date there has been 2,859 views of the Food Guide.





Caption (Clockwise from top-left): Cover of Whitby Food Guide, Whitby Food Tours promotional image, participants on the Whitby Food Tour at Tuscan Wolf Pizzeria in Downtown Whitby, and Food Tours promotion in Grass Park, Brooklin.

- [Municipal Accommodation Tax \(MAT\)](#) – effective July 15, 2024, the Town approved a new 4% Municipal Accommodation Tax on all hotels and motels. These funds will support tourism with Whitby allocating 50% of the revenue to support tourism initiatives and help expand the community’s capacity for tourism offerings such as sports, art, music, heritage and cultural experiences. The Whitby Tourism Development Corporation will use the other half of the funds for tourism marketing and promotion of Whitby.
- Tourism Growth Program (FedDev Ontario) – the Town was successful in receiving \$200,000 to support the transformation and activation of waterfront lands in and around the James Rowe House / Shirley Scott Park to be actioned in 2025 with a new seasonal visitors’ centre, accessible dock for kayak/paddle boards, Muskoka chairs, picnic tables, public art, bike rack/repair stand, and year-round decorative lighting.

- Decorative and Seasonal Illuminations and Lights – the community will be lit up with over 100,000 lights at key locations including Whitby Civic Park, Downtown Whitby, Grass Park and Brooklin Community Centre. These illuminations help to support destination development and animate the Whitby community for residents and visitors.
- Destination Development Tourism Networking Event – over 100 tourism businesses, stakeholders and organizations joined staff on April 16 at DishPlay for “There’s S’more to Do in Whitby”, an evening designed to pursue partnerships and develop meaningful connections to collectively promote Whitby as a premier tourism destination.



Caption: Destination Development event welcome table and participants at Dish Play

- Tourism Marketing and @explorewhitby Instagram – the Discover Something New to Enjoy tourism brand continues to be used in market and there are 2,254 followers on @explorewhitby (as of November 7, 2024). This is a 215% increase since last year. Instagram allows for continued visual storytelling and support of our local tourism attractions and businesses and promotes all the great things to see, do and explore in Whitby.
- Tourism Articles, Influencers and Promotions – Whitby has been featured in many provincial and even international articles working with our tourism partners from Culinary Tourism Alliance, Destination Ontario, Central Counties Tourism, National Geographic and influencers/bloggers. A few are highlighted below:
  - [Wander Whitby on a 2-day Culinary Adventure](#) (Culinary Tourism Alliance)
  - [Flowing through Ontario’s Many Wonders of Water](#) (Nationalgeographic.com)
  - [3 Holiday Adventures in Ontario’s Downtowns](#) (Culinary Tourism Alliance)
  - The [tourism website](#) also features a Get Inspired page with numerous articles on Whitby.



## Downtown Development

- My Main Street Community Activator Grant (FedDev Ontario) – the Town was successful in receiving \$91,000 to support further enhancements to the Roebuck Street placemaking project to include a new 'Field to Fork' mural, new bike racks, concrete foosball table, cornhole boards, seating, and lighting throughout Grass Park. Many of these new items will be installed on the street in 2025.



Caption: Image of placemaking project executed on Roebuck Street in Brooklin

- Community Improvement Plan (CIP) Funding – an additional \$2.5 million of additional funding was approved by Council to support high-density residential and mixed-use residential developments in Downtown Whitby through the Housing Accelerator Fund. The Town approved its first development application in November 2024 as part of this additional funding support.
- Hosted Downtown Meet and Greet Events – staff organized events in Downtown Whitby and Downtown Brooklin with business and property owners for an opportunity to network and learn about upcoming projects and events from the Town, Business Improvement Area and Whitby Chamber of Commerce.
- Façade Grant Recognition – Mayor and Council recognized several businesses and property owners in Downtown Whitby and Brooklin who have made various improvements to their buildings.



Caption: Downtown Whitby business, Whitby Audio | Video, a recipient of the Façade Grant program

### **New Initiatives for 2025**

Many initiatives discussed above will continue to be undertaken throughout next year. New actions and projects for 2025 from the Creative Communities team include:

#### **Events**

- New Signature Event in Downtown Whitby – launching in July, a new Signature Event showcasing Whitby’s food, culture, art and music will take place in collaboration with many different community groups and include placemaking activations to support the downtown. Details on the Home Sweet Home Festival will be shared early in the new year, and the event is scheduled for July 25 & 26 in Downtown Whitby.
- Doors Open Whitby – this will once again be part of the annual events calendar. The event will highlight Whitby’s historical and cultural gems through an inside look at some of the community’s most interesting buildings and spaces.

#### **Culture**

- Street Piano at Waterfront – next summer as an initiative that was brought forward at the Culture Roundtable event, a street piano painted by a local youth/emerging artist will be installed at the Whitby waterfront, encouraging people to stop and play, creating opportunities for residents and visitors to connect with members of their community through music and art. Since 2008, over 2,000 street pianos have been installed in over 70 cities activating different environments and engaging the public through a shared love of music.
- New Public Art – a Call for Artists will be launched for the design and installation of a public artwork at a local neighbourhood park in Whitby. The goal of this project is to showcase public art within each of Whitby’s four municipal wards

over the next four years, creating opportunities for residents to enjoy and engage in public art projects throughout the entire community.

- Thickson Road Public Art – currently the Jury panel is finalizing the top three artists, and their concept designs will be out for public input in early 2025. The winning design will be selected by the end of March and installed next summer along Thickson Road between Dundas Street and Nichol Avenue.
- Public Art Plaques – to celebrate and promote public art along [Whitby's Arts Trail](#), new permanent plaques will be installed that contain the artist's name, the title of the artwork, and a QR code linking to the art trail map.

### Tourism

- Municipal Services Corporation (MSC) – a new MSC to be called the Whitby Tourism Development Corporation is being created as the tourism entity responsible for the promotion of Whitby. This is required as part of the Municipal Accommodation Tax implementation.
- Tourism Growth Program – Official Ribbon Cutting of the waterfront parklands redevelopment project is anticipated for July.
- Tourism Maps – a tear-off tourism map highlighting Whitby's key destinations and tourism attractions and businesses will be available for visitors and residents visiting facilities and for use at sports tourism events. Large-size versions will be placed along Whitby's waterfront, Downtown Whitby and Downtown Brooklin. An online version and use of QR codes will compliment the printed version of the map.
- Self-Guided Brewery Tour – a self-guided brewery tour will be developed in consultation with local breweries to highlight and connect the craft beer scene in Whitby and encourage locals and tourists to visit these locations.
- Hop on Hop off Food and Lights Tours – a hop on hop off food/beer and lights tour will be launched in late 2025, featuring Whitby's six breweries with food pairing from local restaurants and showcasing seasonal and decorative lighting.
- Partnership with Zommer Media – Whitby tourism offerings will be strategically highlighted across Zommer Media platforms in 2025 including: a blogTO Dished Toronto Newsletter placement, blogTO Events Newsletter article placement, Curiosity Toronto article inclusion, and Curiosity Toronto Instagram contest.
- Walking Food Tours – the successful Walking Food Tours will be back during the summer season on a weekly basis with new locations and collaborations with local restaurants.



- Waterfront Placemaking Activations – new Muskoka chairs will be placed along the Whitby pier to provide additional seating options for residents and tourists along with new Edison lights to enhance the waterfront walkway next summer.

### **Downtown Development**

- New Downtown Whitby Action Plan – staff will be engaging with the public, businesses and residents to develop a new multi-year action plan in 2025.
- Brock Street Redesign – a proposed concept design for Brock Street from Highway 401 to the CP Railway will be brought forward for Council’s approval based on public feedback on what types of changes the community would like to see to create a more pedestrian-friendly street that is accessible for all ages, respects the cultural heritage in Downtown Whitby and creates opportunities for sustainable design.
- Downtown Whitby Light Topper – a new all-season light topper is being developed for Downtown Whitby to be installed along Brock and Dundas Streets, adding year-round animation and enhanced lighting to the streetscape.

### **5. Financial Considerations:**

Financial resources to implement the Creative Communities work plan are included in the Town’s annual approved budget. The projects outlined in the 2025 initiatives will be funded through a combination of tax-funded operating and capital budgets, grants (Tourism Growth Program), and funds collected through the Municipal Accommodation Tax. The Town also receives funding through the Whitby’s Sponsorship program to support ongoing and/or new initiatives (i.e. Events, Culture Pop-Ups, public art).

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

Staff regularly collaborate with key partners and stakeholders within the municipality to support several of the action items in Creative Communities. Public input and engagement are essential components of the division, and staff continue to strengthen and build new relationships and partnerships through projects.

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

Delivery of the Creative Communities portfolio work plan relies heavily on the continued collaboration among municipal departments. Staff continually engage with teams from all areas in the organization to be successful at implementing the achieved outcomes.

### **8. Strategic Priorities:**

Several actions from the Town’s Community Strategic Plan align with the work plans for Creative Communities including:

- 1.2.1 Enhance Town-led and community-based events and festivals that celebrate diversity.

- 1.2.2 Enhance Whitby's culinary and live music sectors through collaborative partnerships.
- 1.2.3 Invest, promote and strengthen the local arts, culture, heritage and creative sector.
- 2.2.3 Invest in public art.
- 3.1.3 Implement actions to enhance Whitby's tourism sector, including a focus on the waterfront.
- 3.2.5 Implement initiatives that support our downtowns as thriving destinations.
- 4.1.2 Strengthen existing and build new partnerships.

The Creative Communities work plan continually strives to ensure accessibility and sustainable practices are implemented in the various actions. For example, when deciding on venues to support networking events such as the Destination Development or Downtown Meet and Greets, staff work with businesses that provide fully accessible spaces, so all members of the community can attend. The new public artwork "The Hive" was chosen to represent Whitby's commitment to sustainability by becoming a 'Bee City', a leader in pollinator conservation.

**9. Attachments:**

N/A

# Town of Whitby

## Staff Report

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



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### Report Title: Appointment of Members to the Whitby 55+ Recreation Advisory Committee

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** CMS 17-24

**Department(s) Responsible:**

Community Services Department

**Submitted by:**

John Romano, Commissioner,  
Community Services

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

**For additional information, contact:**

Kim Evans, Director of Recreation  
905.444.1768

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#### 1. Recommendation:

1. That Council approve and appoint the following members to the Whitby 55+ Recreation Advisory Committee effective January 1, 2025:

Sharon Bagatto (term ending December 31, 2026)

Jane Hilton (term ending December 31, 2026)

Carol James (term ending December 31, 2025)

Deborah Nanton (term ending December 31, 2025)

Mary Poirier (term ending December 31, 2026)

Joanne Smith (term ending December 31, 2026)

Lise Watt (term ending December 31, 2026)

#### 2. Highlights:

- Annually, Council appoints members recommended by Staff and the 55+ Committee Chairs to the Whitby 55+ Recreation Advisory Committee.

- The Committee provides advice and assistance to Council and staff regarding adult 55+ recreation programs offered through the Town of Whitby.
- For 2025, there are:
  - five 2-year committee terms to be appointed, with terms ending December 2026, and
  - two 1-year terms, vacant from the previous year, to be appointed, with terms ending December 2025.
- This staggering of terms ensures consistency in the committee and uninterrupted flow of committee work with half of the committee (5 of the 10 spots) expiring each year.
- The roles of Chair, Vice-Chair are selected at the first committee meeting in January, along with various appointments to sub-committees including the Programs, Special Events and New Members sub-committees.

### 3. Background:

The 55+ Recreation Services Division of the Community Services Department offers programs, services and volunteer opportunities to enhance the quality of life for residents aged 55 years and older.

According to Statistics Canada, approximately 28% of Whitby's population is 55 years of age or older and of that group, 7% (2,800) are members of Whitby 55+ Recreation Services. The Whitby 55+ Recreation Advisory Committee offers several drop-in programs, events and services. These programs, events and services augment the programming provided directly by the 55+ Recreation Services Division.

In 2024, 33 drop-in programs were offered throughout the week to members who pay a nominal drop-in fee to participate in activities ranging from cards, games, hobbies, table tennis and shuffleboard.

### 4. Discussion:

In accordance with the Committee's [Terms of Reference](#) and Council Resolution #492-17, the 55+ Recreation Advisory Committee, in consultation with the Commissioner of Community Services, the Director of Recreation and the Manager of 55+ Recreation, Accessibility & Diversity provides advice and assistance to Council regarding the various 55+ services and programs offered by the Town of Whitby. The guidance includes but is not limited to, social and leisure drop-in programs, fundraisers, summer student programs and special events.

The 55+ Recreation Advisory Committee consists of up to ten (10) voting members for two (2) year terms. Terms are staggered with up to five (5) new members being appointed annually, which assists with knowledge retention, planning and continuity of the committee.

In September, the Committee, in conjunction with Staff, updated the Terms of Reference through Staff Report [CMS 11-24](#). This included changing the previous

practice of electing Committee members to a selection process by Staff and current Committee Chairs, to ensure representation across a variety of programs and bring varying diverse perspectives. New members were selected through an interview process, prior to receiving approval by Council.

**5. Financial Considerations:**

The 55+ Recreation Advisory Committee generates revenue through the operation of drop-in programs and fundraising events. This revenue offsets program operating expenses and a summer student position. In 2024, the 55+ Advisory Committee's net contribution to the 55+ Recreation operation is budgeted at \$5,598.

**6. Communication and Public Engagement:**

The appointments will be communicated to the 55+ Recreation membership through electronic and printed material posted throughout the program areas, in the membership newsletter and on the Town's website. Annually, the newly appointed Advisory Committee introduce themselves at designated 55+ events.

Minutes from each meeting of the Advisory Committee are posted monthly in the 55+ Recreation Centre and on the 55+ Recreation website.

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

N/A

**8. Strategic Priorities:**

The recommendations contained within this report align with Corporate Strategic Plan Pillar 1: Whitby's Neighbourhoods

Whitby's Neighbourhoods – Safe, Health, & Inclusive

1.3.3 Expand recreation opportunities and increase participation in recreation programs and activities, specifically for 55+ and youth.

The 55+ Recreation Advisory Committee provides advice to staff and assistance to Council regarding the various 55+ recreation programs and services offered by the Town of Whitby. The Committee provides ideas on continually improving 55+ recreation programs and engaging the 55+ community. The work of the Committee focuses on meeting the needs of residents in Whitby and helps to provide a consistent and positive customer service experience for adults age 55+.

**9. Attachments:**

N/A



# Town of Whitby Staff Report

[whitby.civicweb.net](http://whitby.civicweb.net)



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**Report Title: 2025 Interim Property Tax Billing**

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**Report to: Committee of the Whole**

**Date of meeting:** December 2, 2024

**Report Number: FS 24-24**

**Department(s) Responsible:**

Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner of  
Financial Services / Treasurer, x4314

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

**For additional information, contact:**

Crystal Doucette, Senior Manager of  
Revenue and Taxation

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## 1. Recommendation:

1. That a by-law be brought forward to allow for the Interim Tax Billing for the 2025 taxation year as outlined in Report FS 24-24.

## 2. Highlights:

- On an annual basis, municipalities levy interim taxes to provide funding for Local Municipal, Regional and Education purposes, until the final budgets and levies of these governing bodies are determined.
- The interim property taxes collected represent about 50% of the previous year's (2024) taxes and provide cash flow for the respective organizations to continue to provide services to the community until their budgets and levies are finalized.
- This report recommends that a by-law be brought forward to allow for the Interim Property Tax Billing for the 2025 taxation year.

## 3. Background:

In accordance with Section 317 of the Municipal Act, 2001, a local municipality, before the adoption of the estimates for the year, may pass a by-law levying

amounts on the assessment of property in the local municipality rateable for local municipal purposes

**4. Discussion:**

- For all property classes and for those properties for which payments-in-lieu of taxes are received, the interim taxes are based on 50% of the annualized taxes from the previous year for Municipal, Regional and Education purposes.
- The tax rates for these properties will have an interim tax rate based on 50% of the 2024 applicable final tax rate.
- The 2025 Interim Tax Levy for all property classes will be payable in two installments due on February 24, 2025, and April 25, 2025.
- After budgets are approved in December, the Town will calculate final tax rates and will issue final 2025 property tax bills in May (for Town, Region, and Education purposes) that will consider the interim property taxes already paid.

**5. Financial Considerations:**

- For the average home assessed at \$503,000 (for the 2024 taxation year), the amount of the Interim Tax Levy will be \$3,176 (Town, Region, and Education) or approximately \$631 for each \$100,000 of residential assessment.
- The 2025 Interim Tax Billing will total approximately \$191,500,000. Of this total billing, approximately \$63,000,000 is for local municipal (i.e., Town of Whitby) purposes. The balance will be forwarded to the Region of Durham and respective school boards within Durham.

**6. Communication and Public Engagement:**

- Bills will be mailed to property owners at least 21 days prior to the first due date as required by the Municipal Act. As a reminder, an advertisement will be prepared for the Town's website and social media prior to each due date.

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

N/A

**8. Strategic Priorities:**

N/A

**9. Attachments:**

Attachment 1 – Draft By-Law XXXX-24



# Draft Town of Whitby By-law # XXXX-24

## 2025 Interim Property Tax By-law

Being a By-law to provide for an interim tax levy for the year 2025

Whereas Subsection 317(1) of the Municipal Act, 2001, chapter 25, as amended, provides that a local municipality, before the adoption of the estimates for the year, may pass a by-law levying amounts on the assessment of property in the local municipality ratable for the local municipal purposes.

And whereas, the Council of The Corporation of the Town of Whitby considers it necessary to pass such a by-law;

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

### 1. Definitions

1.1. **Town** means The Corporation of the Town of Whitby

1.2. **Treasurer** means the Treasurer of The Corporation of the Town of Whitby

### 2. General

2.1. Before the adoption of the estimates for the year 2025 under Section 290 of the Municipal Act, 2001, the Treasurer shall levy on the assessment of the property in the Town ratable for local municipal purposes an amount equal to fifty per cent of the total amount of annualized taxes for the municipal and school purposes levied on the property for the year 2024.

2.2. The Treasurer shall mail a notice specifying the amount of the interim taxes payable to the address of the residence or place of business of every person taxed under this by-law unless the ratepayer directs, in writing, that the Treasurer mail the notice to another address, in which case the Treasurer shall mail the notice to the address specified by the ratepayer. If the ratepayer has chosen to pay by pre-authorized payment or if the ratepayer's taxes are paid by their mortgage holder an interim tax notice will not be mailed.

2.3. The interim tax levy imposed by this by-law for all property classes shall be paid in two instalments as follows:

- 1) one-half thereof on the twenty-fourth day of February, 2025;
- 2) one-half thereof on the twenty-fifth day of April, 2025.

2.4. There shall be imposed on all taxes a penalty/interest for non-payment or late payment of taxes in default of the instalment dates set out in this by-law and the penalty shall be one and one quarter per cent of the amount in default on the first day of default and on the first day of each calendar month during which the default continues.

### **3. Effective Date**

3.1. This by-law shall come into force and take effect on the date of the final passing of the bylaw.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## Staff Report

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### Report Title: Temporary Borrowing By-Law

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** FS 26-24

**Department(s) Responsible:**

Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services & Treasurer x 4314

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

**For additional information, contact:**

Raymond Law, Manager, Development Finance x 2909

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#### 1. Recommendation:

1. That a by-law be brought forward to authorize external temporary borrowing of up to \$68,925,000 from January 1, 2025, to September 30, 2025, and up to \$34,463,000 between October 1, 2025, and December 31, 2025, if required for cash flow purposes.

#### 2. Highlights:

- Section 407 (1) of the *Municipal Act, 2001*, allows a municipality to pass a by-law authorizing the temporary borrowing of funds of an amount the Council considers necessary to meet the current expenditure for the year.
- Section 407(3) of the *Municipal Act, 2001* states that the limit upon borrowing shall temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year until the budget is adopted in the year.
- In prior years, no temporary external borrowing has been required to meet current expenditures. However, it is good practice to pass a by-

law permitting staff to borrow up to the maximum allowable in accordance with the *Municipal Act*, at the beginning of each year should an emergency or a cash flow issue unexpectedly arise.

- Staff will continually monitor and forecast the Town's cash flow to ensure adequate cash is available to meet the anticipated Town expenditures.

### 3. Background:

Section 407 of the *Municipal Act, 2001* permits a municipality to authorize temporary borrowing of an amount that the council considers necessary to meet the current expenditures for the year. Temporary borrowing by a municipality during the year cannot exceed:

- a) From January 1 to September 30: 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted (the Town's 2024 budget, in this case); and
- b) From October 1 to December 31: 25 per cent of the total estimated revenues of the municipality as set out in the adopted budget.

Temporary borrowing has not been required by the Town in the past. However, it is best practice to pass a by-law authorizing temporary borrowing, even if a municipality does not expect to utilize it, as a prudent and proactive measure to mitigate unforeseen circumstances or cash flow issues.

Additionally, with a temporary borrowing by-law in place, staff will be able to act quickly in the best financial interest of the Town by borrowing funds temporarily when the cost of early investment redemptions exceeds the cost of temporary borrowing.

### 4. Discussion:

N/A

### 5. Financial Considerations:

In accordance with the *Municipal Act, 2001*, the maximum that the Town may temporarily borrow from external sources is as follows:

- a) \$68,925,000 – the maximum amount that may be borrowed at any one time temporarily from January 1<sup>st</sup> to September 30<sup>th</sup>, 2025; and
- b) \$34,463,000 – the maximum amount that may be borrowed at any one time temporarily from October 1<sup>st</sup> to December 31<sup>st</sup>, 2025.

The amounts above were calculated based on an even distribution of expenditures and revenues in the 2024 approved budget and excluded revenues derivable or derived from:

- a) Any borrowing, including through any issue of debentures;
- b) A surplus, including arrears of taxes, fees or charges; or
- c) A transfer from the capital fund, reserve funds or reserves.

Subject to Council approval of the by-law, the Town can temporarily borrow funds from the bank at the prime lending rate (5.55% as of November 14, 2024) on the first \$10,000,000. Any short-term debt cost to the taxpayers will depend upon the debt amount and interest rates in 2025.

Over the past ten years, the Town has not needed to temporarily borrow funds externally for cash flow purposes, as cash and investments held by the Town have been sufficient to cover the Town's current or operating expenditures. However, external uncontrollable factors such as the economy or natural disasters/weather-related events may require the Town to utilize temporary borrowing to meet the Town's financial commitments, such as payments to the Regional Municipality of Durham (the Region) and Durham School Boards. These payments (approximately \$52,400,000 and \$15,100,000 per quarter) must be submitted to the Region and School Boards, respectively, regardless of whether the Town collects from Whitby taxpayers by the actual property tax due dates.

Staff will continue to monitor the Town's cash flow needs throughout 2025 and determine whether any cash flow issues should be supplemented through temporary borrowing or the early redemption of investments. This monitoring process is a standard practice in the Finance Department to maximize the Town's investment revenues and to keep any required debt servicing costs to a minimum.

If the Town were required to borrow funds beyond one year or beyond the term of a Council to help finance certain approved capital projects, it would revert to a debenture issue through the Region to ensure compliance with Provincial legislation. Alternatively, the Town may borrow internally, against its own reserves, for a set period at an interest rate determined by the Finance Department and approved by the Council.

**6. Communication and Public Engagement:**

N/A

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

N/A

**8. Strategic Priorities:**

N/A

**9. Attachments:**

Attachment 1 – Draft By-law XXXX-24



# Town of Whitby

## By-law # XXXX-24

### Temporary Borrowing By-law

Being a By-law to Authorize the temporary borrowing of an amount not to exceed \$68,925,000 from January 1 to September 30, 2025, and \$34,463,000 from October 1 to December 31, 2025, to meet current expenditures of The Corporation of the Town of Whitby (the Town) for the year, until taxes are collected, and other revenues received.

Whereas Section 407 (1) of The Municipal Act, 2001, S.O. 2001, C.25, as amended, provides that a municipality may authorize temporary borrowing until taxes are collected, and other revenues are received, of the amount Council considers necessary to meet the current expenditures of the municipality for the year; and

Whereas the total amount previously borrowed by the Town pursuant to Section 407 that has not been repaid is NIL; and

Whereas Section 407 (2) of the Municipal Act states the amount to be borrowed shall not exceed from January 1 to September 30 of the year, 50 percent of the total estimated revenues of the Town, and from October 1 to December 31, 25 percent of the total estimated revenues for the Town; and

Whereas Section 407 (3) of the Municipal Act states that until the budget is adopted in a year, the limits upon borrowing shall temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year.

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

#### 1. General

- 1.1. The Treasurer is hereby authorized on behalf of the Town to externally borrow from the ROYAL BANK OF CANADA an amount up to \$68,925,000 from January 1, 2025, to September 30, 2025, and up to \$34,463,000 between October 1, 2025, and December 31, 2025, to meet, until the taxes are collected, and other revenues are received, the current expenditures of the said Corporation for the year 2025, including the amounts required for the purposes of mentioned in Subsection 407(1) of the Municipal Act, 2001, and to give on behalf of the said Corporation a promissory note or notes for the monies so borrowed, with interest at such rate as may be agreed upon from time to time.
- 1.2. The amount that may be borrowed at any one time for the purposes set out in Section 1 of this by-law shall include the total of any similar borrowings that have not been repaid.
- 1.3. All sums borrowed in accordance with the authority of this by-law shall, with interest thereon, be a charge upon the whole of the revenues of the



Corporation of the Town of Whitby for the year 2025 and all preceding years as and when such revenues are received.

- 1.4. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all the monies thereafter collected or received either on account or realized in respect of taxes levied for the year 2025 and preceding years and from any other source that may lawfully be applied for such purpose.

By-law read and passed this 16th day of December, 2024.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

# Town of Whitby

## Staff Report

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### Report Title: Proposed Amendment to Policy F 190 – Acquisition, Sale, or Other Disposition of Land Policy to Expedite Housing Projects

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** FS 47-24

**Department(s) Responsible:**

Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services and 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 the amendment to Town Policy F 190 related to the sale or other disposition of land, as outlined in Staff Report FS 47-24, be approved.

#### 2. Highlights:

- The Town received \$24.9 million of grant funding allocation from the Federal Housing Accelerator Fund (“HAF”) in support of nine (9) Whitby projects;
- This report recommends a systemic change to the process of disposing of Town-owned land that is intended to streamline and accelerate the timing of disposing Town-owned land for residential development (i.e. Creation of more housing units);
- Specifically, this report recommends an amendment to Town Policy F 190 related to the sale or other disposition of land whereby obtaining written objections and reporting on objections received does not apply if the proposed use at the time of the surplus declaration is known and if the future use is a residential development or mixed use that is mainly residential development.

- The requirement to declare the property surplus and provide notice to the public for a period of 10 days will remain unchanged.
- The recommended changes are in support of Project #4 of Whitby's nine HAF Projects, the Surplus Land Inventory & Disposition Strategy project.

### 3. Background:

There is a known housing shortage in Canada. Durham Region is one of the fastest growing areas in the country and all levels of government have been working towards increasing housing supply. In 2023, Whitby signed onto the Province of Ontario's Housing Pledge to increase Whitby's housing supply by 18,000 units by 2031. Following the first year of the pledge, Whitby received \$5.4 million from the Province of Ontario's Building Faster Fund for meeting 88% of the Town's 2023 Provincially set housing target.

The Federal government also established a Housing Accelerator Fund, a \$4 billion incentive funding program operated by the Government of Canada, targeting municipalities across the nation to create 100,000 new residential units. The goal is to encourage local initiatives that remove barriers to housing supply, accelerate growth of supply and support the development of complete communities.

The Town of Whitby has been allotted \$24.9 million in funding from the Federal Housing Accelerator Fund in support of the National Housing Strategy administered by the Canadian Mortgage and Housing Corporation. The Town's \$24.9 million HAF grant is in support of nine (9) Whitby projects:

1. Increase Height & Density
2. Inclusionary Zoning
3. Urban Area Expansion
4. Surplus Land Inventory & Disposition Strategy
5. E-permitting Expansion
6. Legal Additional Dwelling Unit Program
7. Building Innovative Greatness
8. Low-Carbon & Climate-Resilient Whitby; and
9. Community Improvement Plan

The recommendations in this report relate to HAF Project #4: Surplus Land Inventory & Disposition Strategy. This report recommends adopting a more streamlined process for the Town's disposition of municipally-owned land for residential development, enabling potential housing projects on Town-owned properties to advance more efficiently.

### **Current Policy**

Town Policy [F 190](#) entitled the "[Acquisition, Sale or Other Disposition of Land Policy](#)" currently requires the following process to be followed prior to the sale or other disposition of Town-owned land:

1. Lands to be declared surplus by Council or Staff (in specific cases, such as non-viable land) following a circulation to internal departments to outline any current use or planned/future use.
2. Following a declaration of surplus, the Notice Requirements (Section 7) of Policy F 190 further requires public notice for a period of 10 days as follows:
  - a) Posting a sign on the Property for not less than ten days;
  - b) An advertisement in a newspaper having general circulation within the Town; and
  - c) Posting notice on the Town's website.
3. Further, **Sub-Section 7.4** of Policy F 190 provides for an opportunity for the public to submit objections (to the declaration of surplus/future land sale) as follows:
  - a. Any person may submit an objection, in writing, to the Clerk 20 days after notice is provided;
  - b. The objection shall include the person's name, address and reason(s) for objecting.
4. If any written objections are received, **Sub-Section 7.5** of Policy F 190 requires Staff to prepare a further report to Council outlining the objection(s) received and provide a recommendation to Council regarding the subject land. If no objections are received, Council's decision to declare the Lands surplus will be final (for up to 10 years).

#### 4. Discussion:

To streamline the process of disposing surplus Town-owned land for (future) residential development (i.e. the construction of more homes), it is recommended that the public objection period/process and reporting back of public objections of Policy F 190, i.e. Sub-Sections 7.4 and 7.5, be amended so that these requirements do not apply if the Town-owned land is to be sold for residential development purposes. Specifically, the proposed amendment is as follows:

#### **New Sub-Section 7.7 to be added to Policy F 190:**

That Sub-Section 7.4 and Sub-Section 7.5 not apply if the proposed use at the time of the surplus declaration is known and is for future residential development or mixed use that is mainly residential development.

While public input is important in the disposition of property process, the proposed amendment is being recommended to streamline and reduce the timeline to sell/dispose Town-owned land for residential development purposes and, thus, support the development of more homes, faster. Despite the proposed amendments, the public may still have an opportunity to provide input when:

- 1) the report, declaring the property as surplus, is discussed at Committee and/or Council;
- 2) the proposed development requires a successful Official Plan Amendment, Draft Plan of Subdivision, zoning, land severance, or minor variance application.

The proposed amendment to Policy F 190 is expected to reduce timelines related to the declaration of Town-owned land as surplus to the municipality by approximately three (3) to six (6) months as:

- The written objection period ends 10 days after the public notice period;
- Following the written objection period, time is required to consolidate all objections, research responses (if applicable), and to draft a report outlining the objections, Town responses, and a recommendation;
- The follow-up report may be delayed if staff are working on other priority projects (such as the Town’s budget) or due to timing of Committee/Council meetings (including the Council summer recess period);
- Often the written objections relate to the proposed development rather than declaration of surplus and proposed land disposition. These objections often can be more efficiently addressed in the subsequent public meetings related to the proposed development as part of the Planning process.

The most recent land surplus declaration related to a portion of Town-owned land located at 150 Winchester Road West, which was declared surplus for future land disposition (to Elexicon for the construction of an electrical substation). The report to declare this land surplus is dated August 8, 2024. A follow-up report on the objections received is dated October 21, 2024. Although this was not a proposed sale for future residential development, the timeframe to declare the property surplus took approximately 2 ½ months. The process may have taken longer if a Special Council meeting was not called on August 8, 2024, during the Council summer recess.

**5. Financial Considerations:**

There are no immediate financial implications related to the recommendations of this report. The successful completion of all HAF projects and meeting housing unit targets will allow the Town of Whitby to be eligible to obtain the full \$24.9 million of Federal HAF grant funding. To date, the Town has received 25% of HAF funding, with 25% expected in 2025 and a further 25% expected in 2026. To hold municipalities accountable to HAF targets, the Federal Government will be withholding 25% or approximately \$6.2 million of the Town’s \$24.9 million allocation, in 2027, subject to completion of HAF projects/meeting HAF targets.

**6. Communication and Public Engagement:**

N/A

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

The Strategic Initiatives and Planning departments provided input into this report.

**8. Strategic Priorities:**

The objectives of the Housing Accelerator Fund align with the following priorities identified by the community in the Community Strategic Plan.



Pillar 1: Whitby's Neighbourhoods, this supports Action 1.3.4: In collaboration with partners, support the implementation of Durham Region's Housing Plan regarding affordability and diversity of housing.

Pillar 4: Whitby's Government, this supports Action 4.1.1 Advocate for funding from upper levels of government and other partners to support and advance current and anticipated community priorities.

**9. Attachments:**

N/A

# Town of Whitby

## Staff Report

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### Report Title: Proposed Amendments to the Traffic By-law 8059-24, as Amended

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**Report to:** Committee of the Whole

**Date of meeting:** December 2, 2024

**Report Number:** LS 16-24

**Department(s) Responsible:**

Legal and Enforcement Services

**Submitted by:**

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

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

**For additional information, contact:**

Andre Gratton, Senior Manager,  
Enforcement Services

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#### 1. Recommendation:

1. That Report LS 16-24 be received for information.
2. That a by-law be brought forward to Council on December 16, 2024 to authorize the proposed Traffic By-law amendments substantively as shown in Attachment 1 to this Report LS 16-24.

#### 2. Highlights:

- Traffic By-law # 8059-24, as amended was adopted on March 18, 2024, as part of the implementation of the Town's new Administrative Penalty System ("APS")
- Following a transition period, the APS and subsequently the Traffic By-law came into effect on September 16, 2024, at which time the previous Traffic By-law # 1862-85 was repealed.

- An amending by-law is required to correct administrative errors, clarify permissions for Accessible Parking Permit holders and to enhance Accessibility provisions.

### 3. Background:

#### Overview of Traffic By-law # 8059-24, as amended

The Traffic By-law regulates traffic and parking on the Highways, Private and Municipal property within the Town of Whitby. The Traffic By-law is enforced by Town-appointed staff in the Enforcement Services Division. Enforcement of the Traffic By-law is mostly done on a complaint basis, except for health and safety matters, including vehicles illegally parked in fire routes, school zones, and accessible permit only parking spaces.

### 4. Discussion:

The new Traffic By-Law was created utilizing the best practices of the previous Traffic By-law #1862-85, as amended, the repeal and consolidation of the Town’s Fire Route, Towing and Municipal Parking Lot By-laws and combined with new provisions to support the implementation of the APS.

#### Several Administrative Revisions are necessary for the proper functioning of the Traffic By-law

Minor administrative revisions are required to address the incorrect referencing of provisions and additionally, staff recommend including the corresponding municipal address to the municipal lot number identified in column 1 of Schedule “Y”. Below details the administrative amendments required.

Section	Current Provision	Proposed Amendment
3.3 a)	Subsections 9.1 and 9.3 of this By-law with respect to metered parking provided Clauses 4.6 (j) and Subsection 6.2 of this By-law with respect to parking limits and Subsections 9.1 and 9.3 of this Bylaw with respect to metered parking provided that;	Subsections 9.1 and 9.3 of this By-law with respect to metered parking provided and clause 4.9 (i)  *Reflects additional amendment noted below
3.3 b)	Section 9.16 of this By-law with respect to use of ticket machines providing that no such vehicle shall be parked for a period exceeding 24 consecutive hours.	Section 9.17 of this By-law with respect to use of ticket machines and fee requirements established in Column 3 of Schedule “Y”

Section	Current Provision	Proposed Amendment
4.9 i)	for a period longer than three (3) hours except where otherwise posted or where designated in Column 6 of Schedule “Y” to this By-law;	for a period longer than three (3) hours except where otherwise posted or where designated in Column 6 of Schedule “F” to this By-law;
4.15 b)	anytime or between the hours of 8:30 a.m. and 4:30 p.m. Monday to Friday, inclusive, on one or both sides of a highway or portion of a highway which is immediately adjacent to a school.	anytime or between the hours of 8:00 a.m. and 5:00 p.m. Monday to Friday, inclusive, on one or both sides of a highway or portion of a highway which is immediately adjacent to a school.
9.2	The erection, maintenance and operation of parking meters on the highways, at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule “Y” to this By-law for the purpose of controlling and regulating parking during the days and hours set out in Column 4 of the said Schedule and the designation of parking spaces in connection with such meters, is hereby authorized.	The erection, maintenance and operation of parking meters on the highways, at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule “F” to this By-law for the purpose of controlling and regulating parking during the days and hours set out in Column 4 of the said Schedule and the designation of parking spaces in connection with such meters, is hereby authorized.
9.3	Notwithstanding the provisions of any other section of this By-law, where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway, unless the parking meter controlling such parking space is used, and a fee is deposited therein, or by approved authorized means, in accordance with the rate set out in Column 4 of the said Schedule or for a longer period than set out in Column 5 of the said Schedule	Notwithstanding the provisions of any other section of this By-law, where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway, unless the parking meter controlling such parking space is used, and a fee is deposited therein, or by approved authorized means, in accordance with the rate set out in Column 5 of the said Schedule or for a longer period than set out in Column 6 of the said Schedule
9.4	Where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway at the side and between the limits set out respectively in Columns 1, 2	Where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway at the side and between the limits set out respectively in Columns 1, 2

Section	Current Provision	Proposed Amendment
	and 3 of the said Schedule "Y" to this By-law during the days and hours set out in Column 4 of the said Schedule for a longer period than that set out in Column 6 of the said Schedule.	and 3 of the said Schedule "F" to this By-law during the days and hours set out in Column 4 of the said Schedule for a longer period than that set out in Column 6 of the said Schedule.
9.22	Any vehicle on which an Ontario Veteran Plate is attached in accordance with the requirements of the Highway Traffic Act is exempt from Subsections 9.16 of this By-law with respect to use of municipal parking lots.	Any vehicle on which an Ontario Veteran Plate is attached in accordance with the requirements of the Highway Traffic Act is exempt from Subsections 9.17 of this By-law with respect to use of municipal parking lots.
Schedule "X" Item 24	Column 2 - Section 4.9	Column 2 - Section 4.9 a)
Schedule "X" Item 37	Column 2 - Section 4.1	Column 2 - Section 4.10
Schedule "X" Item 45	Column 3 - Description Parked within 30m or Regional intersecting highway	Column 3 - Description Parked within 30m of Regional intersecting highway
Schedule "Y" Column 1, Row 1	Lot #1	Lot #1 135 Byron Street South
Schedule "Y" Column 1, Row 2	Lot #2	Lot #2 105 Byron Street North
Schedule "Y" Column 1, Row 3	Lot #3	Lot #3 121 Byron Street North
Schedule "Y" Column 1, Row 4	Lot #4	Delete Row – Land sold in 2017
Schedule "Y" Column 1, Row 5	Lot #5	Lot #5 215 Colborne Street East
Schedule "Y" Column 1, Row 6	Lot #6	Lot #6 138 Perry Street
Schedule "Y" Column 1, Row 7	Lot #7	Lot #7 306/312 Colborne Street West
Schedule "Y" Column 1, Row 8	Lot #9	Lot #9 3 Vipond Road



**Revisions to the permissions for Accessible Parking permits are necessary to ensure that they are up to date and consistent with the Town's operational needs**

The Town's Traffic By-law exempts a person with a valid/displayed Accessible Parking Permit from:

- the 3 hours maximum provision and allows permit holders to park for a maximum of 24 hours (excluding winter restrictions);
- parking meter fees; and
- fees for municipal lots.

The Traffic By-law is not intended to allow Accessible Parking Permit holders to park in municipal lots overnight. Overnight parking was also not permitted in the previous by-law. The Town's municipal lots need to be kept clear for winter and other maintenance. Due to an error in the language, the current provisions allow permit holders to park overnight in a municipal lot. It is recommended to amend section 3.3 b) to provide clarity that the Accessible Parking Permit holder is only exempt from the fee requirements as outlined in column 3 of Schedule "Y" – Municipal Parking Lots.

Additionally, staff recommend updating the definition of Accessible Parking Space in section 1.2.2 to referencing the provincial Integrated Accessibility Standards as follows:

"Accessible Parking Space" means a parking space provided under this By-law, in accordance with the Integrated Accessibility Standards, Ontario Regulation 191/11, as may be amended from time to time, and identified by an official sign for the exclusive use of a vehicle displaying an Accessible Parking Permit in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8

**5. Financial Considerations:**

Not applicable

**6. Communication and Public Engagement:**

Not applicable

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

Not applicable

**8. Strategic Priorities:****9. Attachments:**

Attachment 1 – Draft By-law XXXX-24 Proposed Traffic By-law Amendments

# Draft Town of Whitby By-law # XXXX-24



## Amendment to Traffic By-law # 8059-24

Being a By-law to amend Traffic By-law # 8059-24, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report LS-16-24 regarding the proposed amendments to Traffic By-law # 8059-24, as amended, at the Committee of Whole meeting on December 2, 2024; and,

Whereas Council deems it necessary to amend the Traffic By-law to address multiple administrative revisions, in accordance with the recommendations contained in Report LS 16-24.

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

### 1. General

1. That Section 1.2 2. of the Traffic By-law # 8059-24, as amended is deleted and replaced with the following.
  - b) "Accessible Parking Space" means a parking space provided under this by-law in accordance with the Integrated Accessibility Standards, Ontario Regulation 191/11, as may be amended from time to time, and identified by an official sign for the exclusive use of a vehicle displaying an Accessible Parking Permit in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8
2. That Section 3.3 a) of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
  - a) Subsections 9.1 and 9.3 of this By-law with respect to metered parking provided and clause 4.9 (i);
3. That Section 3.3 b) of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
  - b) Section 9.17 of this By-law with respect to use of ticket machines and fee requirements established in Column 3 of Schedule "Y".
4. That Section 4.9 i) of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.

- i) for a period longer than three (3) hours except where otherwise posted or where designated in Column 6 of Schedule "F" to this By-law.
5. That Section 4.15 b) of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
- b) anytime or between the hours of 8:00 a.m. and 5:00 p.m. Monday to Friday, inclusive, on one or both sides of a highway or portion of a highway which is immediately adjacent to a school.
6. That Section 9.2 of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
- 9.2 The erection, maintenance and operation of parking meters on the highways, at the sides and between the limits set out respectively in Columns 1, 2 and 3 of Schedule "F" to this By-law for the purpose of controlling and regulating parking during the days and hours set out in Column 4 of the said Schedule and the designation of parking spaces in connection with such meters, is hereby authorized.
7. That Section 9.3 of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
- 9.3 Notwithstanding the provisions of any other section of this By-law, where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway, unless the parking meter controlling such parking space is used, and a fee is deposited therein, or by approved authorized means, in accordance with the rate set out in Column 5 of the said Schedule or for a longer period than set out in Column 6 of the said Schedule.
8. That Section 9.4 of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
- 9.4 Where parking meters have been erected under the authority of Subsection 9.2 of this By-law, no person shall park any vehicle in a parking space on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of the said Schedule "F" to this By-law during the days and hours set out in Column 4 of the said Schedule for a longer period than that set out in Column 6 of the said Schedule
9. That Section 9.22 of the Traffic By-law # 8059-24, as amended, is deleted and replaced with the following.
- 9.22 Any vehicle on which an Ontario Veteran Plate is attached in accordance with the requirements of the Highway Traffic Act is exempt from Subsections 9.17 of this By-law with respect to use of municipal parking lots.

10. That Column 2 of item # 24 of Schedule “X” of the Traffic By-law # 8059-24, as amended, is revised to reflect Section 4.9 a).
11. That Column 2 of item # 37 of Schedule “X” of the Traffic By-law # 8059-24, as amended, is revised to reflect Section 4.10.
12. That Column 3 of item # 45 of Schedule “X” of the Traffic By-law # 8059-24, as amended, is revised to replace the word “or” with “of”.
13. That Column 1, Row 1 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #1 - 135 Byron Street South.
14. That Column 1, Row 2 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #2 - 105 Byron Street North.
15. That Column 1, Row 3 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #3 - 121 Byron Street North.
16. That Column 1, Row 4 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is deleted.
17. That Column 1, Row 5 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #5 – 215 Colborne Street East.
18. That Column 1, Row 6 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #6 – 138 Perry Street.
19. That Column 1, Row 7 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #7 – 306/312 Colborne Street West.
20. That Column 1, Row 8 of Schedule “Y” of the Traffic By-law # 8059-24, as amended, is revised to include the municipal address of Lot #9 – 3 Vipond Road.

## 2. Effective Date

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

By-law read and passed this 16th day of December, 2024.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



**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-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	An update regarding the status of this matter will be provided through a memorandum to Council.
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	

**New and Unfinished Business - General Government**

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
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	
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-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	03 Mar 2025	A report will be brought to Council at an upcoming meeting.
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		
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		

**New and Unfinished Business - General Government**

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
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	14 Apr 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	20 Jan 2025	
GG-0037	FS 38-24, Financial Services Department Report Re: Declaration of Surplus - Town-owned lands at Cochrane Street and	That FS 38-24, Financial Services Department Report re: Declaration of Surplus – Town-owned lands at Cochrane Street and Highway 407 be tabled.	28 Oct 2024			