



## Regular Council Meeting Agenda

Monday, February 2, 2026, 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**

- **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.

Speaking to a matter on a Council agenda is only permitted for matters not previously considered at Committee of the Whole or in limited other circumstances where the effect of a Staff Recommendation was altered at Committee. In these instances, persons wishing to speak may 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 905.430.4300 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.

---

1. **Call To Order: The Mayor**
2. **Introductory Announcements and Ceremonial Activities**
  - a. Land Acknowledgement
  - b. National Anthem
  - c. Moment of Reflection
3. **Call of the Roll: The Clerk**

**4. Declarations of Conflict of Interest**

**5. Adoption of Minutes**

Regular Council - December 15, 2025

Recommendation:

That the Regular Council Minutes of December 15, 2025 be approved.

**6. Presentations**

6.1 Recognition: Whitby Sports Hall of Fame 2026 Inductees

**7. Delegations**

**8. Correspondence**

8.1 Correspondence

That the following request be endorsed:

- National 211 Day - February 11, 2026
- Scout-Guide Week - February 15 to 22, 2026
- Girl Guides of Canada - Flag Raising - February 17 to 20, 2026
- Scouts Canada - Flag Raising - February 20 to 25, 2026
- Amyloidosis Awareness Month - March 2026
- Victorian Order of Nurses Week - May 17 to 23, 2026

Recommendation:

That the proclamations for National 211 Day, Scout-Guide Week, Amyloidosis Awareness Month, and Victorian Order of Nurses Week and the flag raisings for Girl Guides of Canada and Scouts Canada be endorsed.

**9. Committee of the Whole Report - Planning and Development**

Planning and Development - January 12, 2026

9.1 PDP 01-26, Planning and Development (Planning Services) Department Report  
Re: Removal of 814 Brock Street North from the Municipal Heritage Register

Recommendation:

1. That the property municipally known as 814 Brock Street North be removed from the Town's Municipal Heritage Register; and,
2. That a full Heritage Documentation Report be prepared by the applicant at their expense prior to demolition and submitted to the Planning and Development Department, to be deposited at the Archives.

**10. Committee of the Whole Report - General Government**

General Government - January 12, 2026

10.1 CAO 01-26, Office of the Chief Administrative Officer Report  
Re: Grant Summary 2025

Recommendation:  
That Report CAO 01-26 be received for information.

10.2 CAO 02-26, Office of the Chief Administrative Officer Report  
Re: 2025 Economic Development Annual Report

Recommendation:  
That Report CAO 02-26 be received for information.

10.3 CAO 03-26, Office of the Chief Administrative Officer Report  
Re: 2026 Intelligent Cities Action Plan

Recommendation:

1. That Report CAO 03-26 be received for information; and,
2. That the 2026 Intelligent Cities Action Plan be endorsed by Council.

10.4 CAO 04-26, Office of the Chief Administrative Officer Report  
Re: Community Strategic Plan – 2025 Progress Report

Recommendation:  
That Report CAO 04-26 related to the 2025 progress of the Community Strategic Plan be received for information.

10.5 CLK 02-26, Office of the Town Clerk Report  
Re: Enhancing Governance and Procedural Fairness for Notice of Motion  
(Response to Resolution # 254-25)

**See also Memorandum from C. Harris, Town Clerk, dated February 2, 2026 regarding Additional Proposed Amendments to the Procedure By-law re: decorum and recordings**

**Note:** See also Confidential Memorandum circulated on the Confidential Correspondence Agenda from F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor, dated February 2, 2026 regarding Use of Personal Recording Devices at Council and Committee Meetings

Recommendation:  
That the Clerk be directed to bring forward a by-law to amend the Procedure Bylaw to adopt the revisions as shown in Attachment 1 to Report CLK 02-26.

10.6 LS 01-26, Legal and Enforcement Services Department Report  
Re: Proposed Clean Community By-law to replace the Property and Boulevard Maintenance By-law # 6937-15, as amended

Recommendation:

1. That Report LS 01-26 is received for information;
2. That in accordance with Section 128 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, it is the opinion of Council that the disposal of garbage, refuse, waste or debris within Town-owned properties, as well as rights of way under the jurisdiction of the Regional Municipality of Durham or Province of Ontario, is, could become, or could cause, a public nuisance; and,
3. That a Clean Community By-law, substantially in accordance with Attachment #1 to Report LS 01-26, be brought forward for Council consideration on February 2, 2026.

10.7 CMS 01-26, Community Services Department Report  
Re: Dryden Boulevard Speed Limit Signage

Recommendation:

That Staff Report CMS 01-26 be received for information.

10.8 Legislative Changes to the OMERS Act (Bill 68)

Recommendation:

Whereas the Ontario Municipal Employees Retirement System (OMERS) Pension Fund serves over 1,000 employers and over half a million employees and retirees from diverse groups including: municipal governments, school boards, libraries, police and fire departments, children's aid societies, and electricity distribution companies; and,

Whereas the long-standing jointly-sponsored governance model with two corporate boards has provided stability, accountability, and fairness for both plan members and employers for more than two decades; and,

Whereas the Government of Ontario has passed legislative changes to OMERS' governance structure through Bill 68; and,

Whereas these changes would replace the current OMERS Sponsors Corporation with a new Sponsors Council that would lose its corporate status and independent resources; and,

Whereas the proposed model could allow pension decisions affecting municipal employers and employees to be made without meaningful municipal oversight, increasing financial risk for municipalities and local taxpayers; and,

Whereas municipalities are already under significant fiscal strain and cannot absorb additional pension costs without consequences for property taxes or local services.

Now Therefore be it Resolved:

1. That the Town of Whitby does not support the legislative changes to the

OMERS Act contained in Bill 68 and requests that the Government of Ontario reconsider the advisability of proceeding with these changes; and,

2. That the Town of Whitby Council supports the Association of Municipalities of Ontario (AMO) in calling on the Government of Ontario to:
  - a. Ensure Sponsors retain full control without restrictions over their appointments to the new Sponsors Council and Administration Corporation;
  - b. Guarantee the Sponsors Council's independence from the plan administrator and access to resources needed to perform its duties; and,
  - c. Limit the Minister's regulation-making authority over plan design and the Sponsors Council's internal affairs.
3. That this resolution be circulated to:
  - a. The Honourable Rob Flack, Minister of Housing and Municipal Affairs;
  - b. The Honourable Peter Bethlenfalvy, Minister of Finance;
  - c. Lorne Coe, MPP; and,
  - d. The Association of Municipalities of Ontario (AMO).

10.9 Remove the GST/HST from all New Homes Purchased as Primary Residences in Ontario

Recommendation:

Whereas housing affordability is one of the most pressing issues facing Ontario families; and,

Whereas the current HST rate on new homes in Ontario is 13%, which adds tens of thousands of dollars to the cost of a typical home; and,

Whereas existing federal and provincial HST rebates on new homes purchased from the builder are limited by purchase-price thresholds, with most new homes in Ontario priced above the level required to qualify for meaningful relief, thereby limiting their effectiveness in improving overall housing affordability; and,

Whereas the federal and provincial governments have proposed new GST/HST rebates only for first-time homebuyers purchasing from the builder a newly built or substantially renovated home; and,

Whereas according to research conducted by the Ontario Homebuilders' Association, first-time home buyers currently represent approximately 5% of the new home market; and,

Whereas the Ontario Homebuilders' Association estimates that a full HST exemption would stimulate the construction of an additional 53,000 new homes, on top of the roughly 80,000 homes already expected to be available for sale by 2026 — bringing the total to approximately 132,000 units.

Now Therefore be it resolved:

1. That the Council of the Town of Whitby calls on the Government of Canada and the Government of Ontario to remove the GST/HST from all newly built or substantially renovated homes purchased from the builder as primary residences in Ontario; and,
2. That this resolution be circulated to the Prime Minister of Canada, Minister of Finance and the Minister of Housing, Infrastructure and Communities, and to the Premier of Ontario, the Ontario Minister of Finance, the Ontario Minister of Municipal Affairs and Housing, our local MP and MPP, the Association of Municipalities of Ontario, and to all municipalities in Ontario.

**11. For information only - Committee of the Whole Minutes of January 12, 2026**

**12. Notice of Motion**

12.1 Requiring Owners of Multi-Residential Properties to Provide Air-Conditioned Common Spaces

Moved by: Councillor Lundquist

Seconded by: Councillor Mulcahy

Recommendation:

1. That Staff be directed to prepare a report and associated by-law for Council consideration requiring owners of multi-residential rental properties that do not have in-unit air conditioning to provide an air conditioned common space, accessible to all tenants at all times between June 1 and September 14, and cooled to no more than 26 degrees Celsius, except in instances where multi-residential properties do not have existing common spaces or in instances where the building construction and/or building ventilation system makes cooling a common space impossible; and,
2. That Staff prepare the report and associated by-law in a sufficient timeframe to have the requirement for air-conditioned common spaces take effect June 1, 2026, ensuring that reasonable public notice is provided to potentially impacted multi-residential property owners and tenants through the Town's communications channels.

12.2 Seasonal Waterfront Parking Management Plan

Moved by: Councillor Lundquist

Seconded by: Mayor Roy

Recommendation:

Whereas Whitby waterfront parks are experiencing increasing congestion during peak usage months from May to October, creating challenges for visitor experience and resident access; and,

Whereas the cost of maintaining waterfront parks and associated infrastructure is borne by Whitby residents; and,

Whereas Town of Whitby Traffic By-law # 8059-24, as amended, regulates traffic and parking on the highways, and private and municipal property within the Town of Whitby, but does not include a paid waterfront parking program or regulations; and,

Whereas the introduction of paid parking at the waterfront for non-residents will help address concerns regarding limited parking availability, congestion, and the cost of maintenance currently borne by Whitby residents while improving the visitor experience and resident access; and,

Whereas the Town of Ajax, City of Pickering, and City of Oshawa have demonstrated that seasonal waterfront parking management frameworks that include paid parking for non-residents can be successfully implemented.

Now Therefore be it Resolved:

1. That Staff be directed to develop a Seasonal Waterfront Parking Management Program at all municipal waterfront parks and designated surrounding streets, to be in effect annually from May to October, which implements paid parking for non-residents while maintaining free parking for Whitby residents;
2. That the Program include a digital registration system ensuring that Whitby residents continue to park at no cost; and,
3. That Staff report back to Council by April 2026 with the necessary amendments to Traffic By-law # 8059-24, a proposed fee structure, and an implementation plan to ensure the program is operational for the 2026 summer season.

**13. New and Unfinished Business**

**14. By-laws**

Recommendation:

That leave be granted to introduce By-laws # 8254-26 to # 8258-26 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

14.1 By-law # 8254-26  
Being a By-law to amend Procedure By-law # 8081-24, as amended.  
  
Refer to the Memorandum from C. Harris, Town Clerk, dated February 2, 2026 regarding Additional Proposed Amendments to the Procedure By-law re: decorum and recordings and Report CLK 02-26, Enhancing Governance and Procedural Fairness for Notice of Motion (Response to Resolution # 254-25)

14.2 By-law # 8255-26  
Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2014-04) as not being subject of Part Lot Control.

14.3 By-law # 8256-26  
Being a By-law to amend Fees and Charges By-law # 7220-17, as amended.  
  
Refer to Report LS 04-25, Business Licensing Proposed Amendments - Lodging House and New Proposed Boarding House provisions

14.4 By-law # 8257-26  
Being a By-law to amend Business Licensing By-law # 5545-04, as amended.  
  
Refer to Report LS 04-25, Business Licensing Proposed Amendments - Lodging House and New Proposed Boarding House provisions

14.5 By-law # 8258-26  
Being a By-law to designate the Graydon Goodfellow House on the property municipally known as 618 Athol Street, Whitby, Ontario and legally described as Part of Lot 23 and Part of Lot 24, 6<sup>th</sup> Double Range, Plan H-50031, Town of Whitby, Regional Municipality of Durham as being of Cultural Heritage Value and Interest.  
  
Refer to Report PDP 46-25, 618 Athol Street - Notice of Intention to Designate Property Under Part IV, Section 29 of the Ontario Heritage Act

**15. Confirmatory By-law**  
Recommendation:  
That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on February 2, 2026 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**16. Announcements**

**17. Adjournment**  
Recommendation:  
That the meeting adjourn.



## Regular Council Minutes

December 15, 2025, 5:30 p.m.

Council Chambers

Whitby Town Hall

Present:

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

Also Present:

M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Deputy Chief Administrative Officer  
J. Long, Head of Organizational Effectiveness  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor  
R. Saunders, Commissioner of Planning and Development  
F. Wong, Commissioner of Financial Services/Treasurer  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Supervisor, Legislative Services (Recording Secretary)

---

1. Call To Order: The Mayor
2. Introductory Announcements and Ceremonial Activities
  - a. Land Acknowledgement
  - b. National Anthem

- c. Moment of Reflection
- 3. Call of the Roll: The Clerk
- 4. Declarations of Conflict of Interest

Councillor Yamada declared a conflict of interest with respect to Item 5, Adoption of the Minutes, specifically regarding the Special Council meeting minutes of November 27, 2025 (5:30 p.m.) noting that the discussion related to a complaint he submitted to the Human Rights Tribunal of Ontario. Councillor Yamada did not take part in the discussion or vote regarding this matter.

- 5. Adoption of Minutes

Regular Council - November 10, 2025

Special Council - November 10, 2025 (4:00 p.m.)

Special Council - November 10, 2025 (6:30 p.m.) (Confidential Minutes Under Separate Cover)

Special Council - November 17, 2025

Special Council - November 24, 2025

Special Council - November 27, 2025 (5:30 p.m.) (Confidential Minutes Under Separate Cover)

Special Council - November 27, 2025 (7:00 p.m.)

Having declared a conflict of interested regarding the Special Council meeting minutes of November 27, 2025 (5:30 p.m.), Councillor Yamada did not take part in the vote regarding this Item.

#### **Resolution # 233-25**

Moved by Councillor Bozinovski

Seconded by Councillor Mulcahy

That the Regular Council Minutes of November 10, 2025, and the Special Council Minutes of November 10 (4:00 p.m.), November 10 (6:30 p.m.), November 17, November 24, November 27 (5:30 p.m.) and November 27 (7:00 p.m.) be approved.

#### **Carried**

- 6. Presentations

6.1 Recognition: Captain Christopher Curry, Firefighter Adonis Perez, and Firefighter Terry Williams

Re: 2024 Ontario Medal of Firefighter Bravery Award Recipients

Mayor Roy attended the dais accompanied by Fire Chief Michael Hickey and Deputy Chiefs Glen Green and Mike Tucker. Captain Christopher Curry and Firefighter Terry Williams were welcomed onto the dais and recognized for their heroic actions, which earned them the 2024 Ontario Medal of Firefighter Bravery. Mayor Roy and Chief Hickey also acknowledged Firefighter Adonis Perez, who was unable to attend, for receiving the same award.

6.2 Recognition: Rayna Ward

Re: 2025 Junior Fire Chief

Mayor Roy attended the dais accompanied by Fire Chief Michael Hickey. Rayna Ward was welcomed onto the dais and recognized for serving as the 2025 Junior Fire Chief.

7. Delegations

8. Correspondence

8.1 Correspondence

That the following requests be endorsed:

- Durham Region Hospice Awareness Day - January 29, 2026
- Durham Region Hospice Awareness Day - Flag Raising - January 29 to February 2, 2026
- Fibromyalgia Awareness Day - May 12, 2026

**Resolution # 234-25**

Moved by Councillor Cardwell

Seconded by Councillor Yamada

That the proclamations for Durham Region Hospice Awareness Day and Fibromyalgia Awareness Day, and the flag raising for Durham Region Hospice Awareness Day be endorsed.

**Carried**

8.2 Memorandum from J. Romano, Commissioner, Community Services and S. Klein, Deputy CAO, dated December 8, 2025 regarding 2026 Days of Significance for Proclamations

**Resolution # 235-25**

Moved by Councillor Leahy  
Seconded by Councillor Shahid

That the proclamations from January to December 2026 outlined in the Memorandum from J. Romano, Commissioner of Community Services and S. Klein, Deputy CAO, dated December 8, 2025, be endorsed.

**Carried**

8.3 Memorandum from C. Harris, Director of Legislative Services/Town Clerk, dated December 15, 2025 regarding Mayor's Designates for Boards & Committees: January 1, 2026 to November 14, 2026

**Resolution # 236-25**

Moved by Councillor Shahid  
Seconded by Councillor Lundquist

That the Memorandum from C. Harris, Director of Legislative Services/Town Clerk, dated December 15, 2025 regarding Mayor's Designates for Boards & Committees: January 1, 2026 to November 14, 2026 be received for information.

**Carried**

8.4 Correspondence # 2025-754 received from Mayor Roy dated December 4, 2025 regarding the Appointment of Deputy Mayor for 2026

**Resolution # 237-25**

Moved by Councillor Cardwell  
Seconded by Councillor Shahid

1. That Council receive Correspondence # 2025-754 from Mayor Roy, dated December 4, 2025 regarding the Appointment of Deputy Mayor for 2026 for information; and,
2. That Council confirm the appointment of Councillor Lee as Deputy Mayor from January 1, 2026 to November 14, 2026.

	For	Against	Conflict
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy		X	
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada		X	
<b>Results</b>	<b>7</b>	<b>2</b>	<b>0</b>

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

9. Committee of the Whole Report - Planning and Development

Planning and Development - November 24, 2025 and December 1, 2025

9.1 PDP 56-25, Planning and Development (Planning Services) Department Report

Re: Heritage Permit Application - Request for Demolition and Proposed Development at 409 Centre Street South, designated under Part V under the Ontario Heritage Act, File Number: HP-15-25

**Resolution # 238-25**

Moved by Councillor Lee

Seconded by Councillor Shahid

1. That Council approve the Heritage Permit Application (HP-15-25) request for demolition of the existing apartment building at 409 Centre Street South, in accordance with Section 42 of the Ontario Heritage Act; and,

2. That staff continue to work with the applicant regarding the Heritage Permit application (HP-15-25) for the replacement apartment building at 409 Centre Street South, subject to the comments contained in Report PDP 56-25.

**Carried**

9.2 PDP 57-25, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Strathdale Developments Inc., 410 Taunton Road West, File Numbers: DEV-30-24 (SW-2024-03, Z-14-24)

**Resolution # 239-25**

Moved by Councillor Lee

Seconded by Councillor Shahid

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2024-03), subject to the comments included in Report PDP 57-25 and the conditions of draft plan approval included in Attachment #12;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
4. That Council approve the amendment to Zoning By-law #1784, (File Number: Z-14-24), as outlined in Report PDP 57-25; and,
5. That a by-law to amend Zoning By-law #1784 be brought forward for consideration by Council at a later date.

**Carried**

9.3 Memorandum from H. Ellis, Council and Committee Coordinator, dated November 21, 2025 regarding Active Transportation and Safe Roads Advisory Committee Recommendation – Request for New Provincial Regulations for Emerging, Unregulated Micro-Mobility Devices

**Resolution # 240-25**

Moved by Councillor Shahid  
Seconded by Councillor Lee

Whereas new and emerging devices play an important role in providing lower cost, effective alternatives to motor vehicles, with the peripheral benefits of reducing traffic and parking congestion, emissions, noise, and generally having positive environmental impact; and,

Whereas the current provincial legislative framework does not adequately address the safe use, licensing, insurance, enforcement, or data-sharing requirements associated with the devices; and,

Whereas municipalities are required to manage the local impacts of these technologies — including pedestrian safety, accessibility, parking, and congestion — without clear or consistent provincial regulation beyond the limited e-bike regulation and e-scooter trial; and,

Whereas municipalities require a standardized, province-wide approach to ensure safety, equity, and predictability for residents, businesses, and users of emerging devices; and,

Whereas a coordinated provincial framework would support innovation while reducing administrative burden on municipalities and ensuring alignment across jurisdictions.

Now Therefore be it Resolved:

1. That the Memorandum from H. Ellis, Council and Committee Coordinator, dated November 21, 2025 regarding Active Transportation and Safe Roads Advisory Committee Recommendation – Request for New Provincial Regulations for Emerging, Unregulated Micro-Mobility Devices be received for information;
2. That staff be requested to prepare correspondence urging the Province to:
  - a. Develop and implement a comprehensive regulatory framework for emerging unregulated micro-mobility devices, including definitions, operating standards, retail sales regulations and enforcement mechanisms;
  - b. Establish clear provincial guidelines on licensing, liability, insurance, and data sharing;

- c. Consult municipalities, police services, accessibility advocates, importers/distributors/retail entities, and technology providers in the development of such regulations;
- d. Provide transitional support and resources to municipalities for education, enforcement, and integration of new regulations; and,

3. That copies of this resolution be delivered to the Association of Municipalities of Ontario (AMO), Ontario Big City Mayors (OBCM), Federation of Canadian Municipalities (FCM), the Ontario Ministry of Transportation, and Durham Region MPPs.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

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

9.4 PDE 11-25, Planning and Development (Engineering Services) Department Report

Re: Update Traffic By-law 8059-24, On-Street No Stopping and No Parking Restrictions - Revised

**Resolution # 241-25**

Moved by Councillor Lee  
Seconded by Councillor Shahid

1. That Council approve the proposed amendments to the Traffic By-law (8059-24) to incorporate the proposed changes to the No Stopping and No Parking Schedules as identified in Attachment 1 to Report No. PDE 11-25, save and except that the provisions for Breezewood Court and Settlers Court be deferred until such time as discussions with Durham Student Transportation Services can occur and that the provisions for Finnegan Place be updated as follows;
  - Remove No Parking – Monday to Friday, September to June, 8:30 to 9:15 AM, 11:30 AM to 12:30 PM, and 3:00 to 3:45 PM
  - Add No Stopping – both sides of Finnegan Place between Fallingbrook Street and 35m to the west – Monday to Friday, September to June, 2:45 PM to 3:45 PM
2. That a By-law to amend By-law 8059-24 be brought forward for the consideration of Council; and,
3. That Report No. PDE 11-25 be forwarded to Durham Student Transportation Services (DSTS).

**Carried**

9.5 PDP 58-25, Planning and Development (Planning Services) Department Report

Re: Town-Initiated Official Plan Review – Part I Official Plan General Updates: (File: OPA-2023-W/02). Final Recommended Amendment #146

**Resolution # 242-25**

Moved by Councillor Lee  
Seconded by Councillor Mulcahy

That Reports PDP 58-25, PDP 59-25 and PDP 60-25 be referred to Staff to report back with any necessary revisions to Official Plan Amendments 146, 147, and 148, following a comprehensive review of comments received from the Ministry of Municipal Affairs and Housing on December 8, 2025.

**Carried**

9.6 PDP 59-25, Planning and Development (Planning Services) Department Report

Re: Town-Initiated Official Plan Review – Part II Official Plan Technical Amendments: File Number: OPA-2023-W/02, Final Recommended Amendment #147

**Note:** Item 9.6, Report PDP 59-25, was referred to Staff in accordance with Council Resolution # 242-25.

9.7 PDP 60-25, Planning and Development (Planning Services) Department Report

Re: Town-Initiated Official Plan Review – Brooklin Urban Expansion Area to 2051: (File: OPA-2024-W/06) Final Recommended Amendment #148

**Note:** Item 9.7, Report PDP 60-25, was referred to Staff in accordance with Council Resolution # 242-25.

10. Committee of the Whole Report - General Government

General Government - November 24, 2025 and December 1, 2025

10.1 CAO 20-25, Office of the Chief Administrative Officer Report

Re: Whitby Green Standard Version 2 and Incentive Program

**Resolution # 243-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

1. That Council adopts Version 2 of the Whitby Green Standard;
2. That Council directs all new Town facilities to be designed and constructed with the goal of targeting Tier 3 of Version 2 of the Whitby Green Standard;
3. That Council endorses the Whitby Green Standard Incentive Program;
4. That Council directs Staff to enter into an agreement for the disbursement of any financial incentives with developers upon terms satisfactory of to the Commissioner of Financial Services/Treasurer Commissioner of Legal & Enforcement

Services/Town Solicitor, Commissioner of Planning & Development and the Sustainability Division; and,

5. That Council directs staff to pursue partnerships with external organizations and other levels of government to support the long-term implementation of the Whitby Green Standard Incentive Program.

**Carried**

10.2 CAO 21-25, Office of the Chief Administrative Officer Report

Re: McKinney Arena 2 Naming Rights Renewal

**Resolution # 244-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

That Council approve entering a five (5) year renewal sponsorship agreement effective September 1, 2025, with Thermo Fisher Scientific for a renewed Naming Rights Sponsorship at McKinney Centre, including the continued naming of Arena 2 as "Thermo Fisher Scientific Arena 2", based on the sponsorship package and other terms and conditions identified in Report CAO 21-25.

**Carried**

10.3 Education and Training - Inclusion, Diversity, Equity and Anti-Racism

**Resolution # 245-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

Whereas the Workplace Investigation Report from Bernardi Human Resources Law LLP highlights that education, particularly a focus on anti-racism and equity-informed approaches, is essential for cultivating a culture of psychological safety and mutual respect; and,

Whereas education and training will be helpful for Council to understand how systemic racism operates and the ways in which individuals may unconsciously perpetuate it.

Now therefore be it resolved:

That Council commits to participating in education and training regarding inclusion, diversity, equity, and anti-racism to be conducted in early 2026.

**Carried**

10.4 Investigation into Incorrect Speed Limit Posting on Dryden Boulevard

**Resolution # 246-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

1. That Staff summarize the information provided in the Memorandum from Commissioner Romano dated November 24, 2025 regarding the incorrect posted speed limit on Dryden Boulevard in a public report; and,
2. That staff consult with the Durham Regional Police Service (DRPS) to determine whether the incorrect posted signage resulted in:
  - o Any enforcement challenges or ticketing inconsistencies;
  - o Any safety concerns or reported incidents related to the misposted limit; and,
  - o Any recommended measures to prevent similar issues in the future.

**Carried**

10.5 CAO 22-25, Office of the Chief Administrative Officer Report

Re: Creative Communities 2025 Update

**Resolution # 247-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

1. That Report CAO 22-25, Creative Communities 2025 Update, be received for information; and,
2. That Council endorses the proposed Vision and Objectives (as outlined in Section 4.5) for the development of a new Downtown Whitby Action Plan to be brought forward for Council's adoption in 2026.

**Carried**

10.6 CMS 14-25, Community Services Department Report

Re: Appointment of Members to the Whitby 55+ Recreation Advisory Committee

**Resolution # 248-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

That Council approve and appoint the following members to the Whitby 55+ Recreation Advisory Committee effective January 1, 2026:

1. Lena Ebrekdjian (term ending December 31, 2027);
2. Carol James (term ending December 31, 2027);
3. Lynda Kruitz (term ending December 31, 2027);
4. Susan Lythgoe (term ending December 31, 2027); and,
5. Deborah Nanton (term ending December 31, 2027).

**Carried**

10.7 CMS 15-25, Community Services Department Report

Re: Update to Town of Whitby Registration Policy

**Resolution # 249-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

1. That Council approve the proposed amendments to the Recreation Registration Policy, Policy Number OPS 060, Attachment 1 of Report CMS 15-25; and,
2. That Council approve the proposed amendment to the Fees and Charges By-law #7220-17, to include an administrative fee to be applied to Recreation program refunds.

**Carried**

10.8 CMS 16-25, Community Services Department Report

Re: Parks and Recreation Master Plan – 2025 Annual Progress Report

**Resolution # 250-25**

Moved by Councillor Lundquist  
Seconded by Councillor Bozinovski

That Report CMS 16-25 related to the 2025 progress of the Whitby Parks and Recreation Master Plan be received for information.

**Carried**

10.9 FS 45-25, Financial Services Department Report

Re: Temporary Borrowing By-law

**Resolution # 251-25**

Moved by Councillor Lundquist  
Seconded by Councillor Bozinovski

That a by-law be brought forward to authorize external temporary borrowing of up to \$73,863,000 from January 1, 2026, to September 30, 2026, and up to \$36,932,000 between October 1, 2026, and December 31, 2026, if required for cash flow purposes.

**Carried**

10.10 FS 46-25, Financial Services Department Report

Re: 2026 Interim Property Tax Billing

**Resolution # 252-25**

Moved by Councillor Lundquist  
Seconded by Councillor Bozinovski

That a by-law be brought forward to allow for the Interim Tax Billing for the 2026 taxation year as outlined in Report FS 46-25.

**Carried**

10.11 LS 04-25, Legal and Enforcement Services Department Report

Re: Business Licensing Proposed Amendments - Lodging House and New Proposed Boarding House Provisions

## **Resolution # 253-25**

Moved by Councillor Lundquist  
Seconded by Councillor Bozinovski

1. That Report LS 04-25, Confidential Memorandum LS-M-09-2025 and Memorandum LS-M-11-2025 be received for information;
2. That the proposed amendments in Memorandum LS-M-11-2025 to the Business Licensing By-law # 5545-04, as amended, Schedule 8 "Lodging House", be brought forward to a future Council meeting for consideration and adoption, substantially in accordance with Attachment 1 to Memorandum LS-M-11-2025;
3. That the proposed new Schedule 10 "Boarding House" to Business Licensing By-law # 5545-04, as amended, be brought forward a future Council meeting for consideration and adoption, substantially in accordance with Attachment 2 to Memorandum LS-M-11-2025;
4. That the proposed amendments identified in Table # 2 and Attachment 3 of Report LS 04-25 to the general provisions of the Business Licensing By-law # 5545-04, as amended, be brought forward to a future Council meeting for consideration and adoption;
5. That the proposed amendments to the Fees and Charges By-law # 7220-17, as amended, identified in Table # 4 of LS 04-25 are brought forward to Council for consideration and adoption; and,
6. That New and Unfinished Business Item GG-0043 be removed.

### **Carried**

10.12 Review of the Procedure By-law pertaining to motions submitted with little or no notice

## **Resolution # 254-25**

Moved by Councillor Lundquist  
Seconded by Councillor Bozinovski

Whereas Council requires adequate notice of motions to allow members sufficient time to become informed on the topic, understand its implications, consult with Staff, and make well-considered decisions for the benefit of the community; and,

Whereas advance notice of matters before Council must be provided through the published agenda and made publicly available so that all stakeholders - whether they are in support, opposed, or undecided - have the opportunity to register to speak to the issue.

Now Therefore Be It Resolved:

That the Clerk be directed to review the Procedure By-law regarding notices of motion and delegation requests, with particular attention to motions introduced under New and Unfinished Business with little or no notice, and recommend amendments to ensure Council and the public have sufficient time to review and provide input on such matters.

**Carried**

#### 10.13 Vacant Group Home at 42 Watersdown Crescent

##### **Resolution # 255-25**

Moved by Councillor Lundquist

Seconded by Councillor Bozinovski

Whereas the property municipally known as 42 Watersdown Crescent, Whitby has historically operated as a group home for youth managed by Frontenac Youth Services; and

Whereas the property is owned by the Ontario Ministry of Children, Community and Social Services (MCCSS); and

Whereas the group home operations at this site have ceased, and the property is presently vacant and not in active service to the community; and

Whereas long-term vacancy of publicly owned residential properties can contribute to neighborhood concerns, limit housing availability, and represent an underutilization of public assets; and

Whereas over the years, there has been problems between the former clients and the residents in the neighborhood.

Now Therefore be it Resolved:

1. That Whitby Council formally request the Ministry of Children, Community and Social Services to declare the property at 42 Watersdown Crescent surplus and proceed with its sale through the appropriate provincial disposition process;

2. That a copy of this resolution be sent to the Minister of Children, Community and Social Services, and the local MPP, Lorne Coe; and,
3. That staff report back to Council on any response received from the Government of Ontario.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

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

11. For information only - Committee of the Whole Minutes of November 24 and December 1, 2025
12. Notice of Motion
  - 12.1 Affirming Municipal Stewardship and Heritage Protection for Town of Whitby Owned Cemeteries
 

Councillor Mulcahy introduced a motion affirming municipal stewardship and heritage protection for Town-owned cemeteries.

Discussion ensued between Members of Council to clarify the motion's impact on cemeteries that are owned but may not be operated by the Town. Further to the discussion, the title of the motion was revised to remove "and operated".

## **Resolution # 256-25**

Moved by Councillor Mulcahy  
Seconded by Councillor Lee

Whereas the Town of Whitby owns and maintains six municipal cemeteries – Brooklin Pioneer, Groveside, Pioneer Baptist, Hemingway, South Myrtle, and Hubble – lands that serve as culturally, historically, and genealogically significant community assets; and

Whereas cemeteries in Ontario are regulated under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33 (the “FBCSA”), which provides a comprehensive legislative framework governing the ownership, operation, care, closure, and protection of cemetery lands; and

Whereas Section 49 of the FBCSA establishes that a cemetery may not be closed or used for any other purpose without the approval of the Registrar and only after a public process that considers the rights of interment rights holders, the dignity of the deceased, and the broader public interest; and

Whereas municipal cemeteries are understood under the FBCSA to be perpetual resting places, and the legislation underscores the importance of continued care, maintenance, and protection of cemetery property; and

Whereas the Town of Whitby recognizes that municipally owned cemeteries represent irreplaceable heritage landscapes that document the history of early settlement, family lineages, community leaders, veterans, and diverse cultural communities; and

Whereas the Brooklin Pioneer Cemetery is currently designated for its cultural heritage value or interest under both Part IV (Individual Designation) and Part V (Heritage Conservation District) of the Ontario Heritage Act, providing a model for the protection of the remaining municipal cemetery lands;

Whereas ensuring the permanent public ownership and stewardship of Whitby cemetery lands reinforces Council’s commitment to heritage conservation, community identity, and responsible long-term land use planning; and

Whereas designation of these properties under the *Ontario Heritage Act* will provide an additional layer of protection, ensuring that their cultural heritage value and character-defining features are preserved for future generations;

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby affirm that all municipally owned cemetery lands shall remain in Town ownership in perpetuity and shall not be sold, transferred, or otherwise disposed of; and
2. That Council direct staff to investigate the requirements — including evaluation, consultation with the Whitby Heritage Advisory Committee, and required notices — to designate the remaining Whitby-owned cemetery lands as properties of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, and
3. That staff report back to Council on the above tasks including timing, costs and potential consultant engagement for consideration in the 2027 Budget Process; and
4. That this motion be communicated to the Registrar under the *Funeral, Burial and Cremation Services Act, 2002* to confirm Council's position regarding the perpetual municipal stewardship of Whitby's cemetery lands.

	For	Against	Conflict
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

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

## 12.2 Legislative Changes to the OMERS Act (Bill 68)

Councillor Mulcahy introduced a motion regarding legislative changes to the OMERS Act (Bill 68).

Moved by Councillor Mulcahy

Seconded by Councillor Shahid

Whereas the Ontario Municipal Employees Retirement System (OMERS) Pension Fund serves over 1,000 employers and over half a million employees and retirees from diverse groups including: municipal governments, school boards, libraries, police and fire departments, children's aid societies, and electricity distribution companies; and

Whereas the long-standing jointly-sponsored governance model with two corporate boards has provided stability, accountability, and fairness for both plan members and employers for more than two decades; and

Whereas the Government of Ontario has passed legislative changes to OMERS' governance structure through Bill 68; and

Whereas these changes would replace the current OMERS Sponsors Corporation with a new Sponsors Council that would lose its corporate status and independent resources; and

Whereas the proposed model could allow pension decisions affecting municipal employers and employees to be made without meaningful municipal oversight, increasing financial risk for municipalities and local taxpayers; and

Whereas municipalities are already under significant fiscal strain and cannot absorb additional pension costs without consequences for property taxes or local services;

Now Therefore be it Resolved:

1. That the Town of Whitby does not support the legislative changes to the OMERS Act contained in Bill 68 and requests that the Government of Ontario reconsider the advisability of proceeding with these changes; and,
2. That the Town of Whitby Council supports the Association of Municipalities of Ontario (AMO) in calling on the Government of Ontario to:

- a. Ensure Sponsors retain full control without restrictions over their appointments to the new Sponsors Council and Administration Corporation;
- b. Guarantee the Sponsors Council's independence from the plan administrator and access to resources needed to perform its duties; and
- c. Limit the Minister's regulation-making authority over plan design and the Sponsors Council's internal affairs.

3. That this resolution be circulated to:
  - a. The Honourable Rob Flack, Minister of Housing and Municipal Affairs;
  - b. The Honourable Peter Bethlenfalvy, Minister of Finance;
  - c. Lorne Coe, MPP; and
  - d. The Association of Municipalities of Ontario (AMO).

**This motion was withdrawn by the mover.**

12.3 Request Provincial and Federal Financial and Policy Support for Housing-Related Electricity Infrastructure in Whitby

Deputy Mayor Muclahy assumed the Chair.

Mayor Roy introduced a motion requesting provincial and federal financial and policy support for housing-related electricity infrastructure in Whitby.

**Resolution # 257-25**

Moved by Mayor Roy

Seconded by Councillor Lundquist

Whereas the Town of Whitby is facing a housing affordability crisis and has been one of the highest growth municipalities in Durham Region and southern Ontario; and,

Whereas the Province of Ontario has assigned Whitby a housing growth target of 18,000 new dwelling units, intensifying the housing affordability crisis; and,

Whereas the planned expansion into Brooklin and North West Brooklin holds the potential for the rapid issuance of approximately 5,000 building permits for housing with potential for permits of 9,000 additional homes by

2031, but the housing affordability crisis means the Development Community is having to discount home prices to sell homes; and,

Whereas housing construction in Whitby has largely stalled due to the absence of nearby housing-related infrastructure in the greenfield areas available for development, most particularly electricity and the related infrastructure required to convey it where needed for housing, further exacerbating the housing affordability crisis; and,

Whereas the lack of electricity-related infrastructure in Whitby has resulted in the Town having to turn away multiple economic development opportunities, as Elexicon Energy did not have sufficient nearby capacity to provide electricity for those initiatives; and,

Whereas the Town of Whitby, Elexicon Energy and the development community have collaborated for more than five years working to find a solution to fund, design, and build the necessary housing-related infrastructure needed to develop Brooklin and North West Brooklin; and,

Whereas the regulatory framework for Elexicon requires that 'First Mover' developers pay for expansion costs above what is funded by customer rates, there is no recovery mechanism for developers, even if short-term funding is possible, which further deepens the housing affordability crisis; and,

Whereas if the Province of Ontario and the Government of Canada fund these expansion costs, the price of homes will not be inflated to cover unforeseen external hydro costs, helping to address the housing affordability crisis; and,

Whereas the Town of Whitby, along with three of the four other shareholders of Elexicon, has invested its own money to finance growth and development by Elexicon by agreeing to a suspension of all dividend payments on their shares in Elexicon until at least 2032, and has invested approximately \$62 million in new equity in Elexicon Energy through the conversion of debt instruments into new shares; and,

Whereas Elexicon Energy is in the process of bringing a rate application to the Ontario Energy Board (OEB) supported by customer feedback to enable the funding necessary to enable infrastructure investment to build capacity in its system to meet growing demand; and,

Whereas notwithstanding these efforts, the Town of Whitby, and the development community require assistance from senior levels of

government in capital infrastructure investment to unlock housing development in Brooklin and North West Whitby and to make the business case for development, especially in the context of the housing affordability crisis; and,

Whereas even after expansion infrastructure is funded and built, Elexicon must still construct the internal subdivision hydro infrastructure (transformers, primary/secondary cable, meters, etc.) to and from each home, which continues to impact housing affordability; and,

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby formally request the Province of Ontario and the Government of Canada to provide financial and policy support for housing-related electricity infrastructure in Whitby, particularly in Brooklin and North West Whitby, to address the housing affordability crisis.
2. That the Province of Ontario and the Government of Canada be urged to prioritize capital infrastructure funding to ensure Whitby can meet its provincially mandated housing growth targets, support economic development opportunities, and alleviate the housing affordability crisis.
3. That copies of this resolution be forwarded to:
  - The Premier of Ontario
  - The Minister of Municipal Affairs and Housing
  - The Minister of Energy
  - The Minister of Infrastructure
  - The Prime Minister of Canada
  - The Minister of Housing, Infrastructure and Communities
  - Whitby's Members of Provincial Parliament and Members of Parliament
  - Elexicon Energy

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy		X	

Councillor Bozinovski	X	
Councillor Cardwell	X	
Councillor Leahy	X	
Councillor Lee	X	
Councillor Lundquist	X	
Councillor Mulcahy	X	
Councillor Shahid	X	
Councillor Yamada	X	
<b>Results</b>	<b>9</b>	<b>0</b>

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

13. New and Unfinished Business

13.1 Review of the Council Code of Conduct and Respect in the Workplace Policy

**Resolution # 258-25**

Moved by Mayor Roy

Seconded by Councillor Yamada

Whereas the Workplace Investigation Report from Bernardi Human Resources Law LLP, dated November 5, 2025, has been received and includes recommendations regarding the Council Code of Conduct and the Respect in the Workplace Policy;

Now therefore be it resolved:

1. That the Clerk be directed to work with the Integrity Commissioner to review the following recommendations in Section 3.2.3 of the Workplace Investigation Report:
  - Section 4 of the Code of Conduct (Conduct Respecting Others) should explicitly state that discrimination is considered “inappropriate behaviour”, similar to harassment, and investigated in the same manner.

- To define discrimination in the context of council relations and consider whether it should apply to both the “municipal work environment” and “activities of elected office”.
- To extend the reprisal provisions in the Code of Conduct to complaints that are investigated by a body other than the Integrity Commissioner.
- To clarify how and in what forum allegations of discrimination should be raised.
- To clarify that unsubstantiated allegations made in good faith do not automatically constitute a contravention of the provisions of the Code of Conduct. Discrimination is often experienced subjectively and may lack tangible evidence, making it essential that individuals who raise concerns in good faith be protected, to avoid a chilling affect.

2. That, subject to Council considering changes to the Code of Conduct, the Head of Organizational Effectiveness be requested to review and make corresponding amendments to the Respect in the Workplace Policy to reinforce expectations to eliminate bias and discrimination.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

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

Mayor Roy resumed the Chair.

13.2 FS 36-25, Financial Services Department, Community Services Department, and Legal and Enforcement Services Department Joint Report

Re: Proposed Lease Agreement with Metrolinx for the Town-owned Properties (1451 and 1453 Henry Street)

**Resolution # 259-25**

Moved by Councillor Cardwell  
Seconded by Councillor Lundquist

1. That Staff be authorized to negotiate a long-term lease with Metrolinx for commuter parking at the Town-owned Land at 1451 and 1453 Henry Street; and,
2. That the Mayor and Clerk be authorized to enter into a long-term lease agreement with Metrolinx for their use of 1451 and 1453 Henry Street based on terms and conditions satisfactory to the Commissioners of Financial Services, Community Services, and Legal and Enforcement Services.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		

<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>
----------------	----------	----------	----------

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

Moved by Councillor Leahy  
Seconded by Councillor Yamada

That a motion to introduce a matter regarding expression of condolences and condemnation of antisemitism and hate-motivated violence be allowed due to its timely and urgent nature.

**Carried on a Two Thirds Vote**

13.3 Expression of Condolences and Condemnation of Antisemitism and Hate-Motivated Violence

Councillor Leahy introduced a motion expressing condolences and condemnation of antisemitism and hate-motivated violence.

Moved by Councillor Leahy  
Seconded by Councillor Yamada

Whereas the Town of Whitby Council wishes to express its profound sorrow and solidarity with the people of Australia following the violent shooting at Bondi Beach, which claimed the lives of 15 people and injured more than 30 others; and

Whereas this tragic act of violence occurred at the start of Hanukkah celebrations, a sacred and significant time in the Jewish calendar that commemorates the triumph of light over darkness, religious freedom over oppression, and the enduring strength and resilience of the Jewish people; and

Whereas Hanukkah serves as a reminder of the universal values of hope, perseverance, and the importance of standing against hatred and intolerance in all its forms; and

Whereas acts of violence motivated by hate, including antisemitism, undermine the safety, dignity, and cohesion of communities worldwide and stand in direct opposition to the values of peace, inclusion, and mutual respect upheld by the residents of Whitby;

Now Therefore Be It Resolved

1. That the Council of the Town of Whitby hereby extends its deepest condolences to the families and loved ones of those who lost their lives, to those injured, and to all Australians affected by this senseless act of violence; and
2. That the Council affirms its unwavering condemnation of antisemitism, hate-motivated violence, and all forms of discrimination, and reaffirms its commitment to fostering a community grounded in respect, tolerance, and understanding; and
3. That a copy of this resolution be conveyed to the Chabad Jewish Centre of Durham Region and Australian High Commission in Canada as an expression of sympathy and solidarity on behalf of the residents and Council of the Town of Whitby.

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

Moved by Councillor Bozinovski

Seconded by Councillor Leahy

That the main motion be amended by including the following as Item 4:

4. That the flags at all Town facilities be flown at half mast in commemoration of the victims.

**Carried**

The main motion, as amended, was then carried as follows with the inclusion of Item 5:

**Resolution # 260-25**

Moved by Councillor Leahy

Seconded by Councillor Yamada

Whereas the Town of Whitby Council wishes to express its profound sorrow and solidarity with the people of Australia following the violent shooting at Bondi Beach, which claimed the lives of 15 people and injured more than 30 others; and

Whereas this tragic act of violence occurred at the start of Hanukkah celebrations, a sacred and significant time in the Jewish calendar that commemorates the triumph of light over darkness, religious freedom over oppression, and the enduring strength and resilience of the Jewish people; and

Whereas Hanukkah serves as a reminder of the universal values of hope, perseverance, and the importance of standing against hatred and intolerance in all its forms; and

Whereas acts of violence motivated by hate, including antisemitism, undermine the safety, dignity, and cohesion of communities worldwide and stand in direct opposition to the values of peace, inclusion, and mutual respect upheld by the residents of Whitby;

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby hereby extends its deepest condolences to the families and loved ones of those who lost their lives, to those injured, and to all Australians affected by this senseless act of violence; and
2. That the Council affirms its unwavering condemnation of antisemitism, hate-motivated violence, and all forms of discrimination, and reaffirms its commitment to fostering a community grounded in respect, tolerance, and understanding; and
3. That a copy of this resolution be conveyed to the Chabad Jewish Centre of Durham Region and Australian High Commission in Canada as an expression of sympathy and solidarity on behalf of the residents and Council of the Town of Whitby.
4. That the flags at all Town facilities be flown at half mast in commemoration of the victims.
5. As Council, we encourage individuals to attend Durham Region's Annual Chanukah Festival & Gelt Drop tomorrow at 5:30 p.m. in support of the Jewish community.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		

Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

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

14. By-laws

**Resolution # 261-25**

Moved by Councillor Shahid  
Seconded by Councillor Leahy

That leave be granted to introduce By-laws # 8243-25 to # 8251-25 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

14.1 By-law # 8243-25

Being a By-law to provide for an interim tax levy for the year 2026.

Refer to FS 46-25, 2026 Interim Property Tax Billing

14.2 By-law # 8244-25

Being a By-law to amend Waste Collection By-law # 7812-21.

Refer to CMS 12-25, Proposed Amendments to Waste Collection By-law

14.3 By-law # 8245-25

Being a By-law to Authorize the temporary borrowing of an amount not to exceed \$73,863,000 from January 1 to September 30, 2026, and \$36,932,000 from October 1 to December 31, 2026, 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.

Refer to FS 45-25, Temporary Borrowing By-law

14.4 By-law # 8246-25

Being a By-law to accept and assume certain municipal services in respect of Gates of Whitby Subdivision and to assume Swansea Street, Roma Drive, Ruben Street, and Bishopgate Street, as shown on Plan 40M-2340 as public highways.

14.5 By-law # 8247-25

Being a By-law to accept and assume certain municipal services in respect of Gates of Whitby Subdivision and to assume Wimbledon Court and Ruben Street, as shown on Plan 40M-2515 as public highways.

14.6 By-law # 8248-25

Being a By-law to accept and assume certain municipal services in respect of Gates of Whitby Subdivision and to assume Swansea Street, Roma Drive, and Highgrove Court as shown on Plan 40M-2439 as public highways.

14.7 By-law # 8249-25

Being a By-law to accept and assume certain municipal services in respect of Gates of Whitby Subdivision and to assume Highgrove Court, Roma Drive, and Holman Court, as shown on Plan 40M-2438 as public highways.

14.8 By-law # 8250-25

Being a By-law to Amend By-law # 8059-24, being a By-law to Regulate Traffic and Parking on the Highways, Private and Municipal property within the Town of Whitby.

Refer to PDE 11-25, Update Traffic By-law 8059-24, On-Street No Stopping and No Parking Restrictions - Revised

14.9 By-law # 8251-25

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

Refer to CMS 15-25, Update to Town of Whitby Registration Policy, and Town of Whitby Mayoral Decision # 02-2025 regarding the 2026 Budget. In accordance with subsection 7(9) of Ontario Regulation 530/22, the 2026 Budget was deemed adopted by The Corporation of the Town of Whitby effective November 28, 2025.

15. Closed Session

Council did not move into Closed Session to consider the Appointments to the Accessibility Advisory Committee or the Whitby Public Library Board.

15.1 Confidential Memorandum from H. Ellis, Council and Committee Coordinator, dated December 15, 2025 regarding Recommendation for Renewal of Appointment to the Accessibility Advisory Committee

**Resolution # 262-25**

Moved by Councillor Shahid

Seconded by Councillor Leahy

That Council appoint Magda Madsen to the Accessibility Advisory Committee for the term ending November 14, 2026.

**Carried**

15.2 Confidential Memorandum from H. Ellis, Council and Committee Coordinator, dated December 15, 2025 regarding Recommendation for Appointment to the Whitby Public Library Board

**Resolution # 263-25**

Moved by Councillor Lundquist

Seconded by Councillor Shahid

That Council appoint Annette Cianchino to the Whitby Public Library Board for the term December 18, 2025 to November 14, 2026.

**Carried**

16. Confirmatory By-law

**Resolution # 264-25**

Moved by Councillor Yamada

Seconded by Councillor Lee

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on November 27, 2025 (7:00 p.m.) and regular meeting held on December 15, 2025 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

17. Announcements

Members of Council highlighted various community events, activities, and fundraisers.

18. Adjournment

Moved by Councillor Shahid

Seconded by Councillor Cardwell

That the meeting adjourn.

**Carried**

The meeting adjourned at 7:04 p.m.

---

Christopher Harris, Town Clerk

---

Elizabeth Roy, Mayor

# Town of Whitby

## Staff Report

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

---

### Report Title: Removal of 814 Brock Street North from the Municipal Heritage Register

---

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** PDP 01-26

**Department(s) Responsible:**

Planning and Development Department  
(Planning Services)

**Submitted by:**

Roger Saunders, Commissioner of  
Planning and Development

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

**For additional information, contact:**

J. Taylor, Director of Planning, x2908

D. Johnson, CAHP Intern  
Planner II – Heritage x3166

---

#### 1. Recommendation:

1. That the property municipally known as 814 Brock Street North be removed from the Town's Municipal Heritage Register; and,
2. That a full Heritage Documentation Report be prepared by the applicant at their expense prior to demolition and submitted to the Planning and Development Department, to be deposited at the Archives.

#### 2. Highlights:

- LHC Heritage Planning and Archaeology, on behalf of the property owner, has submitted an Application for Removal of a non-designated property from the Municipal Heritage Register to permit a proposed mixed-use development.
- The applicant's Cultural Heritage Evaluation Report (CHER) has determined that the property meets 1 criterion of Ontario Regulation 9/06 and is therefore not eligible for Designation under the Ontario Heritage Act as a minimum of 2 criteria shall be met to designate a property.
- The Heritage Whitby Advisory Committee has reviewed the application and does not object to the subject property being removed from the Town's Municipal Heritage Register.

### 3. Background:

#### Site and Area Description

The subject lands are located on the west side of Brock Street North, south of Starr Avenue, north of the Canadian Pacific Kansas City Limited rail corridor and is municipally known as 814 Brock Street North (refer to Attachment #1). The site is approximately 0.13 ha (0.32 acres) in size and is Listed on the Town's Municipal Heritage Register. There is currently a converted single detached dwelling on the property. The subject lands are surrounded by low density dwellings to the north and west; a car wash to the south; and the Whitby Curling Club and park to the east.

#### Overview of the Cultural Heritage Evaluation Report (CHER)

The applicant has submitted a Cultural Heritage Evaluation Report (CHER) prepared by LHC Heritage Planning and Archaeology, dated August 2025. According to the CHER, the main structure is representative of the Edwardian Classical style. The structure is a single detached two-and-a-half storey house composed of red brick that has evolved to serve a commercial function. The structure has a three-bay façade composed of an entrance offset to the north of centre, a window to the north of the centre entrance, and a bay window to the south of the entrance. The building has a medium-front gable room with projecting pedimented eaves. The roof has plain verges, plain friezes along gable edges, vented soffits and eavestrough.

The CHER includes interior and exterior descriptions and photographs, background research, an overview of the historical context and cultural heritage evaluation.

The CHER also includes an evaluation of the property using the criteria outlined in the Ontario Heritage Act for determining cultural heritage significance or interest, discussed in more detail in Section 4 below.

### 4. Discussion:

LHC Heritage Planning and Archaeology (LHC), on behalf of the owner, is requesting the removal of the property from the Municipal Heritage Register, to permit a proposed mixed-use development on the subject lands. In order to 'de-list' the property, the applicant is required to determine its cultural heritage value or interest through a CHER.

### Ontario Regulation 9/06 Evaluation

The applicant's CHER has evaluated the property in accordance with the requirements of the Ontario Heritage Act under Ontario Regulation 9/06, which provides the following nine (9) criteria for determining cultural heritage value or interest related to design or physical value, historical or associative value, and contextual value:

1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.
2. The property has design or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical or associative value because it demonstrates reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.
8. The property has contextual value because it is physical, functionally, visually, or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

LHC has determined that the property met 1 of 9 criteria for cultural heritage value or interest, as summarized in Section 6 of Attachment #2.

Based upon background research, analysis and LHC's understanding of current conditions of the property, the CHER concludes that the property:

- does have design or physical value as a rare, unique, representative, or early example of a style, type, expression, material, or constructions method;
- does not demonstrate a high degree of craftsmanship, artistic merit, or technological or scientific achievement;
- does not have historical or associative value; and,

- does not have contextual value.

As a result, it is LHC's opinion that the property meets only 1 of 9 criteria of Ontario Regulation 9/06 (i.e. the building is a representative example of a building with Edwardian Classicism architectural style). Therefore, the property is ineligible for individual designation under Section 29 Part IV of the Ontario Heritage Act, which requires a property to meet at least two criteria for designation.

### **Consultation with Heritage Whitby Advisory Committee**

The applicant and their heritage consultant attended the November 11th, 2025, meeting of the Heritage Whitby Advisory Committee (HWAC). Refer to Attachment #3 for an excerpt of the minutes of the November 11, 2025, HWAC meeting.

At the meeting, the applicant's consultant presented the CHER to HWAC.

The Committee adopted the following motion:

"That the Heritage Whitby Advisory Committee does not oppose the Application to Remove a Property from the Municipal Heritage Register for 814 Brock Street North, as the property does not meet the criteria under Part IV of the Ontario Heritage Act."

### **Conclusion**

Based on the applicant's CHER, which determined the property does not meet the minimum threshold of two criteria to be eligible for Designation under the Ontario Heritage Act, and considering HWAC's position to not oppose the removal, it is recommended that Council remove the subject lands from the Town's Municipal Heritage Register.

It is further recommended that a Heritage Documentation Report be prepared and submitted by the applicant at their expense before demolition takes place for deposit into the Archives. The Heritage Documentation report must contain the following:

- a statement of cultural heritage value;
- overview of scope and methods used to document the lands;
- as-built floor plans/drawings, where available;
- photo documentation of the property;
- elevation photo documentation;
- drawings of the exterior of the house; and,
- interior views of all rooms and features.

**5. Financial Considerations:**

N/A

**6. Communication and Public Engagement:**

The Town's Municipal Heritage Register is available on the Town's website for public review, as required by the Ontario Heritage Act.

Should Council approve the request to remove the property from the Municipal Heritage Register the Town of Whitby's Municipal Heritage Register would be updated accordingly.

A copy of this staff report has also been made available on the Town's website.

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

N/A

**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 – Location Sketch – 814 Brock Street North

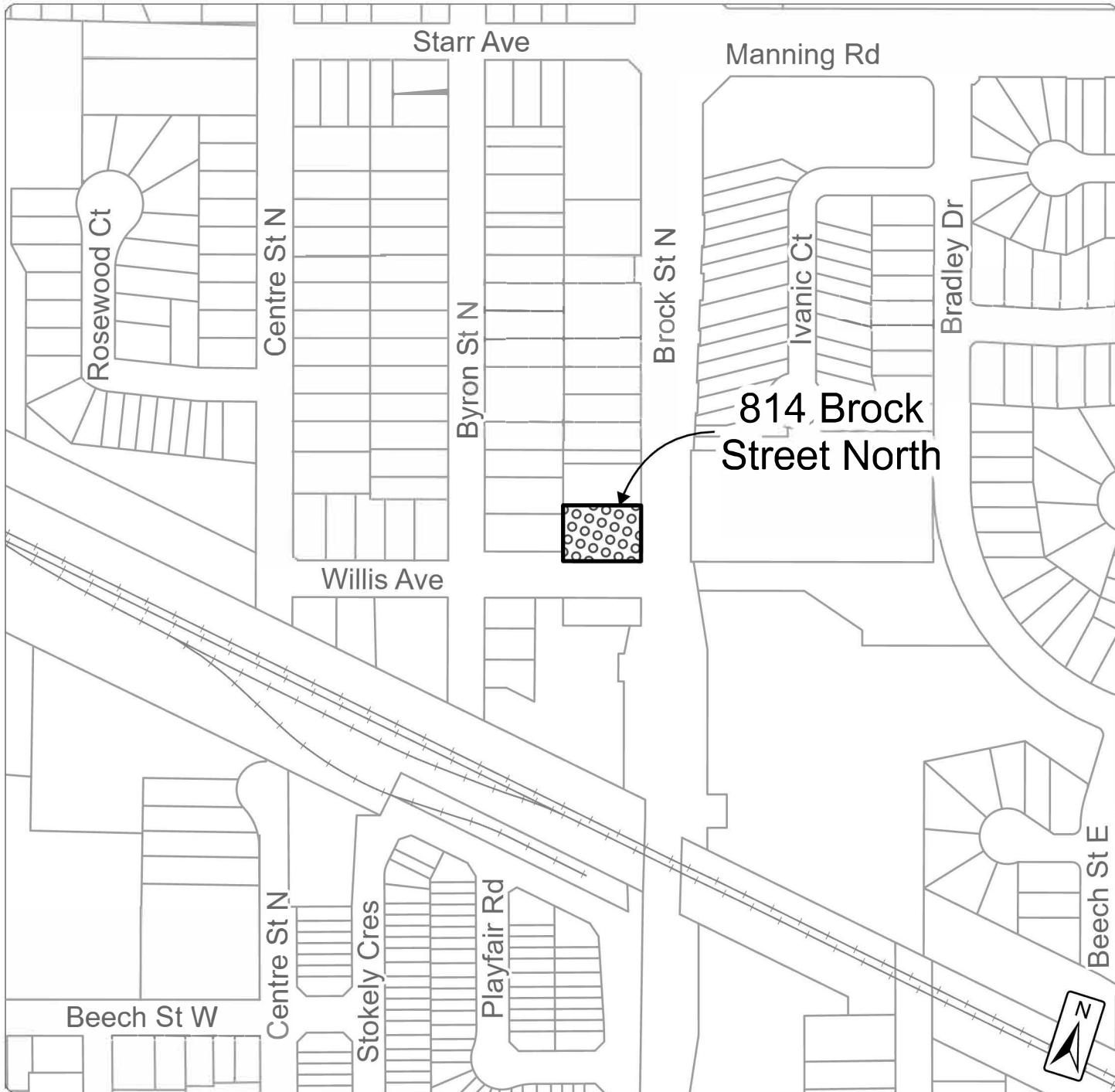
Attachment #2 – Cultural Heritage Evaluation Report, prepared by, LHC Heritage Planning and Archaeology.

Attachment #3 – Excerpt of Minutes of November 11, 2025, HWAC meeting

# Attachment #1

## Location Sketch

PDP 01-26



### Whitby Town of Whitby Planning and Development Department

Address:  
814 Brock Street North

Date:  
January 2026

External Data Sources:

2024 Orthophotography provided by © First Base Solutions Inc.; Parcel Fabric: © Teranet Enterprises Inc. and its suppliers. All rights reserved. Not a Plan of Survey.

The Town of Whitby assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The Town of Whitby does not make any representations or warranty, express or implied, concerning the accuracy, quality, likely results or reliability of the use of the information contained in this document.

**CULTURAL HERITAGE EVALUATION REPORT**  
**814 Brock Street North, Town of Whitby, ON**



**FINAL REPORT**

Date: 27 August 2025

Project #: LHC0527

**LHC Heritage Planning & Archaeology Inc.**

400-837 Princess Street  
Kingston, Ontario K7L 1G8

Phone: (613)-507-7817

Toll Free: 1-833-210-7817

Email: [info@lhcheritage.com](mailto:info@lhcheritage.com)

Web: [www.lhcheritage.com](http://www.lhcheritage.com)

This page has been left blank deliberately

Report prepared for: Dr. Placide Rubabaza  
Evolution Women's Wellness  
3100 Brock Street North #7  
Whitby ON L1R 3J7

Report prepared by: Ben Daub, MA RPP MCIP CAHP  
Lilly Zegerius, Student Architect

Graphics prepared by: Jordan Greene, BA

Reviewed by: Benjamin Holthof, MPl MMA RPP MCIP CAHP  
Christienne Uchiyama, MA CAHP

Acknowledgements: Sarah Ferencz  
Archivist, Whitby Public Library

## **RIGHT OF USE**

The information, recommendations, and opinions expressed in this report are for the sole benefit of Owner. Any other use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings, and other documents as well as all electronic media prepared by LHC are considered its professional work product and shall remain the copyright property of LHC, who authorizes only the Owner and approved users (including municipal review and approval bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties.

## **REPORT LIMITATIONS**

The qualifications of the heritage consultants who authored this report are provided in Appendix A. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not structural engineering assessments unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the Property or the condition of any heritage attributes.

Concerning historical research, the purpose of this report is to evaluate the Property for cultural heritage value or interest. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed, and analyzed is sufficient to assess the Property for cultural heritage value or interest using *Ontario Regulation 9/06* under the *Ontario Heritage Act*.

The review of policy and legislation was limited to information directly related to cultural heritage management and is not a comprehensive planning review. Additionally, soundscapes, cultural identity, and sense of place analyses were not integrated into this report.

## EXECUTIVE SUMMARY

*The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results, as well as limitations.*

LHC Heritage Planning & Archaeology Inc. (**LHC**) was retained on 20 May 2025 by Rubabaza Investments Inc. (the '**Owner**') to prepare a Cultural Heritage Evaluation Report (**CHER**) for the property at 814 Brock Street North (the '**Property**') in the Town of Whitby (the '**Town**'), Ontario (see Figure 1 and Figure 2).

This CHER evaluates the Property for Cultural Heritage Value or Interest (**CHVI**) using *Ontario Regulation 9/06 (O. Reg. 9/06)* under the *Ontario Heritage Act (OHA)*. The CHER has been prepared at the Owner's request to inform future planning for the Property. The Property is *Listed on the Town of Whitby – Municipal Heritage Register* under Section 27 Part IV of the *OHA*.

It is LHC's professional opinion that the Property at 814 Brock Street North meets criterion 1 of *O. Reg. 9/06* because the building is a representative example of a structure with influences from the Edwardian Classicism architectural style. The Property meets one criterion; therefore, it is **ineligible** for individual designation under Section 29 Part IV of the *OHA*.

## TABLE OF CONTENTS

1	Introduction.....	1
1.1	Location of the Property .....	1
1.2	Description of the Property.....	1
1.3	Heritage Recognition of the Property.....	1
2	Study Approach.....	4
2.1	Legislation and Policy Context Review.....	4
2.2	Historical Research.....	4
2.3	Enquiries.....	5
2.4	Site Visit .....	5
2.5	Heritage Integrity .....	5
2.6	Understanding of Cultural Heritage Value or Interest.....	7
2.7	Statement of Cultural Heritage Value or Interest.....	7
3	Legislative and Policy Context .....	9
3.1	Provincial Planning Context .....	9
3.1.1	Planning Act, R.S.O. 1990, c. P.13.....	9
3.1.2	Provincial Planning Statement (2024).....	10
3.1.3	Ontario Heritage Act, R.S.O. 1990, c. O.18.....	11
3.2	Local Policy Context.....	12
3.2.1	Envision Durham Regional Official Plan (2024).....	12
3.2.2	Town of Whitby Official Plan (December 2024 Office Consolidation) .....	13
4	Historic Context.....	14
4.1	Pre-Contact.....	14
4.2	Treaties .....	15
4.3	Survey and European Settlement .....	15
4.4	Property History .....	17
5	Assessment of Existing Conditions.....	25
5.1	Surrounding Context.....	25
5.2	The Property.....	30

5.2.1 Building Exterior .....	33
5.2.2 Building Interior .....	39
5.3 Architectural Analysis.....	47
5.3.1 Edwardian Classicism .....	47
5.3.2 Application to the Property.....	48
5.3.3 Comparative Analysis.....	48
5.4 Integrity Analysis .....	54
6 Evaluation of Cultural Heritage Value or Interest.....	58
6.1 Summary of Evaluation.....	61
6.2 Proposed Statement of Cultural Heritage Value or Interest .....	61
6.2.1 Description of the Property.....	61
6.2.2 Statement of Cultural Heritage Value or Interest .....	61
6.2.3 Heritage Attributes .....	61
7 Conclusion.....	63
8 Signatures.....	64
9 References .....	65

### **List of Appendices**

Appendix A Qualifications.....	68
Appendix B Glossary .....	71

### **List of Tables**

Table 1. Property History .....	17
Table 2. Buildings with Edwardian Classicism Influences in the Town of Whitby .....	48
Table 3. Integrity Assessment for 814 Brock Street North .....	54
Table 4. <i>Ontario Regulation 9/06</i> Evaluation for 814 Brock Street North .....	58

### **List of Photos**

Photo 1. View southeast of residential and commercial properties on Brock Street North .....	26
Photo 2. View northwest of residential and commercial properties on Brock Street North.....	27
Photo 3. View east of a commercial and open space property on the east side of Brock Street North.....	27
Photo 4. View east of Bradley Park from the west side of Brock Street North .....	28

Photo 5. View southeast of Brock Street North from the front yard of the Property.....	28
Photo 6. View north of Brock Street North from the front yard of the Property.....	29
Photo 7. View southwest of the Wills Avenue right-of-way.....	29
Photo 8. View southwest of the primary, east elevation of the building and curved access walkway.....	30
Photo 9. View southeast of the parking lot and south side yard .....	31
Photo 10. View southeast of the parking lot and south side yard .....	31
Photo 11. View northeast of the south (side) and west (back/side) yards .....	32
Photo 12. View northwest showing the south elevation of the house and south side yard.....	32
Photo 13. View southwest of the primary, east elevation of the building.....	34
Photo 14. View northeast of the south and west elevation of the building .....	35
Photo 15. View northeast of the painted, common bond brick at the base of the building and atypical common bond brick pattern on the south elevation of the building .....	35
Photo 16. View northwest of the atypical common bond brick pattern on the south elevation of the building .....	36
Photo 17. View northeast of the common bond brick pattern comprising most of the west elevation of the building.....	36
Photo 18. View southwest of the gable end on the east elevation of the building.....	37
Photo 19. View southwest of a typical window on the east elevation of the building .....	37
Photo 20. View northeast of a typical window on the south, west, and north elevations of the building and the secondary entrance .....	38
Photo 21. View southwest of the main entrance.....	38
Photo 22. View northwest of the rear wing .....	39
Photo 23. View southwest of the foyer .....	40
Photo 24. View southeast of the reception room.....	41
Photo 25. View east of the treatment room.....	41
Photo 26. View southwest of the fireplace .....	42
Photo 27. View southwest of the main 'L'-shaped stairway leading to the second storey.....	42
Photo 28. View southwest of the exercise room on the second storey .....	43
Photo 29. View northeast of staff room .....	43
Photo 30. View west of treatment room with paneled ceilings.....	44
Photo 31. View southwest of treatment room with smooth painted ceiling .....	44
Photo 32. View northwest of bathroom.....	45
Photo 33. View of 'L'-shaped stairway leading to the upper storey .....	45
Photo 34. View northeast of the office and storage space in the upper half storey.....	46
Photo 35. View southwest of wooden stairway leading from first storey to basement .....	46
Photo 36. View of basement being used as a storage area.....	47

## **List of Figures**

Figure 1. Location of the Property .....	2
Figure 2. Current Conditions of the Property.....	3
Figure 3. 1860 and 1877 Historic Maps Showing the Property .....	23
Figure 4. 1930 Topographic Map Showing the Property.....	24

This page has been left blank deliberately

## 1 INTRODUCTION

LHC Heritage Planning & Archaeology Inc. (**LHC**) was retained on 20 May 2025 by Rubabaza Investments Inc. (the '**Owner**') to prepare a Cultural Heritage Evaluation Report (**CHER**) for the property at 814 Brock Street North (the '**Property**') in the Town of Whitby (the '**Town**'), Ontario.

This CHER evaluates the Property for Cultural Heritage Value or Interest (**CHVI**) using *Ontario Regulation 9/06 (O. Reg. 9/06)* under the *Ontario Heritage Act (OHA)*. The CHER has been prepared at the Owner's request to inform future planning for the Property. The Property is *Listed on the Town of Whitby – Municipal Heritage Register* under Section 27 Part IV of the *OHA*.

This CHER was prepared in accordance with the *Town of Whitby Official Plan* (December 2024 Office Consolidation). It follows cultural heritage best practices and draws on applicable frameworks, such as the Ministry of Citizenship and Multiculturalism's (MCM) *Ontario Heritage Tool Kit: Heritage Property Evaluation* (2025).

### 1.1 LOCATION OF THE PROPERTY

The Property is in the geographic Township of Whitby in the Town of Whitby. It is located on the west side of Brock Street North to the northwest of the intersection of Brock Street North and the Canadian Pacific Railway (Figure 1). The legal description is 'LT 7 PL 173 WHITBY; LT 8 PL 173 WHITBY T/W D509031;'.<sup>1</sup>

### 1.2 DESCRIPTION OF THE PROPERTY

The Property is a rectangular lot of approximately 1,300 square metres measuring approximately 30.5 metres wide by 42.5 metre deep. It is bound by Brock Street North to the east, the Wills Avenue right-of-way to the east, 811 and 813 Byron Street North to the west, and 816 Brock Street North to the north. A single detached two-and-a-half storey house composed of red brick that has been transitioned to serve a commercial function is on the Property (Figure 2).

### 1.3 HERITAGE RECOGNITION OF THE PROPERTY

The Property is *Listed on the Town of Whitby – Municipal Heritage Register* (July 2023) (**MHR**) under Section 27 Part IV of the *OHA*.

Figure 1. Location of the Property

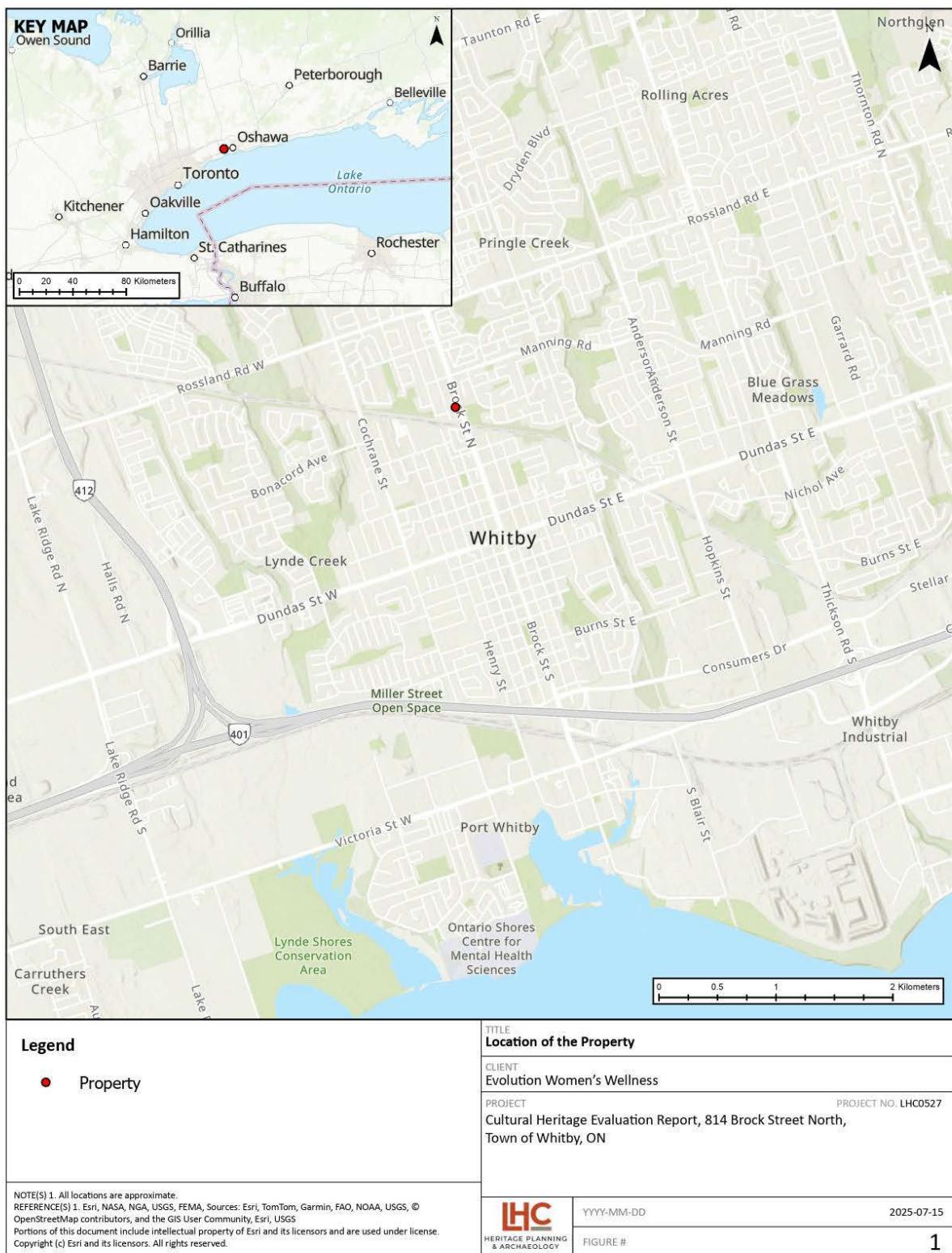


Figure 2. Current Conditions of the Property



Legend	TITLE <b>Current Conditions of the Property</b>		
<input type="checkbox"/> Property	CLIENT	PROJECT NO. LHC0527	
<small>NOTE(S) 1. All locations are approximate. REFERENCE(S) Land Information Ontario. 2025. Geospatial Ontario Imagery Data Services(Geo Imagery Data Service 2023 to 2027). "Ontario GeoHub". Raster dataset via WMS Server Connection. Accessed 9 June, 2025. <a href="https://geohub.lio.gov.on.ca/maps/llo/geospatial-ontario-imagery-data-services/about">https://geohub.llo.gov.on.ca/maps/llo/geospatial-ontario-imagery-data-services/about</a> Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.</small>			
	<b>IHC</b> HERITAGE PLANNING & ARCHAEOLOGY	YYYY-MM-DD FIGURE #	2025-07-15 2

## 2 STUDY APPROACH

LHC follows a three-step approach to understanding and planning for cultural heritage resources based on the understanding, planning, and intervening guidance from Canada's Historic Places' *Standards and Guidelines for the Conservation of Historic Places in Canada* and the *Ontario Heritage Tool Kit*.<sup>1</sup> Understanding the cultural heritage resource involves:

- Understanding the significance of the cultural heritage resource (known and potential) through research, consultation, and evaluation—when necessary.
- Understanding the setting, context, and condition of the cultural heritage resource through research, site visit, and analysis.
- Understanding the heritage planning regulatory framework around the cultural heritage resource.

This CHER is guided by the *Ontario Heritage Tool Kit, Heritage Property Evaluation*. The evaluation considers the Property against the *Criteria for Determining Cultural Heritage Value or Interest* from O. Reg. 9/06 under the OHA. It is based on historical research on the history of the area and Property along with a site visit to understand the design, construction, and current conditions of the Property.

A glossary of terms used in this CHER is provided in Appendix B.

### 2.1 LEGISLATION AND POLICY CONTEXT REVIEW

This CHER includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy context that applies to the Property (Section 3).

### 2.2 HISTORICAL RESEARCH

Historical research for this CHER included local history research. LHC consulted primary and secondary research sources including:

- Local histories;
- Historic maps;
- Aerial photographs; and,
- Online sources about local history.

---

<sup>1</sup> Canada's Historic Places, "Standards and Guidelines for the Conservation of Historic Places in Canada", last modified 2010, accessed 24 February 2025, <https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>; 3.; Ministry of Citizenship and Multiculturalism, "Heritage Property Evaluation, Ontario Heritage Tool Kit," last updated 9 May 2025, accessed 27 May 2025, <https://www.ontario.ca/document/heritage-property-evaluation>.

- Online sources consulted included (but were not limited to):
- The Archives of Ontario;
- Library and Archives Canada;
- The Ontario Council of University Libraries, Historical Topographic Map Digitization Project;
- The Canadian County Atlas Digital Project;
- Whitby Public Library;
- Western University Archives and Research Collections Centre;
- Ancestry;
- FamilySearch; and,
- The Internet Archive.

### **2.3 ENQUIRIES**

LHC contacted the archive department at the Whitby Public Library on 9 July 2025 to conform is any information was available for the Property. Sarah Ferencz, archivist at the library, informed that no historical information was available.

### **2.4 SITE VISIT**

A site visit was conducted on 3 June 2025 by Intermediate Heritage Planner, Lisa Coles. The purpose of the site visit was to document the current conditions of the Property, adjacent properties, and their surrounding context. Unless otherwise attributed, all photographs in this CHER were taken during the site visit. A selection of photographs that document the Property are included in Section 4.

### **2.5 HERITAGE INTEGRITY**

In a heritage conservation and evaluation context, the concept of integrity is associated with the ability of the physical features of a property to represent or support its cultural heritage value or interest or to convey its heritage significance.<sup>2</sup> It is understood as the ‘wholeness’ or ‘honesty’ of a place<sup>3</sup> or if the heritage attributes continue to represent or support the CHVI of

---

<sup>2</sup> MCM, “Heritage Property Evaluation,” Section 4.; MCM, “Heritage Property Evaluation,” Section 5.3.; National Park Service, “How to Evaluate the Integrity of a Property,” Chapter VIII in National Register Bulletin, How to Apply the National Register Criteria for Evaluation, U.S. Department of the Interior, National Park Service, Cultural Resources (1997), 44.

<sup>3</sup> English Heritage, “Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment,” last modified 23 April 2008, accessed 9 July 2025, <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>, 45.

the property.<sup>4</sup> It is described as a measure of the wholeness or intactness of the cultural heritage and its attributes.<sup>5</sup> Heritage integrity can be understood through how much of the resource is ‘whole’, ‘complete’, changed, or unchanged from its original or ‘valued subsequent configuration’.<sup>6</sup> Changes or evolution to a place that have become part of its cultural heritage value become part of the heritage integrity; however, if the cultural heritage value of a place is linked to another structure or environment that is gone, the heritage integrity is diminished.<sup>7</sup> Heritage integrity is not necessarily related to physical condition or structural stability.

Understanding and assessing heritage integrity is an iterative process. Preliminary assessment of the wholeness or completeness of the place will inform evaluation for cultural heritage value or interest while an understanding of a place’s cultural heritage value or interest will inform a more detailed assessment of heritage integrity.

There are few tools describing a methodology to assess historic integrity. One of the tools comes from the U.S. National Park Service (**NPS**). The NPS states that “Heritage properties either retain integrity, or they do not.”<sup>8</sup> They identify seven aspects of integrity, degrees and combinations of which can be used to determine if a site has heritage integrity. The seven aspects include: Location; Design; Setting; Materials; Workmanship; Feeling; and Association.<sup>9</sup>

Detailed understanding of heritage integrity is based on understanding the CHVI of the place. The draft *Ontario Heritage Tool Kit* describes a building with value for its association with a significant architect and if surviving features of the building no longer represent that architect’s design the integrity is lost.<sup>10</sup> Guidance from Alberta outlines a three step process for evaluating historic places that includes: determining if the place is eligible for designation, followed by evaluating its significance, and then assessing its integrity.<sup>11</sup> These guidance documents demonstrate that assessing integrity is based on first understanding the historic significance of the place.

Assessing heritage integrity includes review of the existing conditions for the feeling of intactness, completeness, or wholeness of the known or potential historic place followed by

---

<sup>4</sup> MCM, “Heritage Property Evaluation,” Section 5.3.

<sup>5</sup> UNESCO, “Operational Guidelines for the Implementation of the World Heritage Convention,” last modified 2024, pdf, section 88, 31.

<sup>6</sup> English Heritage, “Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment,” 45.; H. Kalman and Marcus R. Létourneau, *Heritage Planning: Principles and Process*, 2nd Ed (New York: Routledge, 2021), 314.

<sup>7</sup> MCM, “Heritage Property Evaluation,” Section 4.; MCM, “Heritage Property Evaluation,” Section 5.3.

<sup>8</sup> National Park Service, “How to Evaluate the Integrity of a Property,” 44.

<sup>9</sup> National Park Service, “How to Evaluate the Integrity of a Property,” 44.

<sup>10</sup> MCM, “Heritage Property Evaluation,” Section 5.3.

<sup>11</sup> Government of Alberta, “Evaluating Historic Places; Eligibility, Significance and Integrity,” last modified 2010, pdf, 4 and 9.

evaluation or a detailed understanding of its CHVI then further assessment for heritage integrity.

## **2.6 UNDERSTANDING OF CULTURAL HERITAGE VALUE OR INTEREST**

This report evaluates the Property against the criteria described in *O. Reg. 9/06* under the *OHA*. *O. Reg. 9/06* has nine criteria. They are:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.<sup>12</sup>

## **2.7 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST**

If the evaluation finds that the Property meets any of the criteria from *O. Reg. 9/06*, a Statement of Cultural Heritage Value or Interest (SCHVI) will be prepared. The SCHVI will follow guidance from the *Ontario Heritage Tool Kit, Designating Heritage Properties* and will

---

<sup>12</sup> Province of Ontario, “Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest,” last modified 1 January 2023, accessed 9 July 2025, <https://www.ontario.ca/laws/regulation/060009>.

include information required by the *OHA* and *Ontario Regulation 385/21* that must be included in a Notice of Intention to Designate (NOID).

### 3 LEGISLATIVE AND POLICY CONTEXT

#### 3.1 PROVINCIAL PLANNING CONTEXT

In Ontario, cultural heritage is established as a matter of provincial interest directly through the provisions of the *Planning Act*, *Provincial Planning Statement*<sup>13</sup>, and the *OHA*. Cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Other provincial legislation applies to cultural heritage indirectly or in specific cases. The *Environmental Assessment Act* and *Environmental Protection Act* use a definition of “environment” that includes cultural heritage resources, and the *Funeral, Burial and Cremation Services Act* addresses historic cemeteries and processes for identifying graves that may be prehistoric or historic. The *Greenbelt Act*, *Oak Ridges Moraine Conservation Act*, and *Niagara Escarpment Planning and Development Act* enact provincial plans that include intentions and policy to protect and/or conserve cultural heritage. These various acts and their policies and plans indicate broad support for the protection of cultural heritage.

##### 3.1.1 PLANNING ACT, R.S.O. 1990, C. P.13

The *Planning Act* is the primary document for municipal and provincial land use planning in Ontario and was consolidated on 5 June 2025. This *Act* sets the context for provincial interest in heritage. It states under Part I (2, d):

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... the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.<sup>14</sup>

Part 1, Section 3 (1) of *The Planning Act* states:

The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest.<sup>15</sup>

Section 3 (1) refers to the *PPS*. Decisions of Council must be consistent with the *PPS* and relevant provincial plans. Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which makes the consideration of cultural heritage equal to all other considerations concerning planning and development.

---

<sup>13</sup> The *Provincial Planning Statement* came into force on 20 October 2024 and replaced the *Provincial Policy Statement* and the *Growth Plan for the Greater Golden Horseshoe*.

<sup>14</sup> Province of Ontario, “*Planning Act, R.S.O. 1990, c. P.13.*” current to 5 June 2025, accessed 26 June 2025, <https://www.ontario.ca/laws/statute/90p13>, Part I (2, d).

<sup>15</sup> Province of Ontario, “*Planning Act.*” Part 1 S.3 (1).

### **3.1.2 PROVINCIAL PLANNING STATEMENT (2024)**

The *Provincial Planning Statement (PPS)* provides further direction for municipalities regarding provincial requirements. The *PPS* addresses cultural heritage in Section 4.6.<sup>16</sup>

Section 4.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. The subsections state:

4.6.1. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.

4.6.2. 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.

4.6.3. 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.

4.6.4. 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.

4.6.5. 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.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The *PPS* makes the consideration of cultural heritage equal to all other considerations in relation to planning and development within the province.

A CHER is used to evaluate a property against the nine criteria in *O. Reg. 9/06* under *OHA*. It is therefore part of the process of establishing whether a property is a protected heritage property.

---

<sup>16</sup> Province of Ontario, “Provincial Planning Statement,” October 2024, accessed 26 June 2025, <https://www.ontario.ca/files/2024-10/mmah-provincial-planning-statement-en-2024-10-23.pdf>.

<sup>17</sup> Province of Ontario, “Provincial Planning Statement,” 28.

### **3.1.3 ONTARIO HERITAGE ACT, R.S.O. 1990, C. O.18**

The *OHA* (revised on 5 June 2025) enables the provincial government and municipalities with powers to conserve, protect, and preserve the heritage of Ontario. The *OHA* gives municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest. It also requires municipalities to keep a register of properties in the municipality that are of cultural heritage value or interest (Municipal Heritage Register).<sup>18</sup> There are two types of heritage properties under the *OHA*, *Designated* properties and *Listed* properties. The Property is *Listed*.

On 1 January 2023 amendments to the *OHA* required a *Listed* property to meet at least one of the criteria from *O. Reg. 9/06* before the property can be included on the Municipal Heritage Register. These amendments also require a municipality to *Designate* the property under Section 29 or remove it from the Municipal Heritage Register within a period of two years of listing, or by 1 January 2025 for properties on the Register on 31 December 2022. In 2024 this was extended to 1 January 2027. Since the Property is *Listed* on the *MHR* the Town has until 1 January 2027 to decide whether to *Designate* it under Section 29 of the *OHA* or to remove it from the *MHR*. This section describes relevant sections of the *OHA* and its regulation for property evaluation and preparation of a SCHVI (if required) for this CHER.

Section 29 Part IV of the *OHA* allows municipalities to *Designate* – by by-law – individual properties in the municipality to be of cultural heritage value or interest. This requires that the property meets provincially prescribed criteria which are described in Section 1 of *O. Reg 9/06*. To be eligible for designation a property must meet at least two of the nine criteria for determining CHVI (see Section 2.6). Designation applies to real property.

The *OHA* requires that designation follow a prescribed process. For properties eligible for designation, Municipal Council must cause notice of intention to designate (a NOID) to be served to the owner(s) and to the Ontario Heritage Trust. The NOID must also be published according to municipal notification policy.

The *OHA* requires the NOID served on the owner and Ontario Heritage Trust to contain:

1. an adequate description of the property so that it may be readily ascertained;
2. a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property; and
3. a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of

---

<sup>18</sup> Province of Ontario, “Ontario Heritage Act, R.S.O. 1990, c. O.18,” current to 5 June 2025, accessed 27 June 2025, <https://www.ontario.ca/laws/statute/90o18>.

the notice of intention in a newspaper of general circulation in the municipality under clause (3).<sup>19</sup>

A municipal policy adopted under clause 270 of the *Municipal Act* enables the municipality to publish the NOID in a format other than a newspaper.

The published NOID must also contain “a statement that further information respecting the notice of intention to designate the property is available from the municipality.”<sup>20</sup>

A property owner may object the NOID. An objection must be served on the Clerk of the municipality within thirty days of the date of publication of the NOID. An objection must set out the reasons for the objection and all relevant facts.<sup>21</sup>

If there are no objections or Municipal Council proceeds with designation, then Council must pass a by-law to designate the property. The by-law must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property and must comply with prescribed requirements from Section 3 of *Ontario Regulation 385/21* (*O. Reg. 385/21*).

A SCHVI prepared in this CHER will include information required by the *OHA* for a NOID and information required by *O. Reg. 385/21* for a designation By-law (as appropriate).

### **3.2 LOCAL POLICY CONTEXT**

This CHER is intended to support local policy guidance for cultural heritage identification and protection. Relevant plans and policies are outlined as follows.

#### **3.2.1 ENVISION DURHAM REGIONAL OFFICIAL PLAN (2024)**

It is understood that regional policy – from the *Envision Durham Regional Official Plan (ROP)*, adopted by Regional Council on 17 May 2023 and approved by the Ministry of Municipal Affairs and Housing on 13 December 2024) – has been adopted by all local area municipalities as official planning guidance.

Relevant cultural heritage policies found in policy 3.3.41 encourage area municipalities to:

- Adopt policies to protect and enhance cultural heritage resources in their official plans, including the use of heritage impact assessments where development is proposed adjacent to properties designated under the Ontario Heritage Act, heritage conservation districts and provincial heritage properties;
- Utilize the Ontario Heritage Act to conserve, protect and enhance the built and cultural heritage resources of the municipality;

---

<sup>19</sup> Province of Ontario, “Ontario Heritage Act, R.S.O. 199, c. O.18.”, Section 29(4).

<sup>20</sup> Province of Ontario, “Ontario Heritage Act, R.S.O. 199, c. O.18.”, Section 29(4.1).

<sup>21</sup> Province of Ontario, “Ontario Heritage Act, R.S.O. 199, c. O.18.”, Section 29(5).

- Update municipal heritage registers on a regular basis.<sup>22</sup>

### **3.2.2 TOWN OF WHITBY OFFICIAL PLAN (DECEMBER 2024 OFFICE CONSOLIDATION)**

The *Town of Whitby Official Plan (OP)* (December 2024 Office Consolidation) was adopted by Municipal Council in 1995, most recently updated in 2018, and most recently consolidated in December 2024. Policies pertaining to cultural heritage resources are included in Section 6.1 of the *OP*, entitled ‘Cultural Heritage Resources and Archaeological Resources’. The goal of this section of the *OP* is to:

To identify and conserve Whitby’s cultural heritage resources and archaeological resources for the benefit of existing and future generations, to enhance Whitby’s sense of community and identity, and to contribute to its sustainability and economic viability.<sup>23</sup>

Among the objectives set out in Section 6.1 is to:

...identify, conserve, and enhance cultural heritage resources in accordance with the Ontario Heritage Act and to ensure that such resources are protected through the development approval process in accordance with applicable legislation, plans, programs, and guidelines.<sup>24</sup>

The following policies are relevant to this CHER:

The Municipality shall protect and conserve cultural heritage resources in accordance with applicable legislation, policies, and recognized heritage protocols. In this regard, the Municipality shall use applicable Federal, Provincial, and municipal legislation and guidelines to conserve and maintain all designated properties on the Heritage Register.<sup>25</sup>

---

<sup>22</sup> Region of Durham, “Envision Durham Regional Official Plan,” last modified 13 December 2024, accessed 9 July 2025, <https://www.durham.ca/OfficialPlan>, 59-60.

<sup>23</sup> Town of Whitby, “Town of Whitby Official Plan,” December 2024 Office Consolidation, accessed 9 July 2025, <https://www.whitby.ca/Whitby-Official-Plan-Text-2024-Dec.pdf>, 105.

<sup>24</sup> Town of Whitby, “Town of Whitby Official Plan,” 105.

<sup>25</sup> Town of Whitby, “Town of Whitby Official Plan,” 106.

## 4 HISTORIC CONTEXT

### 4.1 PRE-CONTACT

The pre-European contact (pre-contact) history of this area is long and diverse. Archaeologists generally divide the chronology of pre-European contact land use in Southern Ontario into three primary periods based on characteristics of settlement patterns and material culture: Paleo; Archaic; and Woodland.

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Laurentide Ice Sheet at the end of the Wisconsinan Glacial Period. During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was like the modern sub-arctic; and vegetation was dominated by spruce and pine forests. The initial occupants of the province were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) living in small groups and travelling over vast areas, possibly migrating hundreds of kilometers in a single year.<sup>26</sup>

During the Archaic archaeological period (8000-1000 BCE) the occupants of southern Ontario continued to be migratory in nature. However, they lived in larger groups and covered smaller territories – possibly remaining within specific watersheds.<sup>27</sup>

The Woodland period in southern Ontario (1000 BCE–CE 1650) represents a marked change in subsistence patterns, burial customs, and tool technologies, as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BCE), Middle Woodland (400 BCE–CE 500), and Late Woodland (500-1650 CE). During the Early and Middle Woodland periods, communities grew and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting. There is evidence for incipient horticulture in the Middle Woodland as well as the development of long-distance trade networks. The Late Woodland period (ca. 500-1650 CE) is marked by the establishment of larger village sites, sometimes containing dozens of longhouses, and fortified with palisade walls. Agriculture increased during this period, as did regional warfare.<sup>28</sup>

---

<sup>26</sup> C. Ellis and D.B. Deller, “Paleo-Indians,” in *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990).

<sup>27</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” in *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*, prepared by the Toronto Region Conservation Authority (Toronto, ON, 2001).; G. Watson, “Prehistoric Peoples of the Rideau Waterway,” in Archaeological Historical Symposium: October 2-3, 1982, Rideau Ferry, Ontario, edited by F.C.L. Wyght, pp. 24–55. Lombardy, Ontario.

<sup>28</sup> L. Jackson, “Dawson Creek: An Early Woodland Site in South-Central Ontario,” *Ontario Archaeology* 33:12–32.; L.R.B. Parker, “The Fitzgerald Site: A Non-Meadowood Early Woodland Site in Southwestern Ontario,” *Canadian Journal of Archaeology* 21(2):121–148.; Toronto Region Conservation Authority, “Chapter 3: First Nations.”

## 4.2 TREATIES

The Property lies on land included in the Johnson-Butler Purchase. This treaty is also known as the ‘Gunshot Treaty’ and signed in 1788 by the Crown and certain Anishinaabe peoples.<sup>29</sup> The Treaty contained no exact description of the land covered and was meant to cover land as far as one can hear a gunshot from the shoreline of Lake Ontario.

A second set of treaties – the Williams Treaties – were signed on 31 October and 15 November 1923 by the Crown and seven Anishinaabe First Nations. Land included in the Williams Treaties included an area of approximately 52,000 square kilometres between Lake Ontario and Lake Nipissing. The Williams Treaties overlapped land included in the Johnson-Butler Purchase.<sup>30</sup>

## 4.3 SURVEY AND EUROPEAN SETTLEMENT

In 1788, the Province of Quebec’s government created districts and counties to serve as administrative bodies at the local level. The first Districts – in what would become Ontario – were Hesse, Nassau, Mecklenburg, and Lunenburg. These four Districts would be renamed Western, Home, Midland, and Eastern, respectively, in 1792. The Property is in the former Nassau/Home district.<sup>31</sup>

The Township of Whitby and Township of East Whitby (now Oshawa) were surveyed between 1792 and 1795. The survey divided the townships into ten concessions (including a Broken Front along the north shore of Lake Ontario) and thirty-five lots.<sup>32</sup> Euro-Canadian settlement of the townships was concurrent with the surveying process. In 1793, a large-scale settlement plan was developed by William Willcocks, who was granted 1,000 acres of land in Whitby Township on the condition that he brings settlers from Ireland. Despite his efforts, he was unable to meet the established conditions and resorted to selling land to migrants from the United States. Willcocks was required by the Government of Upper Canada to forfeit his land because he did not uphold the conditions of the land grant.<sup>33</sup> While Willcocks’ attempt to settle Whitby Township was ongoing, other settlers moved into the town. Benjamin Wilson, a United Empire Loyalist who settled in Upper Canada around 1794, is credited as being the first settler in the Township of East Whitby (near Oshawa Harbour).<sup>34</sup> Settlement in the Township

---

<sup>29</sup> Government of Ontario, “Map of Ontario treaties and reserves,” last modified 23 April 2024, accessed 23 June 2025, <https://www.ontario.ca/page/map-ontario-treaties-and-reserves>.

<sup>30</sup> Government of Ontario, “Map of Ontario treaties and reserves.”

<sup>31</sup> Ontario Ministry of Public and Business Service Delivery, “The Changing Shape of Ontario: Early Districts and Counties,” n.d., accessed 23 June 2025, <https://www.archives.gov.on.ca/en/maps/ontario-districts.aspx>.

<sup>32</sup> B. Winter, “Chronicles of a County Town: Whitby Past and Present,” 1999, self-published, <https://archive.org/details/chroniclesofcoun0000bria>/mode/2up?q=hospital.

<sup>33</sup> Winter, “Chronicles of a County Town: Whitby Past and Present.”

<sup>34</sup> Farewell, J.E., “Short Notes as to the Early Settlement and Progress of Ontario County,” 1907, Gazette-Chronicle Press, <https://www.canadiana.ca/view/oocihm.81578/1>.

of Whitby was slow in the late 1790s and early 1800s. A census of the Township of Whitby from 1804 revealed that it had 88 inhabitants.<sup>35</sup>

Whitby Harbour – first known as ‘Windsor’ or ‘Windsor Harbour’ – was the first main settlement area in the Township of Whitby. Windsor Harbour was founded in 1819 by John Scadding who was granted 1,000 acres of land in 1802 in the Township of Whitby by John Graves Simcoe.<sup>36</sup> Windsor Harbour developed as a shipping port and experienced moderate growth reaching a population of 505 by 1820. By the mid-1820s, a second settlement area – Hamer’s Corners – was beginning to attract settlers. Hamer’s Corners was first known as ‘Crawford’s Corners’ after Caleb Crawford who purchased land in the area in 1807. The first post office, initially called ‘Windsor’, was established in Crawford’s Corners in 1824 in John B. Warren’s general store. The Windsor post office was the first to have been developed between York (Toronto) and Port Hope.<sup>37</sup>

Settlement and immigration – primarily from the British Isles – remained consistent through the 1830s. Many immigrants worked in the mercantile and commercial sector that had been expanding through Whitby Harbour. The growth and development of Whitby Harbour as an important port is evidenced in its declaration as a Point of Entry and Customs Collector in 1831. Development also continued inland during the early 1830s. In 1833, Peter Perry purchased land around the intersection of Dundas Street and Brock Street, and by 1836 he had built a general store. This location, known as ‘Perry’s Corners,’ was the third main settlement area in the Township of Whitby. Perry strategically purchased this land because of its location on Dundas Street – the main inland transportation route – and Brock Street – the main inland transportation route to Whitby Harbour. In 1837, Perry formed the Windsor Road Company with the intention of developing a road from Whitby Harbour to Georgian Bay. In addition to his road building enterprise, Perry also had part of his land holdings surveyed into a town plan in 1846. This survey – prepared by John Shier – was the first plan of subdivision in the Township of Whitby.<sup>38</sup>

The Province of Canada’s (formerly Province of Quebec) Districts were dissolved in 1849, and the County of Ontario was established in 1852 as a subsection of the United Counties of York, Ontario, and Peel. Ontario County was composed of the Townships of Brock, East Whitby, Mara, Pickering, Rama, Reach, Scott, Scugog, Thorah, Uxbridge, and Whitby. The Township of Whitby was selected as the County Seat – the County’s administrative centre – which initiated a building boom, predominantly in the Perry’s Corners area. In addition to the ongoing building boom, Whitby Harbour was among the most active on the north shore of Lake Ontario at the time. In 1854, a second plan of subdivision known as ‘Werden’s Plan’ was

---

<sup>35</sup> Winter, “Chronicles of a County Town: Whitby Past and Present.”

<sup>36</sup> Winter, “Chronicles of a County Town: Whitby Past and Present.”

<sup>37</sup> Winter, “Chronicles of a County Town: Whitby Past and Present.”

<sup>38</sup> Winter, “Chronicles of a County Town: Whitby Past and Present.”

surveyed. In 1855, Whitby Harbour, Hamer's Corners, and Perry's Corners, along with land in their immediate vicinity, were incorporated as the Town of the Whitby.<sup>39</sup>

In 1856, the Grand Trunk Railway (GTR) was completed. Arrival of the GTR reduced the viability of Whitby Harbour because it enabled reliable, year-round transportation of goods meaning that there was no longer substantial reliance on the Great Lakes. In the mid- to late-19<sup>th</sup> century, the Port Whitby and Port Perry Railway (later renamed the Whitby, Port Perry and Lindsay Railway) (1869) and the Ontario and Quebec Railway (1883/1884) were constructed. Ongoing development of the railway network, which further enabled year-round transportation of goods, alongside the *McKinley Tariff Act* in 1890, which reduced the shipping of goods to the United States, continued to reduce Whitby Harbour's commercial viability. In 1902, a second track was added to the GTR and by 1914, a diversion line of the Canadian Pacific Railway – known as the Campbellford, Lake Ontario & Western Railway – had been built through Whitby.<sup>40</sup>

In 1968, the Town of Whitby and the Township of Whitby were amalgamated to form one municipality. In 1974, Ontario County was dissolved, and Whitby was incorporated into the new Regional Municipality of Durham.<sup>41</sup>

#### 4.4 PROPERTY HISTORY

The Property is on Registered Plan 173 Lot 7 and Lot 8 which is on Part of the East Half of Concession 2 Lot 27 in the geographic township of Whitby. The house on the Property is also partially on Registered Plan 173 Lot 9. Land registry abstract indexes (LRAI), historic maps, air photos, previous studies, and information gathered from members of the Heritage Whitby Advisory Committee and the City's public library archive were reviewed. Table 1 includes a timeline of relevant historic developments on the Property.

Table 1. Property History

Date	Data Medium	Notes
<b>1836 (18 June)</b>	LRAI Book 254	Crown Patent for the east half (100 acres) of Concession 2 Lot 27 was issued to Peter McDonald for £100.00. <sup>42</sup>
<b>1837 (14 November)</b>	LRAI Book 254	Peter McDonald sold the east half (100 acres) of Concession 2 Lot 27 to William Cayley for

<sup>39</sup> Winter, "Chronicles of a County Town: Whitby Past and Present."

<sup>40</sup> Winter, "Chronicles of a County Town: Whitby Past and Present."

<sup>41</sup> Stortz, G.J., "Whitby," in the Canadian Encyclopedia, last modified 29 September 2022, accessed 14 March 2025, <https://www.thecanadianencyclopedia.ca/en/article/whitby>.

<sup>42</sup> Durham County Land Registry Office (LRO 40), "DURHAM (40), WHITBY, Book 254, CONCESSION 2; LOT 23 TO 35," n.d., accessed 9 July 2025, <https://www.onland.ca/ui/40/books/60712/viewer/572623673?page=1>, Instrument No. Patent.

Date	Data Medium	Notes
		£1,100.00.43
<b>1840 (16 September)</b>	LRAI Book 254	William Cayley sold the east half (100 acres) of Concession 2 Lot 27 to George S. Boullion for £1,250.00.44
<b>1842 (5 May)</b>	LRAI Book 254	George S. Boullion sold the east half (100 acres) of Concession 2 Lot 27 to Peter Perry for £400.00 and provided Perry with a £300.00 mortgage. <sup>45</sup> Boullion retained some control over the half (100 acres) of Concession 2 Lot 27.
<b>1852 (1 April) – 1854</b>	LRAI Book 254	John H. Perry purchased several parcels of the east half (100 acres) of Concession 2 Lot 27.
<b>1854 (6 May)</b>	LRAI Book 254	John H. Perry transferred 68 ¾ acres of Concession 2 Lot 27 to Robert E. Perry.
<b>1860</b>	Historic Map (Figure 3)	R. E. Perry is depicted as the owner of the northeast part of Concession 2 Lot 27.
<b>1870 (25 July)</b>	LRAI Book 254	Robert E Perry sold the parcel described as 'NE ¼' to Henry Trull for \$3,250.00. <sup>46</sup>
<b>1871 (28 December)</b>	LRAI Book 254	Henry Trull sold the parcel described as 'S 25 ac of NE ¼' to George Shurtiff for an illegible amount. <sup>47</sup>
<b>1874 (8 April)</b>	LRAI Book 254	Henry Trull sold the parcel described as 'N 25 ac of NE ¼' to Timothy Coffee. <sup>48</sup>
<b>1877</b>	Historic Map (Figure 3)	The name of owners of Concession 2 Lot 27 are not depicted.
<b>1878 (May 30)</b>	LRAI Book 254	Timothy Coffee sold the parcel described as 'N

<sup>43</sup> LRO 40, "Book 254," Instrument No. 14708.

<sup>44</sup> LRO 40, "Book 254," Instrument No. 17747.

<sup>45</sup> LRO 40, "Book 254," Instrument No. 19868; 20060.

<sup>46</sup> LRO 40, "Book 254," Instrument No. 515.

<sup>47</sup> LRO 40, "Book 254," Instrument No. 810.

<sup>48</sup> LRO 40, "Book 254," Instrument No. 1282.

<b>Date</b>	<b>Data Medium</b>	<b>Notes</b>
		25 ac of NE $\frac{1}{4}$ ' to George Shurtiff. <sup>49</sup>
<b>1900 (24 September)</b>	LRAI Book 254	<p>The estate of George Shurtiff sold the parcel described as 'N<math>\frac{1}{2}</math> of E<math>\frac{1}{2}</math>' John Rice for \$2,000.00.<sup>50</sup></p> <p>John Rice was a farmer, secretary treasurer of the Ontario Ladies' College, and director of the Northern Railway. It is unlikely that he ever lived on the Property. He is known to have lived at 3040 Brock Street North (Lakeview Hall).<sup>51</sup></p>
<b>1913 (1 October)</b>	LRAI Book 254	<p>John Rice granted the parcel described as 'Pt NE <math>\frac{1}{4}</math>' and 'North of CLO&amp;W Ry' to the Greater Canada Improvement and Land Company Limited for \$5,500.00 and provided them with a \$4,700.00 mortgage.<sup>52</sup> The mortgage was discharged on 27 May 1915. The discharge was registered against Registered Plan 173 Lot 7, Lot 8, and Lot 9.<sup>53</sup></p> <p>It is most likely that Rice had the house on the Property developed between his acquisition of the northeast quarter of Concession 2 Lot 27 and its sale. This is primarily evidenced by the rapid change in value of the land.</p> <p>The Greater Canada Improvement and Land Company Limited – a development company – was owned by William Dykes.<sup>54</sup> Dykes purchased a developed several lots on the west side of Brock Street north of the Canadian Pacific Railway. The Greater Canada</p>

<sup>49</sup> LRO 40, "Book 254," Instrument No. 2377.

<sup>50</sup> LRO 40, "Book 254," Instrument No. 5429.

<sup>51</sup> Town of Whitby Planning, "Property of Cultural Heritage or Interest: 3040 Brock Street North," n.d., accessed 10 July 2025, pdf.; Durham County Land Registry Office, "DURHAM (40), WHITBY, Book 255 CONCESSION 3," n.d., accessed 10 July 2025, <https://www.onland.ca/ui/40/books/60524/viewer/555854363?page=1>.

<sup>52</sup> LRO 40, "Book 254," Instrument No. 7142; 7143.

<sup>53</sup> Durham County Land Registry Office, "DURHAM (40), DURHAM, Book 406, PLAN 173; LOT 1 TO 125," n.d., accessed 9 July 2025, <https://www.onland.ca/ui/40/books/60524/viewer/555854363?page=1>. 7459.

<sup>54</sup> Winter, "Chronicles of a County Town: Whitby Past and Present."

Date	Data Medium	Notes
		Improvement and Land Company Limited also owned a lumberyard on Pine Street and a brickyard in the third concession. Dykes was also Town treasurer between 1923 and 1925. <sup>55</sup>
<b>1913 (14 November)</b>	LRAI Book 254	Registered Plan 173, called the 'Plan of Plaza Royal', was created. It was registered on 29 November 1913. <sup>56</sup>  Registered Plan 173 comprised the northeast quarter of Concession 2 Lot 27. It was bound by Brock Street North to the northeast, the Canadian Pacific Railway to the southeast, Centre Street North to the southwest, and Rossland Road West to the northwest.
<b>1915 (July)</b>	LRAI Book 406	Numerous liens were registered against the Registered Plan 173 Lot 8 and Lot 9. The exact nature of the liens is unclear; however, it is possible that they relate to the development of the Property.
<b>1915 (8 December)</b>	LRAI Book 406	The Greater Canada Improvement and Land Company Limited granted Registered Plan 173 Lot 8 and Lot 9 to an illegible party. <sup>57</sup>
<b>1915 (11 December)</b>	LRAI Book 406	The illegible party who was previously granted Registered Plan 173 Lot 8 and Lot 9 granted Lot 8 to George M. Rice. <sup>58</sup>
<b>1920 (4 June)</b>	LRAI Book 406	George M. Rice granted Registered Plan 173 Lot 8 to George Pearse for \$3,300.00. <sup>59</sup>
<b>1920 (2 August)</b>	LRAI Book 406	George Pearse granted Registered Plan 173 Lot 8 to Lew V. Disney for \$1.00 etc. <sup>60</sup>

<sup>55</sup> Town of Whitby Planning, "Property of Cultural Heritage or Interest: 814 Brock Street North," n.d., accessed 10 July 2025, pdf.

<sup>56</sup> LRO 40, "Book 254," Instrument No. 173

<sup>57</sup> LRO 40, "Book 406," Instrument No. 7592.

<sup>58</sup> LRO 40, "Book 406," Instrument No. 7627.

<sup>59</sup> LRO 40, "Book 406," Instrument No. 8330.

<sup>60</sup> LRO 40, "Book 406," Instrument No. 8430.

<b>Date</b>	<b>Data Medium</b>	<b>Notes</b>
<b>1922 (15 February)</b>	LRAI Book 406	Lew V. Disney granted Registered Plan 173 Lot 8 to Elizabeth Schwitzer for \$4,000.00. <sup>61</sup>
<b>1922 (19 June)</b>	LRAI Book 406	Elizabeth Schwitzer granted Registered Plan 173 Lot 8 to Jennie Gould for \$500.00. <sup>62</sup>  The 1931 census identifies Gould as owning a brick house with eight rooms valued at \$4,000.00 on Brock Street. It is likely that this is the house on the Property. <sup>63</sup>
<b>1926 (11 July)</b>	LRAI Book 406	Registered Plan 173 Lot 9 was transferred from John W. Bateman and John R. Frost to Bessie M. Deverell for \$964.28. <sup>64</sup>
<b>1927 (25 July)</b>	LRAI Book 406	Registered Plan 173 Lot 7 was transferred from John W. Bateman and John R. Frost to the Municipality of the Town of Whitby via a tax deed sale for \$2,029.61. <sup>65</sup>
<b>1930</b>	Topographic Map (Figure 4)	A building in the approximate location of the building on the Property is depicted.
<b>1931 (19 September)</b>	LRAI Book 406	Jennie Gould granted Registered Plan 173 Lot 8 to Thomas F. Leach for \$1.00. <sup>66</sup>
<b>1931 (14 October)</b>	LRAI Book 406	The Corporation of the Town of Whitby granted Registered Plan 173 Lot 7 to Thomas F. Leach for \$60.00. <sup>67</sup>  Following this grant, Leach owned both Registered Plan 173 Lot 7 and Lot 8.
<b>1935 (23 February)</b>	LRAI Book 406	Bessie M. Deverell granted Registered Plan 173

<sup>61</sup> LRO 40, “Book 406,” Instrument No. 8714.

<sup>62</sup> LRO 40, “Book 406,” Instrument No. 8776.

<sup>63</sup> Library and Archives Canada, “Census of Canada, 1931,” Item ID number: 80927152, last modified 9 July 2025, accessed 10 July 2025, <https://central.bac-lac.gc.ca/.redirect?app=census&id=80927152&lang=eng&ecopy=e011663929>.

<sup>64</sup> LRO 40, “Book 406,” Instrument No. 10156.

<sup>65</sup> LRO 40, “Book 406,” Instrument No. 9888.

<sup>66</sup> LRO 40, “Book 406,” Instrument No. 10723.

<sup>67</sup> LRO 40, “Book 406,” Instrument No. 10884.

<b>Date</b>	<b>Data Medium</b>	<b>Notes</b>
		Lot 9 to John Masonchar for \$600.00. <sup>68</sup>
<b>1943 (8 March)</b>	LRAI Book 406	Thomas F. Leach granted Registered Plan 173 Lot 7 and Lot 8 to Lorne Knapp. <sup>69</sup>
<b>1946 (1 June)</b>	LRAI Book 406	John Masonchar granted Registered Plan 173 Lot 9 to Frederick Greenhill for an illegible amount. <sup>70</sup>
<b>1946 (3 December)</b>	LRAI Book 406	Frederick Greenhill entered into an agreement with Lorne Knapp to transfer him the part of Registered Plan 173 Lot 9 described as 'right of way...S. part 65'...[illegible]. <sup>71</sup>  Following this agreement, Knapp owned Registered Plan 173 Lot 7, Lot 8, and part of Lot 9. This configuration matches the Property's current conditions.
<b>1953 (23 September)</b>	LRAI Book 406	Lorne Knapp granted Registered Plan 173 Lot 7, Lot 8, and Part Lot 9 to Richard and Pieterdina Koster for \$2,000.00. <sup>72</sup>
<b>1988 (8 April)</b>	LRAI Book 406	Pieterdina Koster granted Registered Plan 173 Lot 7, Lot 8, and the part of Lot 9 described as 'ROW over S'ly 8' of the E'ly 66" to the Young Men's Christian Association of Toronto. <sup>73</sup>

<sup>68</sup> LRO 40, "Book 406," Instrument No. 13174.

<sup>69</sup> LRO 40, "Book 406," Instrument No. 12388.

<sup>70</sup> LRO 40, "Book 406," Instrument No. 13175.

<sup>71</sup> LRO 40, "Book 406," Instrument No. 13272.

<sup>72</sup> LRO 40, "Book 406," Instrument No. 16770.

<sup>73</sup> LRO 40, "Book 406," Instrument No. D286897.

Figure 3. 1860 and 1877 Historic Maps Showing the Property

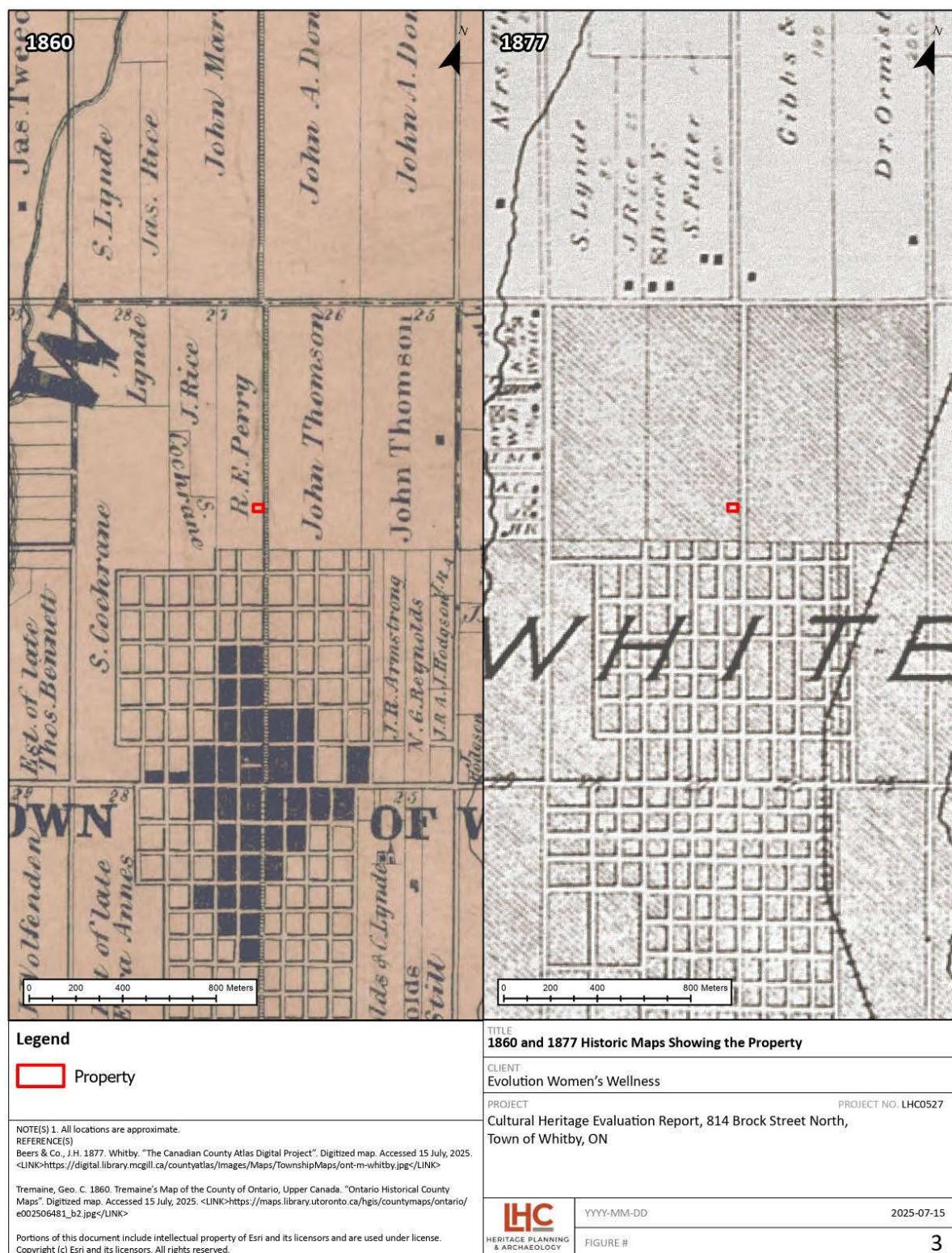
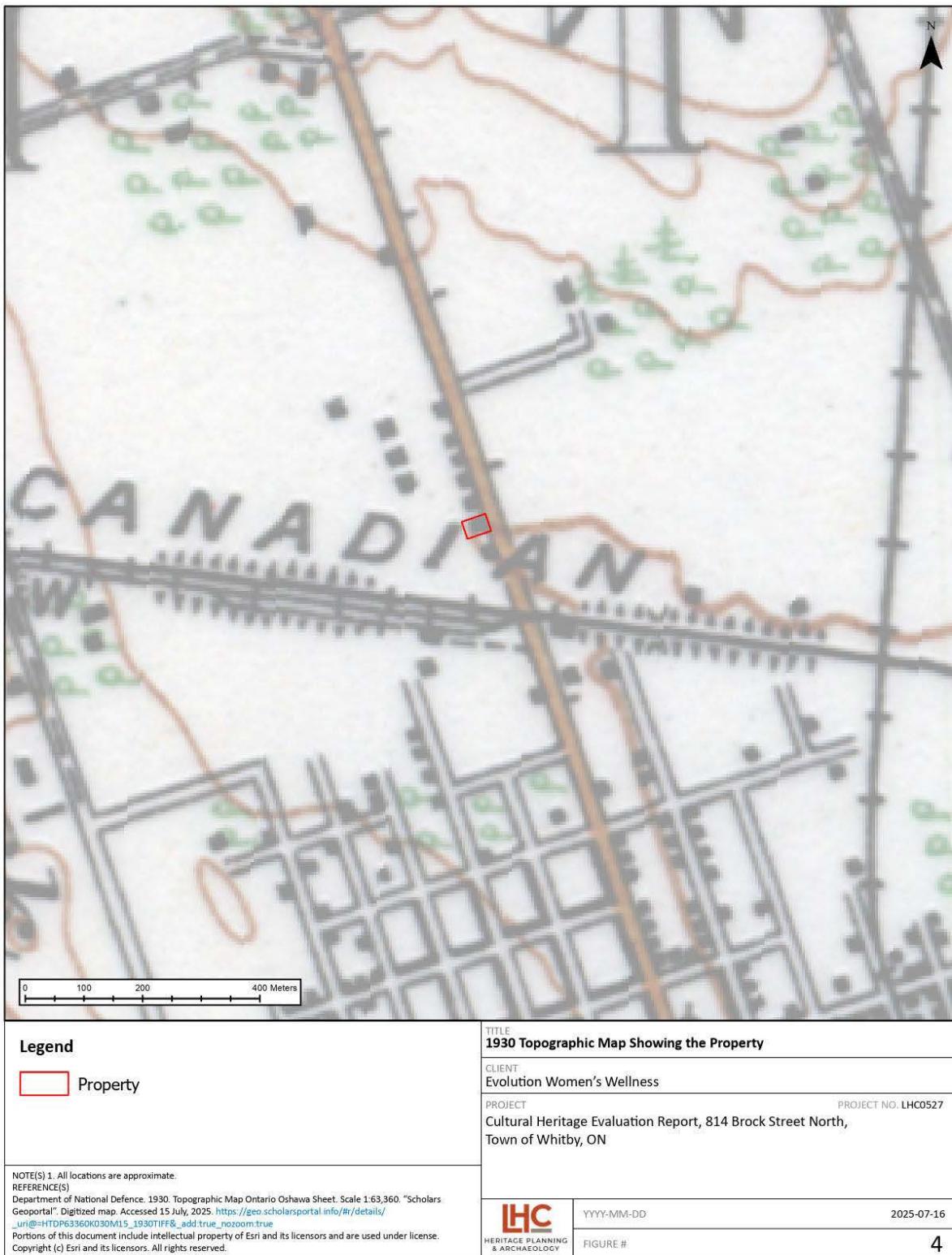


Figure 4. 1930 Topographic Map Showing the Property



## 5 ASSESSMENT OF EXISTING CONDITIONS

### 5.1 SURROUNDING CONTEXT

The property is in the geographic township of Whiby in the Town of Whitby. It is on the west side of Brock Street North to the northwest of the intersection of Brock Street North and the Canadian Pacific Railway. It is bound by Brock Street North to the east, the Wills Avenue right-of-way to the south, 811 and 813 Byron Street North to the west, and 816 Brock Street North to the north.

The topography of the area is generally flat with low rolling hills north of the Property and a moderate downhill slope to the south of the Property. It is a low-rise urban area with a mix of residential, commercial, and open space observed land uses. Residential properties are most common to the east and west of the Property. They are concentrated on Byron Street North and Ivanic Court. Some residential properties are also present on the west side of Brock Street North near the Property (Photo 1 through Photo 3). Single detached houses are most common in the area. They range from one to two-and-a-half storeys and are clad in a mix of materials including brick, clapboard, board and batten, and stone veneer. Manicured lawns and some arrangement of trees, hedges, shrubs, and gardens with perennial flowers are typical in the area.

Commercial properties are concentrated on Brock Street North. Single detached commercial buildings, single detached houses converted into commercial buildings, and strip malls are present. They range from one to two-storeys, vary in footprint size, and are clad in a variety of materials including brick, clapboard, vinyl, and board and batten. Commercial properties typically have large asphalt parking lots with manicured lawns and some arrangement of trees, hedges, shrubs, and gardens with perennial flowers (Photo 2 and Photo 3). One park space – Bradley Park – is located on the east side of Brock Street North. It has manicured grass, mature deciduous and coniferous trees, path network, and outdoor park equipment (Photo 4).

Overall, the Property's immediate vicinity lacks a distinct, cohesive character. Observed land uses, building massing and style, building materials, and landscaping differ considerably in the area.

Brock Street North is a Type B Arterial Road stretching between Taunton Road to the northwest and Dundas Street to the southeast. Near the Property it has two south bound and two north bound lanes with an intermediate turning lane, an asphalt driving surface, concrete curbs, concrete sidewalks, and wood utility poles with streetlights. A manicured grass boulevard is present on the east side of the street and a stamped concrete or landscaping brick boulevard is present on the west side of the street (Photo 5 and Photo 6).

The Wills Avenue right-of-way is an irregularly shaped lot located between the Property and the property at 811 Byron Street North to the north; and the properties at 800-804 Brock Street North, 806 Brock Street North, and 807 Byron Street North to the south. An asphalt sidewalk provided access between Brock Street North and Byron Street North, manicured grass area, and asphalt driveway with concrete curbs provided access to the property at 800-804 Brock Street North are on the parcel (Photo 7). The property at 811 Byron Street North is a rectangular lot of approximately 870 square metres. A single detached one-storey brick house and small garden shed are on the property. The property at 813 Byron Street North is a rectangular lot of approximately 850 square metres. A single detached one-storey brick house and small garden shed are on the property. The property at 816 Brock Street North is a rectangular lot of approximately 953 square metres. It is composed of a three-storey building with a shed. It is clad in board and batten, brick, and wood siding.



Photo 1. View southeast of residential and commercial properties on Brock Street North



Photo 2. View northwest of residential and commercial properties on Brock Street North



Photo 3. View east of a commercial and open space property on the east side of Brock Street North



Photo 4. View east of Bradley Park from the west side of Brock Street North



Photo 5. View southeast of Brock Street North from the front yard of the Property



Photo 6. View north of Brock Street North from the front yard of the Property



Photo 7. View southwest of the Wills Avenue right-of-way

## 5.2 THE PROPERTY

The Property is a rectangular lot of approximately 1,300 square metres measuring approximately 30.5 metres wide by 42.5 metre deep with a single detached two-and-a-half story building with a two-storey rear wing (Photo 8). It is accessed from a curved walkway composed of landscaping brick and framed with stone connecting to the sidewalk on Brock Street North and an asphalt parking lot connected to Brock Street North (Photo 8). The parking lot extends along the full length of the south property line, save for a small strip of manicured lawn that separates it from the Wills Avenue right-of-way (Photo 9 and Photo 10). The Property's front yard is composed of a manicured lawn and a garden with perennial flowers and a deciduous tree (Photo 8). The access walkway, a business sign, and a fire hydrant are also present. The south (side) and west (back/side) yards are composed a manicured grass and mature deciduous and coniferous trees (Photo 11). A row of shrubs and deciduous trees is also present along the south elevation of the house (Photo 12).

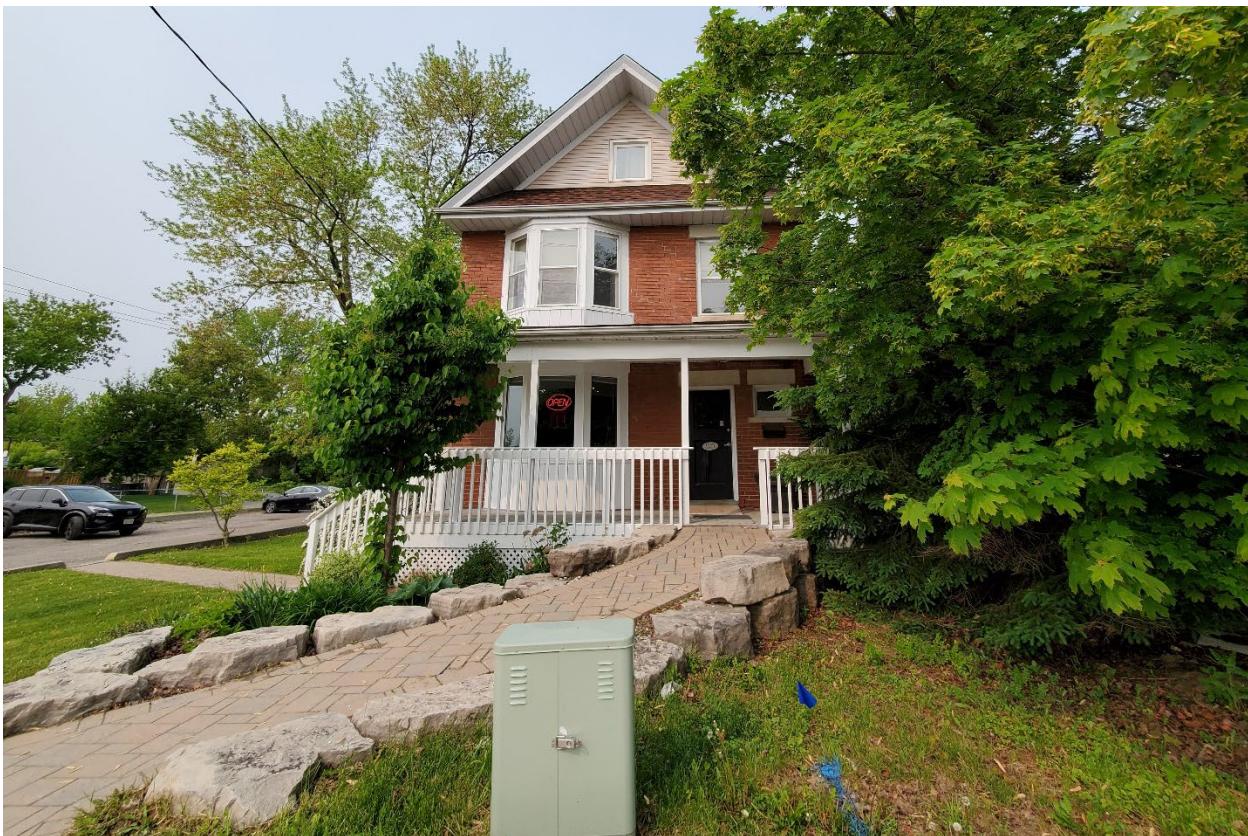


Photo 8. View southwest of the primary, east elevation of the building and curved access walkway



Photo 9. View southeast of the parking lot and south side yard



Photo 10. View southeast of the parking lot and south side yard



Photo 11. View northeast of the south (side) and west (back/side) yards



Photo 12. View northwest showing the south elevation of the house and south side yard

### 5.2.1 BUILDING EXTERIOR

The building is a single detached rectangular building with a rear wing offset to the north side of the building's west elevation (Photo 11 through Photo 14). The main building is two-and-a-half storeys and has a three-bay façade composed of an entrance offset to the north of centre, a window to the north of the entrance, and a bay window to the south of the entrance (Photo 13).

The main exterior wall material is brick that varies in bond pattern and colour. The base of the building is continuously composed of painted brick set in a common bond pattern (Photo 15). The upper section of the east, north, and south elevations are bright red brick set in an atypical common bond brick pattern where every ninth row is composed of stretcher and header bricks (Photo 16). Aside from its south corner which uses bright red brick, the west elevation is composed of darker red brick set in a common bond brick pattern (Photo 17). Tongue and groove siding is present in both gable ends.

The main building has a medium front gable roof with projecting, pedimented eaves. The roof has plain verges, plain friezes along gable edges, vented soffits, and eavestroughs (Photo 18).

Typical windows on the building's east elevation have flatheaded openings with heavy concrete lintels, plain trim inside the structural openings, and heavy concrete lug sills (Photo 19). Bay windows are flatheaded and have plain metal trim. Typical windows on the building's south, west, and north elevations have segmentally arched openings, voussoirs composed of two or three rows of rowlock brick, plain trim inside the structural opening, and thin rock-faced concrete lug sills (Photo 20). Windows in the gable ends are flatheaded and have plain trim inside their structural openings (Photo 18).

The building's main entrance is offset to the north side of the east elevation. It has a flatheaded opening, heavy concrete lintel, plain trim inside the structural opening, and a wood slip sill (Photo 21). It has a one-leaf shaped panel door with central glazing. The main entrance is accessed from a porch that extends the full width of the building's east elevation. The porch has a wood deck, open railing with square balusters, square posts, and a flat roof with projecting eaves. The porch is accessible from the curved walkway connecting to the sidewalk on Brock Street North and from a straight walkway with a six-riser stairway composed of landscaping brick connecting to the parking lot. A second entrance is offset to the north side of the west elevation. It has a segmentally arched opening, voussoir composed of two rows of rowlock brick, and plain trim inside the structural opening. It has a one-leaf shaped panel door with a row of windows near its top edge. The second entrance is accessed from an uncovered porch with a wood deck, open railing with square balusters, and square posts. It is accessed from a straight walkway composed of concrete pavers leading to the parking area (Photo 20).

The rear wing has a square plan and is two storeys. It is composed of darker red brick set in a common bond brick pattern and has a skirt roof clad in asphalt shingles between its first and second storeys. It has a flat roof with projecting eaves, ventilated soffits, and eavestroughs. A window with a segmentally arched opening, voussoir composed of two rows of rowlock brick, and plain trim inside the structural opening is on the first storey of its west elevation. Rows of two-mulled window units are on the second storey of its south and west elevations. These windows have flatheaded opening and plain trim (Photo 17 and Photo 22).



Photo 13. View southwest of the primary, east elevation of the building



Photo 14. View northeast of the south and west elevation of the building

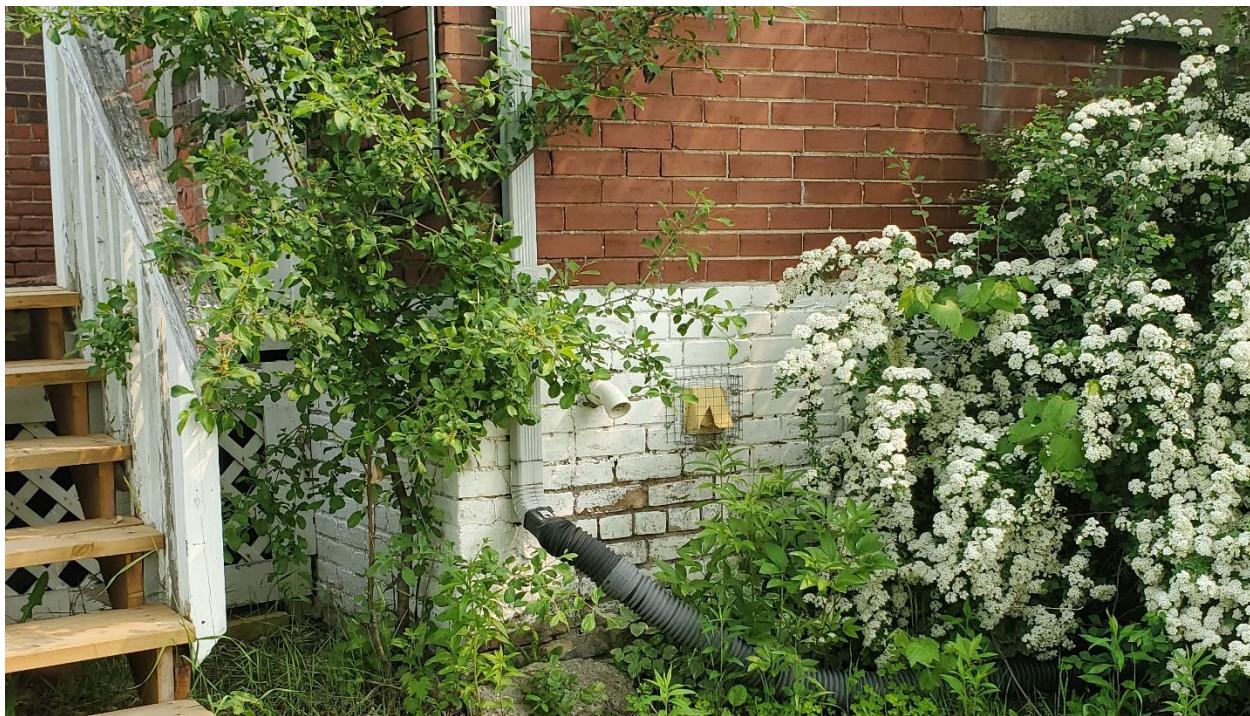


Photo 15. View northeast of the painted, common bond brick at the base of the building and atypical common bond brick pattern on the south elevation of the building

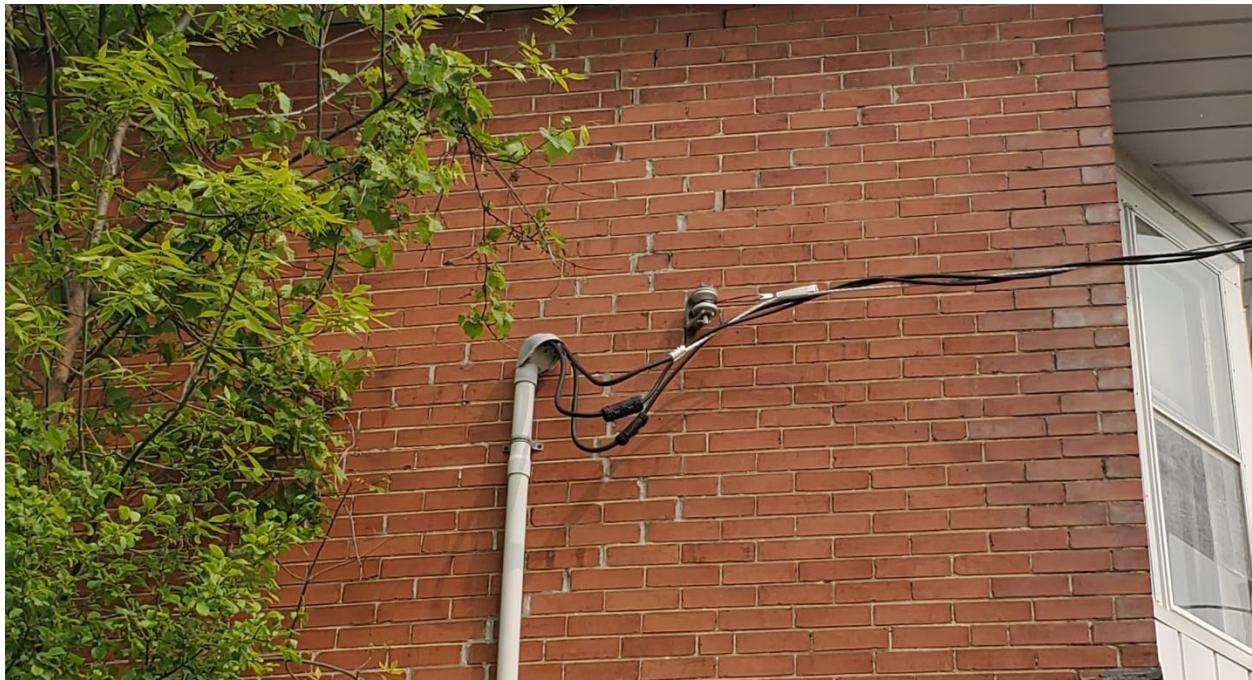


Photo 16. View northwest of the atypical common bond brick pattern on the south elevation of the building

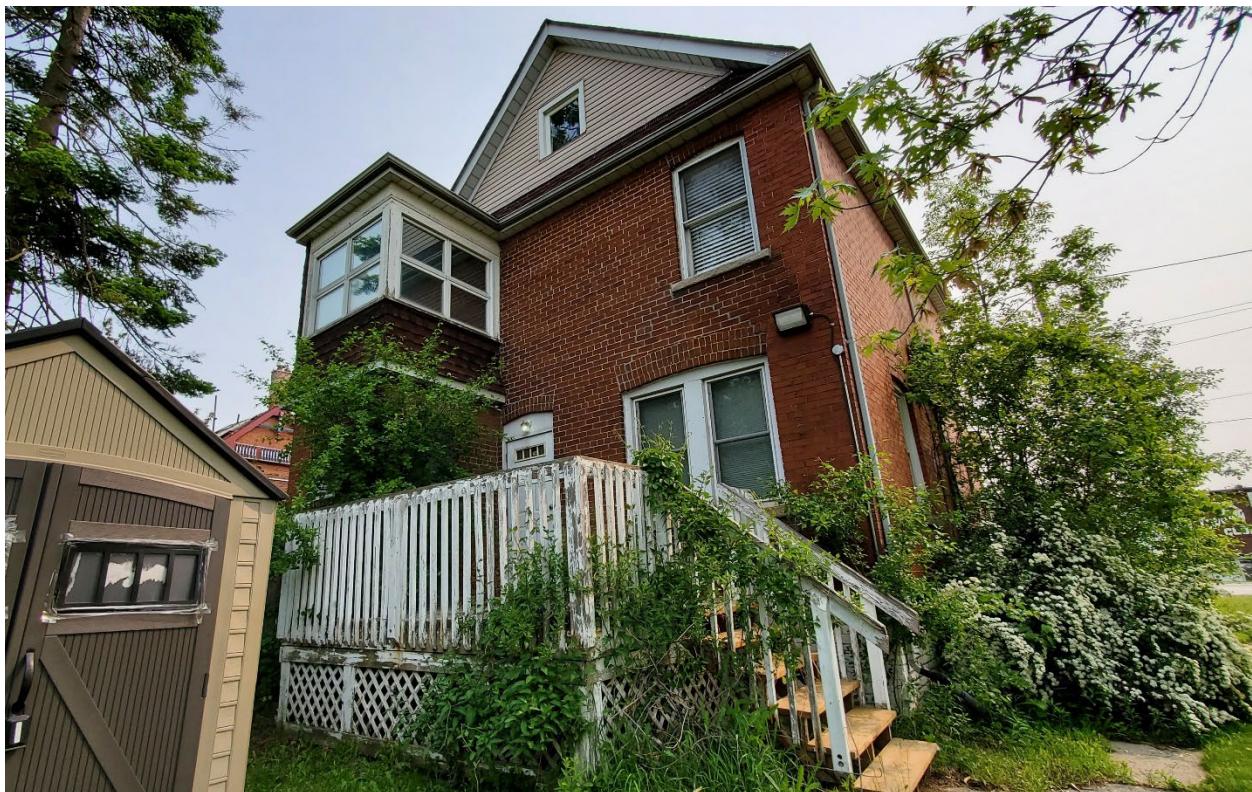


Photo 17. View northeast of the common bond brick pattern comprising most of the west elevation of the building



Photo 18. View southwest of the gable end on the east elevation of the building



Photo 19. View southwest of a typical window on the east elevation of the building

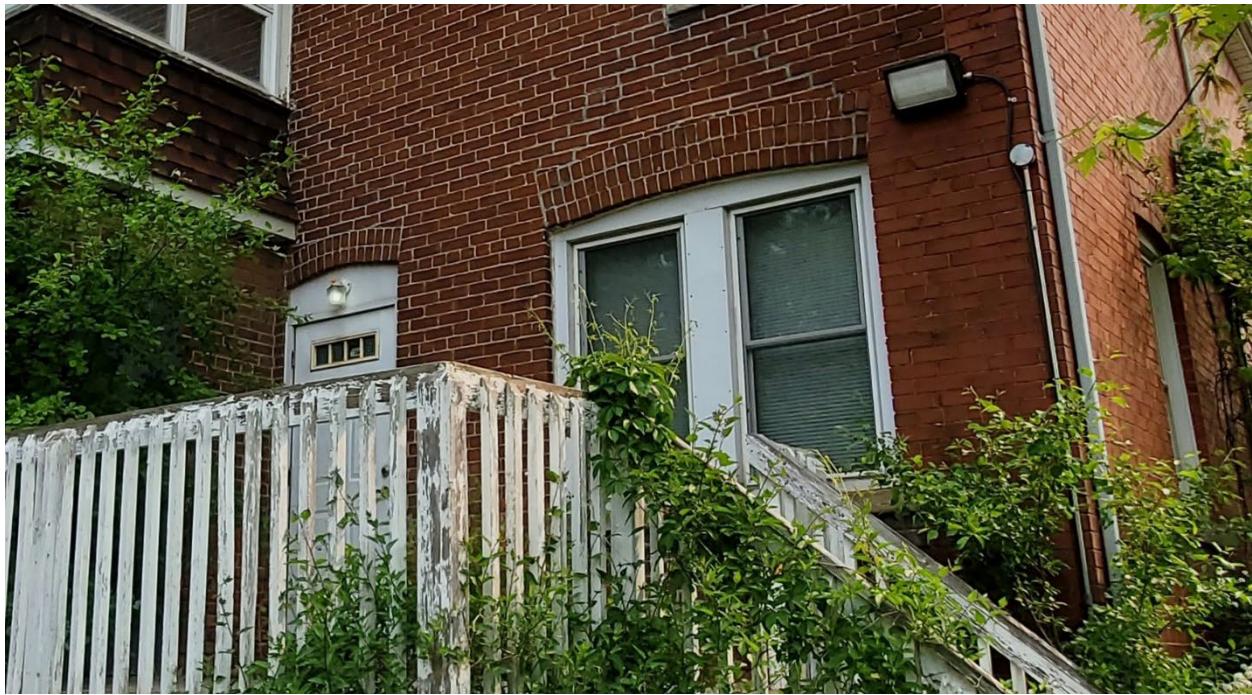


Photo 20. View northeast of a typical window on the south, west, and north elevations of the building and the secondary entrance



Photo 21. View southwest of the main entrance

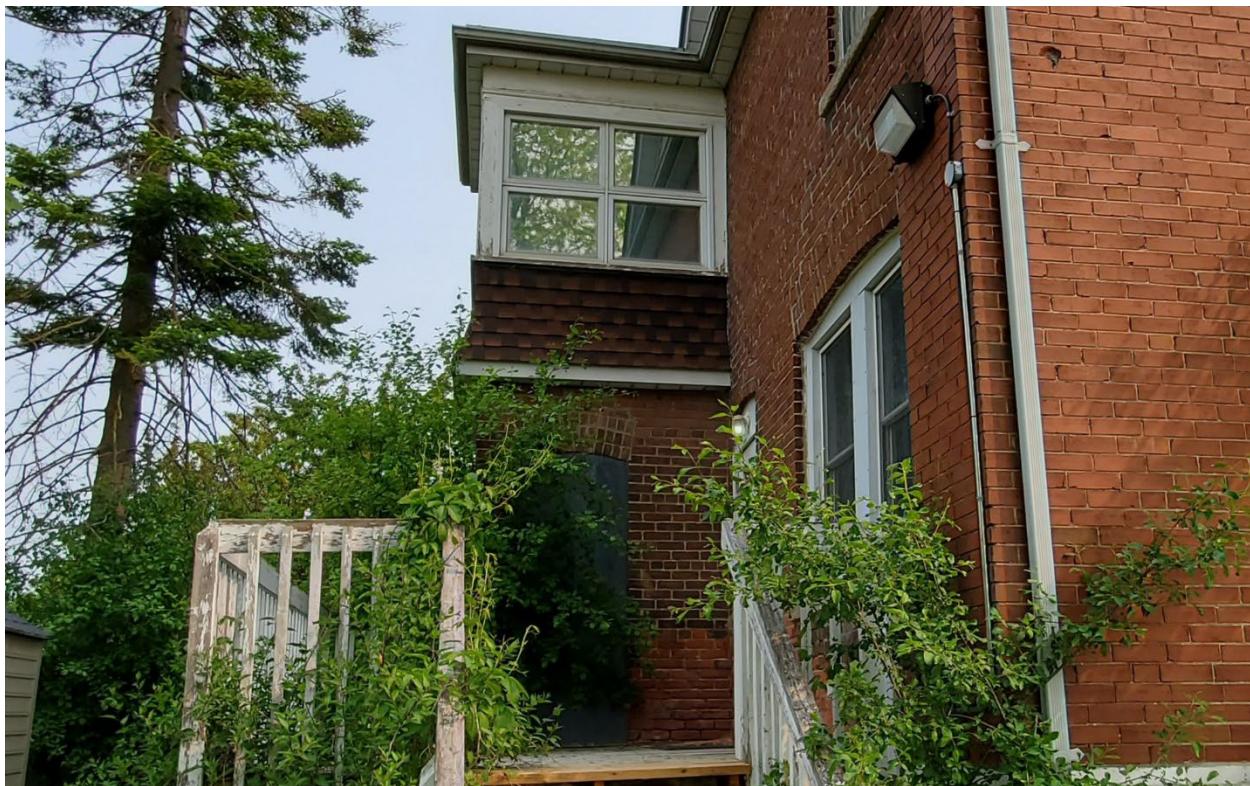


Photo 22. View northwest of the rear wing

### 5.2.2 BUILDING INTERIOR

The first storey of the house comprises a foyer, reception room, treatment room, and storage room. The foyer is accessed from the building's main entrance, and it is in the northeast corner of the building. The reception room is in the southeast corner, the treatment room is in the southwest corner, and the storage room is on the northwest corner of the house. Materials in these rooms remain generally consistent. They have wood floors and baseboards, smooth painted walls, popcorn ceilings, and wood door frames. The foyer has tiled floors instead of wood floors (Photo 23 through Photo 25). The reception room has a fireplace with tiled surround and decorative wood mantle (Photo 26).

The second storey is accessed by an 'L' shaped stairway connected to the foyer. The stairway has carpeted treads, wood stringer, wood newel post, wood balusters, and wood handrail (Photo 26). The second storey comprises two large treatment rooms, an exercise room, a staff room, and a washroom. The staff room is in the northeast corner, the exercise room is in the southeast corner, one treatment room is in the southwest corner, one treatment room is in the northwest corner, and the washroom is centrally located along the northwest elevation. All the rooms, excluding the bathroom, have hardwood floors, wood base boards, and smooth painted walls. The exercise room (Photo 28), staff room (Photo 29), and one treatment room (Photo 30) have paneled ceilings while the other treatment room (Photo 31), and bathroom

(Photo 32) have smooth painted ceilings. The bathroom has a tiled floor, wood baseboards, and smooth painted walls (Photo 32).

The upper half story is accessed by an 'L'-shaped stairway accessed through the staff room. The stairway has carpeted treads, wood stringers, wood newel post, wood balusters, and wood handrail (Photo 33). The upper half story contains an office and treatment room with carpeted floors, wood baseboards, and smooth painted walls and ceiling (Photo 34).

The basement is accessed by a straight, wood stairway connected to the storage room (Photo 35). The basement is unfinished with concrete floors, brick and concrete masonry block walls, and an unfinished drywall ceiling (Photo 36).



Photo 23. View southwest of the foyer



Photo 24. View southeast of the reception room

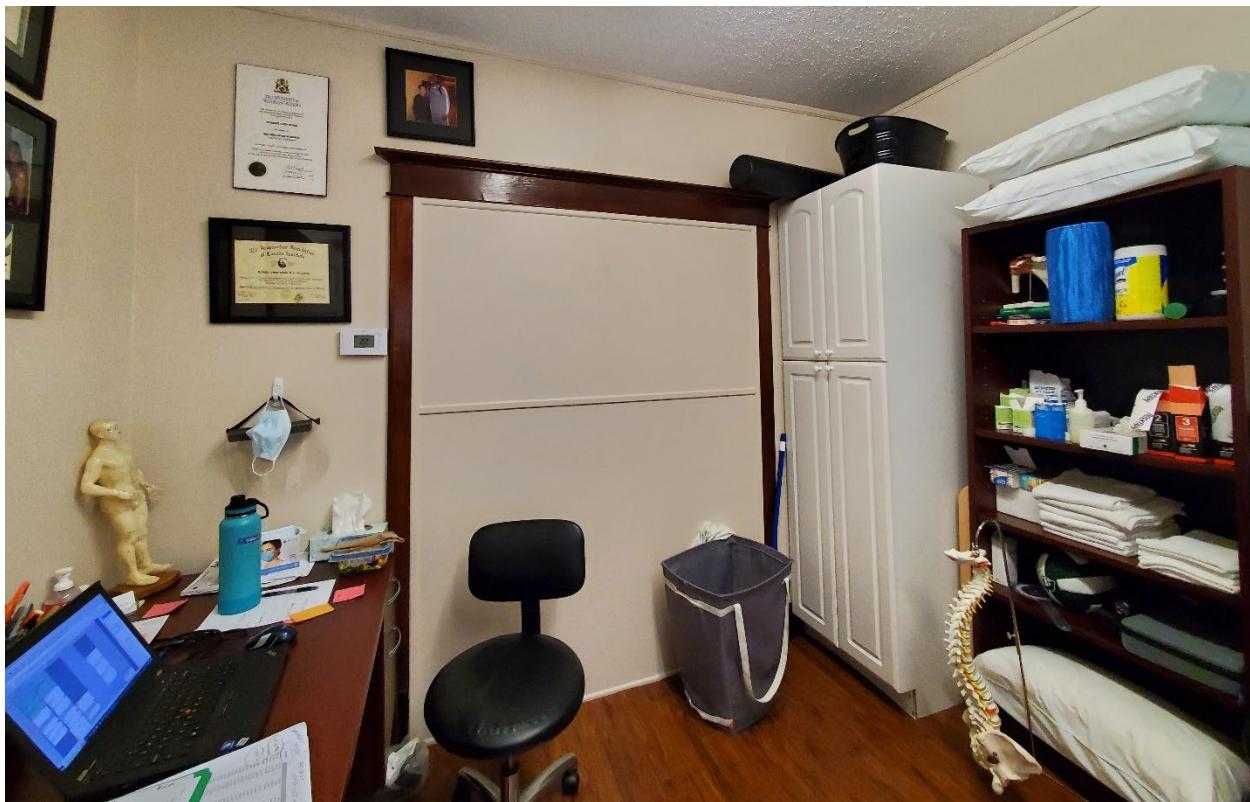


Photo 25. View east of the treatment room



Photo 26. View southwest of the fireplace

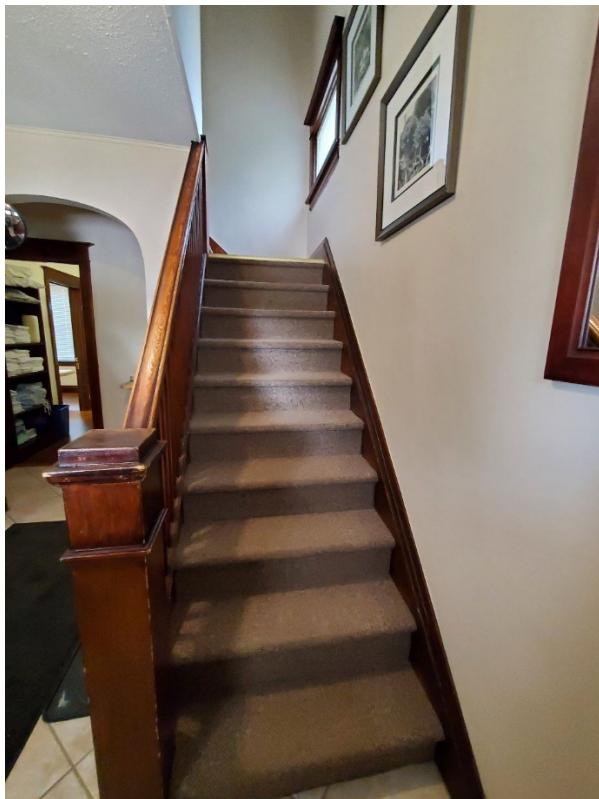


Photo 27. View southwest of the main 'L'-shaped stairway leading to the second storey



Photo 28. View southwest of the exercise room on the second storey

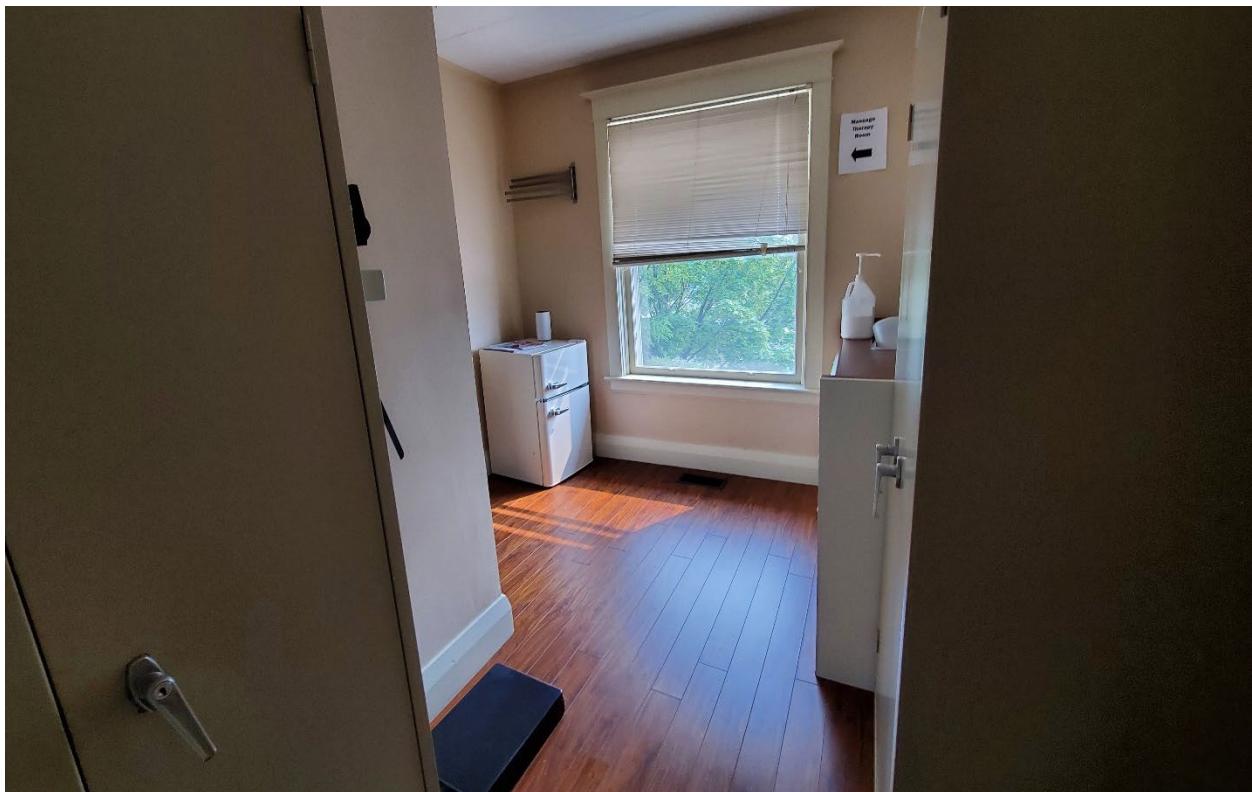


Photo 29. View northeast of staff room



Photo 30. View west of treatment room with paneled ceilings

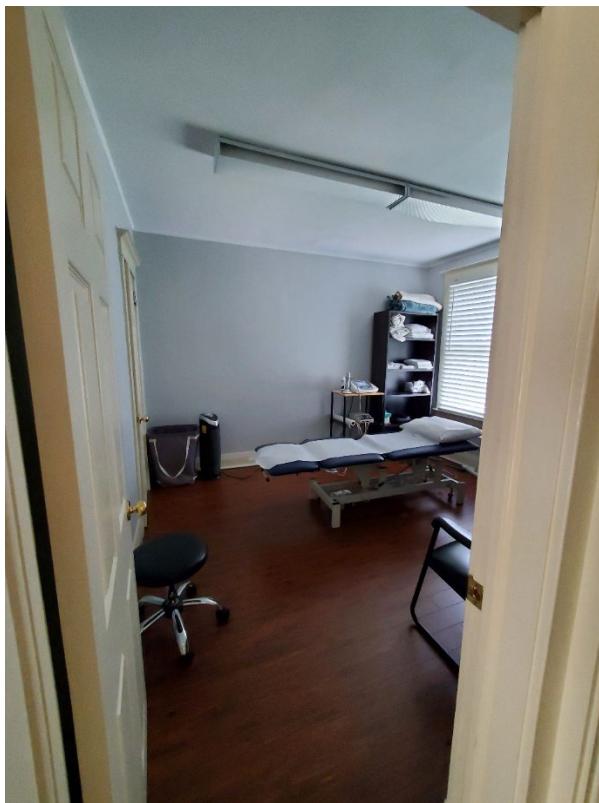


Photo 31. View southwest of treatment room with smooth painted ceiling



Photo 32. View northwest of bathroom



Photo 33. View of 'L'-shaped stairway leading to the upper storey



Photo 34. View northeast of the office and storage space in the upper half storey



Photo 35. View southwest of wooden stairway leading from first storey to basement



Photo 36. View of basement being used as a storage area

### 5.3 ARCHITECTURAL ANALYSIS

#### 5.3.1 EDWARDIAN CLASSICISM

The Edwardian Classicism architectural style was common in Ontario between 1900 and 1930. Edwardian Classicism buildings – particularly houses – were simple, formal buildings that used a selective distribution of Classical motifs. Balanced façades, simple roofs shapes, smooth monochromatic brick, and fenestration patterns were the defining characteristics of the style, contrasted other detailed, colourful, and often eclectic architectural styles common at the turn of the 20<sup>th</sup> century (e.g., Queen Anne Revival). It also offered a contemporary alternative to Colonial Revival architectural style that were becoming popular, and which sought to revive pre-Victorian building forms.<sup>74</sup> Typical design elements include:

- Simple, formal design;
- Balanced façade that is often asymmetrical;
- Finely jointed, smooth monochromatic brick;

---

<sup>74</sup> J. Blumenson, *Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present* (Fitzhenry & Whiteside, 1990).

- Gable or hip roof that can be bellcast, have a pedimented eave, and/or have a pent eave;
- Roof details including projecting eave supported by blocks or cantilevered brackets, cornice, frieze;
- Dormers that match the shape/style of the main roof;
- Plain chimney(s);
- Generous use of fenestration;
- Flat brick arches, voussoirs, or stone/concrete lintels over windows;
- Stone/concrete lug sills;
- Frontispiece, portico, or porch with subdued pilasters or piers over/surrounding the main entrance;
- Flat brick arches, voussoirs, or stone/concrete lintels over the main entrance; and,
- Full-height glass doors.

### **5.3.2 APPLICATION TO THE PROPERTY**

The building on the Property exhibits several design characteristics common of the Edwardian Classicism style, including its simple, formal design; balanced, asymmetrical façade; monochromatic brick; gable roof with pedimented eave; generous use of fenestration, particularly on its east elevation; stone/concrete lintels and lug sills surrounding windows on its east elevation; full width porch; and stone/concrete lintel over the main entrance.

### **5.3.3 COMPARATIVE ANALYSIS**

Table 2 identifies other properties in the own that are *Listed* under Section 27 part IV, *Designated* under Section 29 Part IV, and/or *Designated* under Section 41 Part V of the *OHA* that have building with design influences from the Edwardian Classicism style.

Table 2. Buildings with Edwardian Classicism Influences in the Town of Whitby

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>22</b> <b>Baldwin</b> <b>Street</b>  Early 20 <sup>th</sup> Century	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>24</b> <b>Baldwin</b> <b>Street</b>  1923	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lintels and lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>28</b> <b>Baldwin</b> <b>Street</b>  1923	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lintels and lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>44</b> <b>Baldwin</b> <b>Street</b> 1914	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof with open gables with pedimented eaves;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lintels and lug sills.</li> </ul>	
<b>53</b> <b>Baldwin</b> <b>Street</b> c. 1898	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof with pedimented eave;</li> <li>Plain chimney stack;</li> <li>Generous use of fenestration;</li> <li>Flat brick arches;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>612</b> <b>Brock</b> <b>Street</b> <b>South</b> n/a	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof with pedimented eave;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Frontispiece and full width portico with subdued pilasters and piers.</li> </ul>	
<b>700</b> <b>Brock</b> <b>Street</b> <b>South</b> c. 1937	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Generous use of fenestration;</li> <li>Flat brick arches;</li> <li>Stone/concrete lug sills;</li> <li>Frontispiece and full width portico with subdued pilasters and piers.</li> </ul>	

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>500</b> <b>Byron</b> <b>Street</b> <b>South</b> 1928	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Generous use of fenestration;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>501</b> <b>Byron</b> <b>Street</b> <b>South</b> 1915	Sec. 29 Part IV; Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Frontispiece and full width portico with subdued pilasters and piers.</li> </ul>	
<b>700</b> <b>Byron</b> <b>Street</b> <b>South</b> 1905	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>62 Cassels Road East</b> 1905	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof with pedimented eave;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills.</li> </ul>	
<b>307 Centre Street South</b> 1920	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>313 Centre Street South</b> 1923	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>1608 Dufferin Street</b> 1917	Sec. 27 Part IV	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof with pedimented eave;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>206 Gilbert Street West</b> n/a	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>305 John Street West</b> 1918	Sec. 27 Part IV	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Gable roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lintels and sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>506 John Street West</b> 1914	Sec. 27 Part IV	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	
<b>418 King Street</b> 1929	Sec. 41 Part V	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	

Address, Build Date	Heritage Status	Edwardian Classicism Influences	Image
<b>125 Pine Street</b> 1917	Sec. 27 Part IV	<ul style="list-style-type: none"> <li>Simple, formal design;</li> <li>Balanced, asymmetrical façade;</li> <li>Finely jointed monochromatic brick;</li> <li>Hipped roof;</li> <li>Dormer that matches the shape/style of the main roof;</li> <li>Plain chimney;</li> <li>Generous use of fenestration;</li> <li>Stone/concrete lug sills;</li> <li>Full width portico with subdued pilasters and piers.</li> </ul>	

#### 5.4 INTEGRITY ANALYSIS

Assessment of the Property's integrity uses the seven criteria described in Section 2.5. Table 3 assesses the Property's integrity.

Table 3. Integrity Assessment for 814 Brock Street North

Aspect and Description	Discussion
<b>Location: Location is the place where the historic property was constructed or the place where the historic event occurred. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons.</b>	<p>This aspect of integrity has changed over time. The location of the house on the Property has not changed; however, the surrounding area has evolved into an urban area with a mix of residential, commercial, and open space observed land uses. The setting does not convey a sense of its history (see Section 4.4 and 5.1).</p>
<b>Setting: Setting is the physical environment of a historic property. It refers to the historic character of the place in which the property plead its historical role. It involves how, not just where, the property is situated and its historical relationship to surrounding features and open space. The physical features that constitute</b>	<p>The setting around the property has evolved and does not demonstrate a significant heritage character. The Property itself has evolved as well including much of the Property's south side yard that has been converted into a parking lot. This may have affected vegetation present at the time of the Property's initial development (see Section 4.4 and 5.1).</p>

Aspect and Description	Discussion
<p><b>the historic setting of a historic property can be either natural or manmade and include such elements as topographic features, vegetation, simple manmade paths or fences, and the relationships between buildings and other features or open spaces.</b></p>	
<p><b>Design: Design is the combination of elements that create the historic form, plan, space, structure, and style of a property. This includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. Design can also apply to districts and to the historic way in which the buildings, sites, or structures are related.</b></p> <p><b>Examples include spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.</b></p>	<p>The design of the house is understandable. The organization of the house, its plan and style are readily apparent. Alterations have been made to the building; however, they have been modest and have not resulted in significant impacts to its legibility as a building with influences from the Edwardian Classicism architectural style (see Section 5.3).</p>
<p><b>Materials: Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a re-creation; a property whose</b></p>	<p>The heritage integrity of materials is generally intact. Historic materials on the house are still present but several changes have been made over time. Alterations to the building have introduced materials that would not have been available when it was initially built including metal soffits. Despite this, the new materials are generally consistent with the general style of the building (see Section 5.2).</p>

Aspect and Description	Discussion
<p><b>historic features have been lost and then reconstructed is usually not eligible.</b></p>	
<p><b>Workmanship: Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. It may be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery.</b></p>	<p>This aspect of integrity does not apply. Based on information gathered in preparation of this report, including the site visits, there is no evidence to suggest that the building on the Property displays craftsmanship or artistic merit in a greater than normal quality or at an intensity well above an industry standard (see Section 5.2.1 and 5.3).</p>
<p><b>Feeling: Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district which retains its original design, materials, workmanship, and setting will relate the feeling of agricultural life in the nineteenth century.</b></p>	<p>This aspect of integrity remains. The house remains legible as a building designed with influences from the Edwardian Classicism architectural style. The house conveys a feeling that it is from the early 20<sup>th</sup> century (see Section 5.3).</p>
<p><b>Association: Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer.</b></p>	<p>There are no tangible physical characteristics proven to be associated with any important historic event or person.</p>

Aspect and Description	Discussion
<p><b>Therefore, a property where a nationally significant person carried out the action or work for which they are nationally significant is preferable to the place where they returned to only sleep, eat, or spend their leisure time. Like feeling, association requires the presence of physical features that convey a property's historic character.</b></p>	

## 6 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST

The Property was evaluated against O. Reg. 9/06 under the *OHA* using research and analysis presented in Section 4 and Section 5 of this CHER.

Table 4. *Ontario Regulation 9/06 Evaluation for 814 Brock Street North*

Criteria	Criteria Met	Justification
<p><b>1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.</b></p>	Yes	<p>The Property has design value or physical value because the building is a representative example of a structure with influences from the Edwardian Classicism architectural style.</p> <p>The building on the Property exhibits several design characteristics common of the Edwardian Classicism style, including its simple, formal design; balanced, asymmetrical façade; smooth monochromatic brick; gable roof with pedimented eave; generous use of fenestration, particularly on its east elevation; stone/concrete lintels and lug sills surrounding windows on its east elevation; full width porch; and stone/concrete lintel over the main entrance.</p> <p>The building on the Property is not a rare or unique example of a building constructed with influences from the Edwardian Classicism architectural style. Other examples of this style are present in the Town of Whitby and throughout Ontario.</p> <p>The building on the Property is not an early example of a building constructed with influences from the Edwardian Classicism architectural style. Several other examples in the Town of Whitby predate the house on the Property (see Section 5.2 and 5.3).</p>
<p><b>2. The property has design value or physical value because it displays a high degree of craftsmanship</b></p>	No	<p>The Property does not have design value or physical value because it displays a high degree of craftsmanship or artistic merit in a greater than normal quality or at an intensity well above an</p>

Criteria	Criteria Met	Justification
<b>or artistic merit.</b>		industry standard. There is no evidence to suggest that this criterion is met (see Section 5.2 and 5.3).
<b>3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.</b>	No	The Property does not have design value or physical value because it demonstrates a high degree of technical or scientific achievement. The house on the Property does not demonstrate technical expertise in construction methods; scientific achievement in the use or adaptation of materials, forms, and spatial arrangement; or breakthroughs in design or construction techniques. There is no evidence to suggest that this criterion is met (see Section 5.2 and 5.3)
<b>4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.</b>	No	<p>The Property does not have historical value or historical value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.</p> <p>The house on the Property is most closely associated with John Rice and William Dykes (Greater Canada Improvement and Land Company Limited). There is no evidence to suggest that the Property has a strong connection with either party. It is most likely that the Property was developed speculatively or was developed and sold in quick succession as part of a development venture. There is no evidence to suggest that this criterion is met (see Section 4.4).</p>
<b>5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.</b>	No	The Property does not have historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture. The history of the Town of Whitby is well understood, and the Property does not offer new information. There is no evidence to suggest that this criterion

Criteria	Criteria Met	Justification
<b>community or culture.</b>		is met (see Section 4.4).
<b>6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.</b>	No	The Property does not have historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community. An architect, artist, builder, designer, or theorist associated with the development of the house was not identified. There is no evidence to suggest that this criterion is met (see Section 4.4).
<b>7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.</b>	No	<p>The Property does not have contextual value because it is important in defining, maintaining, or supporting the character of an area.</p> <p>The Property's immediate vicinity lacks a distinct, cohesive character. Observed land uses, building massing and style, building materials, and landscaping differ considerably in the area. Accordingly, there is little uniformity in the Property's immediate vicinity and a specific character does not exist. There is no evidence to suggest that this criterion is met (see Section 5.1).</p>
<b>8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.</b>	No	The Property does not have contextual value because it is physically, functionally, visually, or historically linked to its surroundings. The Property does not have a relationship to its broader context that is important to understand the meaning of the Property and/or its context (see Section 5.1).
<b>9. The property has contextual value because it is a landmark.</b>	No	<p>The Property does not have contextual value because it is a landmark, which is defined as:</p> <p>“...a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be</p>

Criteria	Criteria Met	Justification
		<p>conspicuous.”</p> <p>There is no evidence to suggest that this criterion is met (see Section 5.1).</p>

## 6.1 SUMMARY OF EVALUATION

In LHC’s professional opinion, the Property at 814 Brock Street North **meets** criterion 1 of *O. Reg. 9/06* for its design value or physical value. The Property meets one criterion and is therefore **ineligible** for individual designation under Section 29 Part IV of the *OHA*. However, since the Property exhibits cultural heritage value or interest, a proposed statement of cultural heritage value or interest has been prepared.

## 6.2 PROPOSED STATEMENT OF CULTURAL HERITAGE VAUE OR INTEREST

### 6.2.1 DESCRIPTION OF THE PROPERTY

The Property is on the west side of Brock Street North to the northwest of the intersection of Brock Street North and the Canadian Pacific Railway. The property is rectangular and has a single detached two-and-a-half storey house composed of red brick that has been transitioned to serve a commercial function is on the Property. The legal description is ‘LT 7 PL 173 WHITBY; LT 8 PL 173 WHITBY T/W D509031;’.

### 6.2.2 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The Property has design value or physical value because the building is a representative example of a structure with influences from the Edwardian Classicism architectural style. The building on the Property exhibits several design characteristics common of the Edwardian Classicism style, including its simple, formal design; balanced, asymmetrical façade; smooth monochromatic brick; gable roof with pedimented eave; generous use of fenestration, particularly on its east elevation; stone/concrete lintels and lug sills surrounding windows on its east elevation; full width porch; and stone/concrete lintel over the main entrance.

### 6.2.3 HERITAGE ATTRIBUTES

Heritage attributes that convey the Property’s design value or physical value because the building is a representative example of a structure with influences from the Edwardian Classicism architectural style (criterion 1 of *O. Reg. 9/06*) include the:

- simple, formal design;
- balanced, asymmetrical façade;
- smooth monochromatic brick;

- gable roof with pedimented eave;
- generous use of fenestration on the east elevation including bay and flatheaded windows on the first, second, and upper half storey;
- stone/concrete lintels and lug sills surrounding windows on its east elevation;
- full width porch; and,
- stone/concrete lintel over the main entrance.

## 7 CONCLUSION

LHC was retained on 20 May 2025 by Rubabaza Investments Inc. to prepare a CHER for the property at 814 Brock Street North in the Town of Whitby, Ontario.

This CHER evaluates the Property for CHVI using *O. Reg. 9/06* under the *OHA*. The CHER has been prepared at the Owner's request to inform future planning for the Property. The Property is *Listed* on the Town's *MHR* under Section 27 Part IV of the *OHA*.

It is LHC's professional opinion that the Property at 814 Brock Street North meets criterion 1 of *O. Reg. 9/06* because the building is a representative example of a structure with influences from the Edwardian Classicism architectural style. The Property meets one criterion and is therefore ineligible for individual designation under Section 29 Part IV of the *OHA*.

## 8 SIGNATURES

Sincerely,



Christienne Uchiyama, MA CAHP  
Principal, Manager Heritage Consulting Services

## 9 REFERENCES

Beers & Co., J.H. 1877. Whitby. "The Canadian County Atlas Digital Project". Digitized map. Accessed 15 July, 2025.  
<https://digital.library.mcgill.ca/countryatlas/Images/Maps/TownshipMaps/ont-m-whitby.jpg>.

Blumenson, J. 1990. *Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present*. Fitzhenry & Whiteside.

Canada's Historic Places. 2010. "Standards and Guidelines for the Conservation of Historic Places in Canada." Accessed 27 May 2025.  
<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>.

Department of National Defence. 1930. Topographic Map Ontario Oshawa Sheet. Scale 1:63,360. "Scholars Geoportal". Digitized map. Accessed 15 July, 2025.  
[https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M15\\_1930TIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M15_1930TIFF&_add:true_nozoom:true).

Durham County Land Registry Office.

n.d., "DURHAM (40), DURHAM, Book 406, PLAN 173; LOT 1 TO 125," n.d., accessed 9 July 2025, <https://www.onland.ca/ui/40/books/60524/viewer/555854363?page=1>.

n.d., "DURHAM (40), WHITBY, Book 254, CONCESSION 2; LOT 23 TO 35," n.d., accessed 9 July 2025, <https://www.onland.ca/ui/40/books/60712/viewer/572623673?page=1>.

n.d., "DURHAM (40), WHITBY, Book 255 CONCESSION 3," n.d., accessed 10 July 2025, <https://www.onland.ca/ui/40/books/60524/viewer/555854363?page=1>.

Ellis, C. and D.B. Deller. 1990. "Paleo-Indians." In *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris. London, ON: Ontario Archaeological Society, London Chapter.

English Heritage. 2008. "Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment." Accessed 30 May 2025, <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>.

Farewell, J.E. 1907. "Short Notes as to the Early Settlement and Progress of Ontario County." Gazette-Chronicle Press. Accessed 30 May 2025.  
<https://www.canadiana.ca/view/oocihm.81578/1>.

Government of Alberta. 2010. "Evaluating Historic Places; Eligibility, Significance and Integrity." pdf.

Government of Ontario. 2024. “Map of Ontario treaties and reserves.” Last modified 23 April 2024. Accessed 23 June 2025. <https://www.ontario.ca/page/map-ontario-treaties-and-reserves>.

Jackson, L., “Dawson Creek: An Early Woodland Site in South-Central Ontario,” *Ontario Archaeology* 33:12–32.

Kalman, H. and Marcus R. Létourneau. 2021. *Heritage Planning: Principles and Process*, 2nd Edition. New York: Routledge.

Land Information Ontario. 2025. Geospatial Ontario Imagery Data Services(Geo Imagery Data Service 2023 to 2027). “Ontario GeoHub”. Raster dataset via WMS Server Connection. Accessed 9 June, 2025. <https://geohub.lio.gov.on.ca/maps/lio::geospatial-ontario-imagery-data-services/about>.

Library and Archives Canada, n.d., “Census of Canada, 1931,” Item ID number: 80927152, last modified 9 July 2025, accessed 10 July 2025, <https://central.bac-lac.gc.ca/redirect?app=census&id=80927152&lang=eng&ecopy=e011663929>.

Ministry of Citizenship and Multiculturalism. 2025. “Heritage Property Evaluation, Ontario Heritage Tool Kit.” Last updated 9 May 2025. Accessed 27 May 2025. <https://www.ontario.ca/document/heritage-property-evaluation>.

National Park Service. 1997. “How to Evaluate the Integrity of a Property.” Chapter VIII in National Register Bulletin, *How to Apply the National Register Criteria for Evaluation*, U.S. Department of the Interior, National Park Service, Cultural Resources.

Ontario Ministry of Public and Business Service Delivery, “The Changing Shape of Ontario: Early Districts and Counties,” n.d., accessed 30 June 2025, <https://www.archives.gov.on.ca/en/maps/ontario-districts.aspx>.

Parker, L.R.B. “The Fitzgerald Site: A Non-Meadowood Early Woodland Site in Southwestern Ontario.” *Canadian Journal of Archaeology* 21(2):121–148.

Province of Ontario, “Ontario Heritage Act, R.S.O. 199, c. O.18.” current to 5 June 2025, accessed 27 June 2025, <https://www.ontario.ca/laws/statute/90o18>.

Province of Ontario, “Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest,” last modified 1 January 2023, accessed 9 July 2025, <https://www.ontario.ca/laws/regulation/060009>.

Province of Ontario, “Planning Act, R.S.O. 1990, c. P.13.” current to 5 June 2025, accessed 26 June 2025, <https://www.ontario.ca/laws/statute/90p13>.

Province of Ontario, “Provincial Planning Statement,” October 2024, accessed 26 June 2025, <https://www.ontario.ca/files/2024-10/mmah-provincial-planning-statement-en-2024-10-23.pdf>.

Region of Durham, “Envision Durham Regional Official Plan,” last modified 13 December 2024, accessed 9 July 2025, <https://www.durham.ca/OfficialPlan>.

Stortz, G.J. 2022. “Whitby.” In the *Canadian Encyclopedia*. Last modified 29 September 2022. Accessed 23 June 2025. <https://www.thecanadianencyclopedia.ca/en/article/whitby>.

Toronto Region Conservation Authority. 2001. “Chapter 3: First Nations.” In *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*. Prepared by the Toronto Region Conservation Authority. Toronto, ON.

Town of Whitby Planning.

n.d., “Property of Cultural Heritage or Interest: 814 Brock Street North,” n.d., accessed 10 July 2025, pdf.

n.d., “Property of Cultural Heritage or Interest: 3040 Brock Street North,” n.d., accessed 10 July 2025, pdf.

Town of Whitby, “Town of Whitby Official Plan,” December 2024 Office Consolidation, accessed 9 July 2025, <https://www.whitby.ca/Whitby-Official-Plan-Text-2024-Dec.pdf>.

Tremaine, Geo. C. 1860. Tremaine’s Map of the County of Ontario, Upper Canada. “Ontario Historical County Maps”. Digitized map. Accessed 15 July, 2025.  
[https://maps.library.utoronto.ca/hgis/countymaps/ontario/e002506481\\_b2.jpg](https://maps.library.utoronto.ca/hgis/countymaps/ontario/e002506481_b2.jpg).

UNESCO. 2024. “Operational Guidelines for the Implementation of the World Heritage Convention.” Section 88. pdf.

Watson, G. “Prehistoric Peoples of the Rideau Waterway.” In Archaeological Historical Symposium: October 2-3, 1982, Rideau Ferry, Ontario. Edited by F.C.L. Wyght, pp. 24-55. Lombardy, Ontario.

Winter, B. 1999. “Chronicles of a County Town: Whitby Past and Present.” Self-published.  
<https://archive.org/details/chroniclesofcoun0000bria/mode/2up?q=hospital>.

## **Appendix A Qualifications**

### **Christienne Uchiyama, MA CAHP – Principal LHC**

Christienne Uchiyama MA CAHP is Principal and Manager of Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with more than two decades of experience working on cultural heritage aspects of planning and development projects. She received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 300 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports and has a great deal of experience undertaking peer reviews. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

### **Ben Daub, MA RPP MCIP CAHP – Intermediate Heritage Planner**

Ben Daub is an intermediate heritage planner with LHC. He holds a Bachelor of Applied Technology in Architecture – Project and Facility Management from Conestoga College and a Master of Arts in Planning from the University of Waterloo. His master's thesis analyzed the relationship between urban intensification and the ongoing management of built heritage resources using a mixed methods approach. During his academic career, Ben gained a detailed understanding of the built environment through exposure to architectural, engineering, and urban planning principles and processes. His understanding of the built environment ranges from building specific materials and methods to large scale planning initiatives.

Ben has been the primary or contributing author of over 75 technical cultural heritage reports with LHC. He has worked on Heritage Impact Assessments, Cultural Heritage Evaluation Reports, Environmental Assessments, Heritage Conservation District Studies, and Municipal Heritage Register Reviews. He has worked with properties with cultural heritage value recognized at the municipal, regional, provincial, and federal levels and has prepared reports for urban, suburban, and rural sites.

In addition to his work at LHC, Ben instructs the Urban and Community Planning and Heritage Conservation courses in Conestoga College's Architecture – Project and Facility Management

degree program. Ben is a Registered Professional Planner (RPP), full member with the Ontario Professional Planners Institute (OPPI), full member with the Canadian Institute of Planners (MCIP), and a professional member of the Canadian Association of Heritage Professionals (CAHP).

**Benjamin Holthof, M.Pl., M.M.A., RPP, MCIP, CAHP – Senior Heritage Planner**

Ben Holthof is a heritage consultant, planner and marine archaeologist with experience working in heritage consulting, archaeology, and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University; and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in heritage planning, cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research, peer review and interpretive planning. He has worked on cultural heritage projects for several provincial ministries, agencies and crown corporations including the Ministry of Transportation, Ontario Power Generation, Hydro One, Metrolinx and Ontario Parks. This work has included historic research on, cultural heritage evaluation of, impact assessment on and documentation of bridges, dams, generating stations, farms and cottages owned by provincial agencies or crossed by provincial easements or rights-of-way. Ben has also worked on cultural heritage components of large-scale environmental assessments and renewable energy applications that required detailed consultation with and approval by provincial ministries.

Ben is also a maritime archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is a professional member of the Canadian Association of Heritage Professionals (CAHP). He has been involved in several marine archaeology background and preliminary in water survey projects in Ontario including as author of a Background Marine Archaeology Report on waters around Ontario Place for Infrastructure Ontario.

As a consultant Ben has developed interpretive and commemorative plans for private sector clients. He is also experienced in public interpretation through work in museums as a curator, collections manager, interpretive planner, exhibit designer and researcher. He has also been involved in the management of museums in historic sites in unique conditions with specialized conservation concerns.

**Lilly Zegerius, B.A.S Student – Student Architect**

Lilly is an architecture co-op student at the LHC from Carleton University. Having finished their third year in Conservation and Sustainability B.A.S, they have developed a true passion

for all things heritage, with emphasis on the human impact of shared history within the built environment. They have honed their technical skills with their previous job experience with the National Capital Commission, which culminated in a new recreational dock on Dow's Lake and is hoping to learn more about heritage planning and designations from their time with the LHC.

In the future, Lilly hopes to be a prominent voice in the heritage community, as well as a major advocate for universal access and accessibility within architecture.

#### **Jordan Greene, BA (Hons) – Mapping Technician**

Jordan Greene, BA joined LHC as a mapping technician following the completion of her undergraduate degree. In addition to completing her B.A. in Geography at Queen's University, Jordan also completed certificates in Geographic Information Science and Urban Planning Studies. During her work with LHC Jordan has been able to transition her academic training into professional experience and has deepened her understanding of the applications of GIS in the fields of heritage planning and archaeology. Jordan has contributed to over 100 technical studies and has completed mapping for projects including, but not limited to, cultural heritage assessments and evaluations, archaeological assessments, environmental assessments, hearings, and conservation studies. In addition to GIS work she has completed for studies Jordan has begun developing interactive maps and online tools that contribute to LHC's internal data management. In 2021 Jordan began acting as the health and safety representative for LHC.

## Appendix B Glossary

Definitions are based on those provided in the *Provincial Planning Statement (PPS)*, *Ontario Heritage Act (OHA)*, the *Envision Durham Regional Official Plan (ROP)*, and *Town of Whitby Official Plan (OP)*. In some instances, documents have different definitions for the same term, all definitions have been included and should be considered.

**Adjacent Lands** for the purposes of policy 4.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan (*PPS*).

**Alter** means to change in any manner and includes to restore, renovate, repair or disturb and “alteration” has a corresponding meaning; (“transformer”, “transformation”) (*OHA*).

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. (*PPS*).

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or international register. (*ROP*).

**Built Heritage Resources** means One or more buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community (*OP*).

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments (*PPS*).

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures

and/or alternative development approaches can be included in these plans and assessments (ROP).

**Conserve/Conserved** means, as it relates to cultural heritage resources, means the identification, protection, management, and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or Heritage Impact Assessment (OP).

**Cultural Heritage Resources** means built heritage resources, cultural heritage landscapes and archaeological 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, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (ROP).

**Cultural Heritage Resources** means 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 (OP).

**Heritage Attributes** means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest; (“attributs patrimoniaux”) (OHA).

**Heritage Attributes** means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest. (PPS).

**Protected Heritage Property** 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 (PPS).

**Significant** 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* (PPS).

**Attachment #3 - Excerpt of  
November 11, 2025 HWAC Minutes**

4. Presentations

4.1 Lisa Coles, Intermediate Heritage Planner, LHC Heritage Planning and Archaeology

Re: 814 Brock Street North, Application to Remove a Property from the Municipal Heritage Register

Lisa Coles provided a presentation regarding 814 Brock Street North, Application to Remove a Property from the Municipal Heritage Register. Highlights of the presentation included:

- details about the property's location and history;
- details about the Cultural Heritage Evaluation Report (CHER) for the property; and,
- a summary of the CHER advising that the property was ineligible for individual designation under Part IV of the Ontario Heritage Act.

A question and answer period ensued regarding:

- additional details about the year the house was built;
- further information about the request to remove the property from the Municipal Heritage Register;
- details about the building's condition;
- future development plans for the subject property and neighbouring properties; and,
- whether staff support the conclusions of the CHER.

Recommendation:

Moved by Margaret Clayton

That the Heritage Whitby Advisory Committee does not oppose the Application to Remove a Property from the Municipal Heritage Register for 814 Brock Street North, as the property does not meet the criteria under Part IV of the Ontario Heritage Act.

**Carried**

# Town of Whitby

# Staff Report

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



## Report Title: Grant Summary 2025

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** CAO 01-26

**Department(s) Responsible:**

Office of the Chief Administrative Officer

**Submitted by:**

Sarah Klein, Deputy CAO

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

**For additional information, contact:**

Melissa Weatherbie, Sr. Manager,  
Government Relations & Grants Ext  
2332

### 1. Recommendation:

1. That Report CAO 01-26 be received for information.

### 2. Highlights:

- This report outlines recent developments concerning the Town of Whitby's 2025 grant opportunities and successful submissions.
- In 2025, the Town secured over \$21.5 million in grant commitments from the Federal and Provincial Government.
- As of the end of 2025, over \$40 million in grant funding applications remain pending.
- Resolution #23-24 has facilitated timely grant applications, which is essential given the current environment's short application windows.
- The staff member responsible for overseeing grant submissions continues to enhance the Town's ability to prepare competitive applications and manage the associated project administration requirements.

### 3. Background:

The municipality continues to proactively seek grant funding to support strategic initiatives and advance community priorities. By effectively utilizing available financial grant programs, the Town reduces the fiscal impact on taxpayers while delivering projects that enhance resident well-being. In 2025, staff from various departments—including Finance, Creative Communities, Recreation, 55+, Facilities, Sustainability, TIS, Planning, Building, Engineering, Operations, and Fire & Emergency Services—worked collaboratively to optimize opportunities for Federal, Provincial, and other grants, resulting in expanded services and infrastructure improvements at a reduced cost to residents.

### 4. Discussion:

In 2025, Whitby secured \$21.5 million from 12 successful grant applications, while another 11 applications were denied due to high demand and limited funds. There are an additional 11 applications currently pending, with total requested funding over \$40 million. The increased application volume demonstrates Whitby's ongoing commitment to the Community Strategic Plan's goal of advocating for funding for community priorities.

Successful grants received in 2025, totaling \$21,550,494, are summarized in the table below:

Submission Year	Grant Name	Town of Whitby Project	Grant Value Awarded	Funder Type
2024	FCM – Growing Canada's Community Canopies	800 Trees Planted Across Whitby	\$245,290	Federal
2024	Housing Enabling Core Services Fund	Columbus Road Expansion – Country Lane to Ashburn Road	\$19,918,750	Provincial
2024	Celebrate Canada Grant (2025 Event)	Canada Day Celebrations	\$12,000	Federal
2024	Canada Summer Jobs Program (2025)	Summer Staff	\$214,312	Federal

2024	Infrastructure Canada – Green and Inclusive Community Buildings – Small-Medium Retrofit	55+ Deep Energy Retrofit	\$798,486	Federal
2024	Ontario Closed Circuit Television (CCTV) Grant Downtown Whitby (with DRPS)	CCTV Cameras in Downtown Whitby - Provincial grant applied for through DRPS in collaboration with Town	\$6,000	Provincial
2025	Seniors Active Living Centre Program 2024-25	Brooklin Community Centre & Library Age-Friendly Programs	\$59,420	Provincial
2025	Seniors Active Living Centre Program 2024-25	Town of Whitby 55+ Recreation Centre	\$59,420	Provincial
2025	OACAO Seniors Active Living Fairs	Annual 55+ Active Living Fair. Event September 11, 2025	\$2,500	Provincial
2025	Seniors Community Grants 2025	Mindful Aging: Mental Wellness Workshops for Older Adults	\$13,300	Provincial
2025	Fire Protection Grant 2025-2026	26 Sets of Bunker Gear	\$86,016	Provincial

2025	Legacy Fund – Building Communities through Arts and Heritage	Fallen Firefighters Memorial & 175th Anniversary	\$135,000	Federal
------	--	--	-----------	---------

Unsuccessful applications in 2025, totaling \$36,365,310, are summarized in the table below:

Submission Year	Grant Name	Town of Whitby Project	Grant Value Requested	Funder Type
2022	Natural Infrastructure Fund	Williamsburg Stormwater Management Revitalization Initiative	\$292,000	Federal
2024	Community Sport and Recreation Infrastructure Fund – Stream 1	Anne Ottenbrite Pool and Change Room Renovations	\$1,900,000	Provincial
2024	Community Sport and Recreation Infrastructure Fund – Stream 2	Whitby Sports Complex	\$25,000,000	Provincial
2024	Housing Enabling Water Systems Fund – Round 2	Brawley Rd Ditch Work	\$365,000	Province
2025	RBC Community Infrastructure Fund	Fire Hall 4 - HVAC Upgrade	\$140,000	Private

2025	Codes Acceleration Fund	Whitby Green Standard Work	\$407,680	Federal
2025	FCM - Adaptation in Action	Nature-positive stormwater and heat mitigation solutions at Rotary Centennial Park	\$600,000	Federal
2025	The Next Play	Women's Sport Program	\$4,500	Private
2025	Health and Safety Water Stream - 2025	Modernization of Town Stormwater Management	\$7,561,130	Provincial
2025	Enhancing Access to Spaces for Everyone (EASE) Grant 2025-2026	Whitby Inclusive Trails: Bench Installation Project	\$60,000	Provincial
2025	Firehouse Subs Grant	Firefighting Equipment – Search and Rescue	\$35,000	Private

Pending grant applications at the end of 2025, totaling \$40,162,140, are summarized below:

Submission Year	Grant Name	Town of Whitby Project	Grant Value Request	Funder Type
2024	Infrastructure Canada – Green and Inclusive Community Buildings –	IPSC Deep Energy Retrofit	\$10,863,137	Federal

	Large Retrofit & New Builds			
2025	Canada Housing Infrastructure Fund	Housing Related Infrastructure for Port Whitby	\$23,550,746	Federal
2025	Canada Summer Jobs Program (2026)	Summer Staff	\$361,856	Federal
2025	Canada Summer Jobs Program (2026)	Summer Staff (Camp)	\$224,532	Federal
2025	Active Transportation Fund - Capital Stream - 2025	John Hulley Trail	\$2,032,419	Federal
2025	Skills Development Fund – Capital Stream - GROW	Fire Training Tower & Education Campus	\$2,544,379	Provincial
2025	Skills Development Fund	Elevator Rescue Training - Fire	\$316,093	Provincial
2025	Celebrate Canada 2026 Event Funding	Canada Day Event 2026	\$17,000	Federal
2025	Call for Proposals - Crown-Indigenous Relations and Northern Affairs Canada	Indigenous Engagement Guide	\$190,000	Federal

2025	Enabling Accessibility Funds - Youth 2025	Youth Lead - Sensory Room and Sensory Backpacks	\$11,978	Federal
2025	Community Action Grant - MLSE Foundation	Girls Multi-Sport Camp	\$50,000	Private

These grant submissions were expedited with the support of Council and Resolution #23-24:

4. That the Treasurer and the CAO be delegated authority to award all contracts related to Federal or Provincial grant-funded projects, including the Housing Accelerator Fund, that are within budget until December 31, 2027;
5. That staff be delegated the authority to submit all Federal or Provincial grant applications, normally requiring Council authorization beforehand, until December 31, 2027, subject to the agreement of the Treasurer and CAO; and,
6. That staff report on grant applications submitted, grant agreements executed, and procurements awarded, which normally would require Council approval.

The Senior Manager, Government Relations & Grants has played a pivotal role in supporting grant opportunities. This position is responsible for overseeing application submissions, fostering collaboration across the corporation, ensuring project alignment, and reporting on existing agreements to maintain compliance and secure funding. Additionally, the role supports advocacy efforts related to government relations and oversees administrative staff in the Office of the Mayor and Council.

## 5. Financial Considerations:

The Town has secured over \$21.5 million in grant funding in 2025, which will support the completion of additional infrastructure projects, expedite project schedules, minimize local financial contributions and potential debt obligations. Each grant is accompanied by a transfer payment agreement, grant funds are received over time based on regular progress reports, and receipt of the full funding amount is subject to compliance with agreement terms. Transfer payment agreement terms include completing construction/ the project within specified timelines, providing municipal funding for any portion not covered by the grant (e.g. "matching funding"), and ensuring all expenditures meet established eligibility requirements.

## 6. Communication and Public Engagement:

Funding announcements are coordinated with the relevant government and shared through media channels.

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

Grant opportunities are systematically monitored throughout the calendar year in collaboration with grant project leads. The Senior Manager of Government Relations & Grants, positioned within Strategic Initiatives, partners with staff across the organization to coordinate and develop competitive grant application submissions pertinent to each work area. The degree of Strategic Initiatives staff involvement is determined by the complexity of both the grant opportunity and the application process as well as staff capacity. The Finance team reviews financial feasibility before grant applications are submitted and is often involved during their development. This approach to managing grants and providing support is continually refined as the Town gains further experience with a variety of funding opportunities.

**8. Strategic Priorities:**

Whitby's Community Strategic Plan designates advocacy for funding as a central focus within Strategic Pillar 4: Whitby's Government. Specifically, Action 4.1.1 calls for proactive efforts to secure financial support from higher levels of government and external partners, aimed at advancing both current and future community priorities. The associated Measures of Progress require annual reporting on grant funding applications. Projects financed through grants are aligned with the goals set forth in the Community Strategic Plan, with particular emphasis on enhancing the Town's accessibility and sustainability. Town staff consistently produce high-quality grant submissions that reflect identified priority areas and meet the needs of residents. Furthermore, staff diligently monitor and evaluate emerging grant opportunities to ensure applications are submitted for those most relevant to the Town's eligibility requirements and strategic objectives.

**9. Attachments:**

Not Applicable

# Town of Whitby

## Staff Report

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



---

### Report Title: 2025 Economic Development Annual Report

---

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** CAO 02-26

**Department(s) Responsible:**

Office of the Chief Administrative Officer

**Submitted by:**

Sarah Klein, Deputy Chief Administrative Officer

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

**For additional information, contact:**

Karol Murillo Corrigan, Senior Manager,  
Economic Development, x4312

---

#### 1. Recommendation:

1. That Report CAO 02-26 be received for information.

#### 2. Highlights:

- Report CAO 02-26 provides an overview of highlights, key actions, and achievements of the Economic Development Team in 2025 and outlines areas of focus for 2026.
- The Economic Development team is responsible for the management of Economic Development priorities for the Town of Whitby that advance business growth by supporting investment attraction, workforce initiatives, and business retention and expansion efforts. The team also administers the Advertising and Sponsorship portfolio across the municipality.
- Economic Development continues to deliver on the applicable actions from the Community Strategic Plan (CSP), and the actions in the 2022-2026 Economic Development Strategy (EDS).
- Substantial progress has been made on initiatives outlined in both the CSP and EDS as they approach their final year of implementation.

### 3. Background:

The Economic Development Division is part of the Strategic Initiatives Department, and its work is guided by the Town of Whitby's 5-year Economic Development Strategy, "Shaping the Future: 2022 to 2026 Economic Development Strategy." Since the approval of this document, Economic Development's role now includes a structured portfolio with Advertising and Sponsorship.

The Town of Whitby's Economic Development Strategy identified key sectors of interest that guides the work undertaken by the Economic Development Team. The priority sectors include:

- Information and Communications Technology (ICT);
- Advanced Manufacturing;
- Professional, Scientific and Technical Services; and
- Downtowns and Lifestyle.

The team strives to build a strong local economy, improving the economic well-being and quality of life for Whitby's business community and residents by creating and retaining jobs that facilitate economic growth. Working with partners and local stakeholders, Economic Development continues to collaborate and build on the growing talent pool and workforce that are making Whitby one of the fastest growing communities in Canada.

### 4. Discussion:

The following highlights 2025 accomplishments of the Economic Development Division:

#### 4.1 Impact & Value Creation

- **Advertising and Sponsorship Strategy** – This strategy was approved by Council in January 2025. The study was focused on revenue generating opportunities related to new and existing facilities and the opportunity to enhance operational experience. By identifying innovative pricing models as well as advertising and sponsorship opportunities, the staff successfully established new methods to generate and enhance revenue across all municipal assets and operations.
- **Fieldgate Sports Complex** – In September 2025, the Town of Whitby approved a \$1.5 million, 10-year naming rights agreement for the future Whitby Sports Complex to be named the Fieldgate Sports Complex. Working with Economic Development's Advertising and Sponsorship staff, an agreement was achieved that will offset operating costs and support future recreation opportunities in the Town of Whitby. Separate naming agreements have also been established with the Ormiston and Mitchell families who have contributed to the project in significant ways. Following this announcement, new investment inquiries focused on the hotel and hospitality sector have been fielded by staff. The facility is set to open mid-2026.



Images (left to right): Naming Partner Facility Tour, November 2025; exterior photo of Fieldgate Sports Complex during construction in 2025.

- **Mazda Canada** – Mazda Canada's brand new 279,000 square foot Parts Distribution Centre opened in Whitby in early 2025. The centre supplies 163 Mazda dealerships in Canada and 795 in the US, handling 3.4 million parts annually and generating \$140 million in sales. The facility will also host Mazda Canada's Training and Quality Assurance Centre. The President of Mazda Canada shared that 80% of the Mississauga Parts Distribution Centre employees are now employed at the new Whitby facility, with the majority relocating to Durham Region.



Images (left to right): 5455 Ashburn Road – Mazda Canada Parts Distribution Centre during construction phase; August 2025 business visit with the Mazda President and Operations Team.

- **SoftMoc** – SoftMoc opened its new headquarters along Hopkins Street in October 2025. The 145,000 square foot industrial and office space brings together their customer care operations, warehousing, and a state-of-the-art automation system. This new space is a consolidation of three former facilities across Durham Region. The President of SoftMoc shared that the new location was appealing due to the strong employee base, access to transportation routes and easy access for their team.



Images (left to right): 901 Hopkins Street – SoftMoc Headquarters (source: [www.cushmanwakefield.com](http://www.cushmanwakefield.com)); image of automated distribution system (source: [www.autostorsystem.com](http://www.autostorsystem.com)).

- **Growing Industrial Presence** – The Economic Development Division is experiencing strong development interest in North Whitby, particularly in the Brooklin and Ashburn employment areas. With available sites ranging from 20 to 200 acres, interest has been especially strong from several of Whitby's priority sectors, including advanced manufacturing, warehousing and logistics, and the energy sector. With the recent provincial decision to make the portion of Highway 407 in Whitby toll-free, new opportunities are generating leads.

In addition to North Whitby interest, the team has responded to industrial and commercial investment inquiries across the town and includes the following 2025 metrics:

- Responded to 35 investment inquiries since January 2025.
- Provided economic development comments on 30 development memos.
- 14 signature sites were featured on Invest Durham's website.
- Successfully retained 4 companies within key economic sectors – including North American Steel, SoftMoc, Deighton & Associates, and PPFD.
- Supported 1 international delegation with Invest Durham – Germany/Hannover Messe.

**North American Steel Receives \$3.5 Million Investment from FedDev Ontario to Expand Operations and Drive Innovation**



Images (left to right): North American Steel (source: [www.naseco.ca](http://www.naseco.ca)); image of Invest Durham delegation with Minister Vic Fedeli at Hannover Messe in March 2025.

## 4.2 Programs & Initiatives

- **Business Retention and Expansion (BR+E) Program** – The Town of Whitby's BR+E Program was restarted in June 2025 once the full staff complement was re-established. Following its relaunch in the middle of the year, the program has achieved the following notable results:
  - 27 interviews and site visits conducted.
  - Businesses interviewed represent over 3,500 employees and over 1.6 million square feet of floor space.

- Over 100 actionable items including site selection services, development process support, and access to marketing opportunities.
- 63% of businesses noted that the Town of Whitby is a “Great” or “Good” place to do business.
- Biggest challenges cited were workforce recruitment and retention, public transit for workforce, tariff impacts, and cost of living.



Images (left to right): Ball Packaging (August 2025); Avery Canada (November 2025); Deighton & Associates (September 2025).

- **Tourism Investment Dragon’s Den** – The Town of Whitby was among the Ontario communities chosen to participate in the Ministry of Tourism, Culture and Gaming’s Annual Tourism Investment Dragon’s Den Event held in Toronto in November 2025. Economic Development Staff met with 12 hospitality groups and vendors over the course of the event to highlight the investment opportunity of a hotel and conference centre in Whitby. The team has since connected with 3-5 key prospects with one investment group visiting the Town of Whitby in December 2025. Attracting a hotel and conference centre to Whitby by 2026 is an outstanding action item in the 2022-2026 Economic Development Strategy.



Images (left to right): Dragon’s Den Event in Toronto, November 2025 (Source: Economic Development Council of Ontario); Town of Whitby Hotel Marketing Brochure 2025; Economic Development staff pitching to investors.

### 4.3 Business Outreach, Engagement & Events

- **Mayor's Tariffs Task Force** - In February 2025, the Economic Development team reoriented their work plans to ensure local businesses were supported in response to the tariffs imposed by the United States and launched a new business-focused Tariff webpage to share available business funding and supports. Economic Development worked with Mayor Roy to establish the Mayor's Tariffs Task Force with Whitby business leaders and key stakeholders. Economic Development leads monthly group meetings where members examine tariff-related issues affecting Whitby businesses and provide recommendations to ensure competitiveness and economic resilience.

Since its launch, the Task Force released a Whitby Tariff Business Survey and submitted an advocacy letter to the federal government. The Economic Developers Association of Canada recognized these efforts as an outstanding Recovery Project in October 2025. This initiative was added to the Economic Development Strategy in June 2025 - Action 3.5: Launch Tariff Response Initiative.



Images (left to right): First meeting Tariff Roundtable March 2025, EDAC Award, and Economic Development Staff receives award from EDAC President, October 2025.

- **Local Business Week** – The Whitby Local Business Week was held from October 21–25, 2025 with enhanced programming and new offerings delivered by the Economic Development team in partnership with community stakeholders, including the Business Advisory Centre Durham (BACD), Invest Durham, Whitby Chamber of Commerce, 1855 Whitby Tech Accelerator, Geekspeak Commerce, and Enbridge Gas. Introduced in 2024, Local Business Week continues to bring local programming to elevate, educate and connect with Whitby's local business community. The week featured a diverse schedule of events, workshops, networking, and activations in addition to staff-led business visits. This initiative resulted in the following quantitative and qualitative metrics:
  - Nearly 200 individuals attended events over the course of the week.
  - Eight scheduled hours of business visits were conducted by staff, partners, and members of Council with 119 businesses engaged during business visits.

- Eight participating businesses and sector specialists presented across the schedule of events.
- Two external events were hosted by community partners and supported by Invest Whitby.
- Three events focused on learning about tools and resources for entrepreneurs or aspiring business owners.
- Overwhelmingly positive reception was received from businesses.



Local Business Week (October 2025) Images (left to right): Tourism Event; Business Visits; Enbridge Session.

- **Business Sector Roundtables** – In 2025, the Economic Development team held two sector roundtables focused on EDS Priority Sectors. In April 2025, an Information, Communications Technology (ICT) Roundtable was hosted at 1855 Whitby Tech Accelerator with ICT professionals who shared insights, challenges, and opportunities to strengthen Whitby's growing tech community. In October 2025, the Advanced Manufacturing Roundtable became a full-day forum, featuring a Gerdau tour, a trade and tariffs panel, and discussion of future trends in Durham Region's sector. With over 40+ attendees, this event proved to be an excellent opportunity to learn, engage, and network with Town of Whitby businesses, support organizations, and Durham's three post-secondary institutions.



Images (left to right): Advanced Manufacturing Roundtable on October 30, 2025, in Port Whitby; Panel Discussion led by Invest Durham; roundtable participants on the tour of the Gerdau facility in Whitby.

- **Whitby Job Fair** – The Town of Whitby participated in the Whitby Chamber of Commerce Job Fair on September 27, 2025, at the Abilities Centre. Economic Development was a part of the coordinating committee and worked with local

businesses to participate in this event. The result was 33 vendors and over 1,000 job seekers attended this growing event.



Images (left to right): Town of Whitby Booth; Local Job Fair.

- **Workforce Initiatives** – On August 21, 2025, Economic Development staff attended an Apprenticeship Roundtable hosted by MPP Lorne Coe. The event was focused on identifying any barriers for apprenticeship programs, determining the effectiveness of these programs, and how to improve any issues that arise along an apprentice's journey. The session highlighted the need for the skilled trades in Whitby and Durham Region's workforce.



Image: Roundtable Participants for MPP Lorne Coe's Apprenticeship Roundtable in August 2025 at Durham College.

#### 4.4 Collaboration and Partnerships

- **Procurement with the Town of Whitby** – As a result from the Mayor's Tariffs Task Force discussions, the Town of Whitby Procurement staff partnered with the Chamber of Commerce to provide a learning session for Whitby businesses in October 2025.



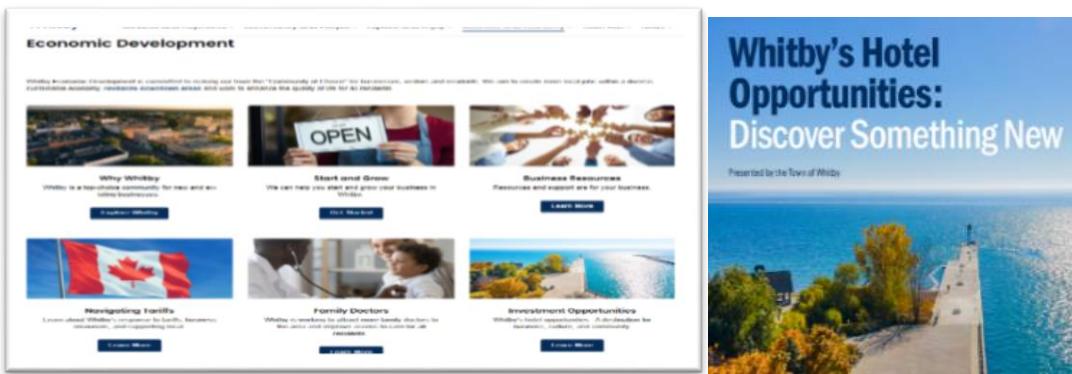
Images (left to right): Promotional invitation for procurement event; in-person session in Whitby Chamber of Commerce office, October 2025.

- **1855 Whitby Tech Accelerator** – The Economic Development team continues to promote and work collaboratively with 1855 Whitby's tech accelerator in various outreach efforts as technology and entrepreneurship are a focus area. Over the course of 2025, staff have been working on initiatives such as the Intelligent Cities Action Plan and other innovation led projects.
- **City Studio** - CityStudio Durham is a partnership with the Region of Durham and its three post-secondary institutions (Durham College, Ontario Tech University, and Trent University) that builds on experiential learning and civic engagement. The Economic Development team is currently working with Durham College on one Intelligent Cities Action Plan project and has submitted another project focused on the green economy for consideration.
- **Durham Economic Development Partnership (DEDP)** - The Town of Whitby Economic Development team is a part of this collaborative initiative that brings together economic development staff from the Region of Durham and all eight of its local municipalities. Led by Invest Durham, the coordinated efforts from this group ensure we are aligned in our strategic work and efforts.

#### 4.5 Marketing

- **Invest Whitby** - The Economic Development team launched the Invest Whitby LinkedIn social channel in May 2025 following the removal of the division's X (formerly Twitter) channel in March 2025. With the introduction of this new channel, economic development initiatives are now better targeted toward an audience of entrepreneurs, business leaders, developers, and key stakeholders. More importantly, this channel enhances the ability to share timely information on business resources, supports, investment opportunities, market trends (e.g., impacts of U.S. tariffs), and local success stories. To date, this business account has reached 428 new followers and continues to grow. This initiative was added to the Economic Development Strategy in June 2025 - Action 2.5: Establish new social marketing channel – Invest Whitby.

- **Economic Development Newsletter** – The Invest Whitby newsletter currently has 1,142 subscribers and keeps growing. Since launching in 2022, the newsletter serves as Economic Development's strategic communication tool to keep the Whitby business community informed of new businesses, spotlights, available supports and upcoming events. The newsletter presents the community as forward-thinking, responsive, and welcoming to investment opportunities.
- **Investment Brochures** – Over the course of 2025, Economic Development worked with the Communications & Creative Services Division to develop three investment brochures focused on major investment opportunities. Staff have created a new Investment Opportunity section on the website which houses these new marketing materials.



Images (left to right): Economic Development website with new Investment Opportunity Section; Hotel Investment Brochure.

- **Business Webinars** - As a part of Local Business Week, Economic Development staff delivered one virtual session focused on the Home-Based Business Kit delivered in partnership with the Planning Department.

#### 4.6 EDS Action Items – Update

To date, there has been significant progress achieved in the implementation of the Economic Development Strategy. The EDS lists 24 Actions, with the following summarizing their progress as of December 2025:

- Completed: 10 actions (42%)
- In Progress: 10 actions (42%)
- Outstanding: 4 actions (16%)

Eight of the 24 Actions were marked complete in the June 2025 EDS update to Council. The status of the remaining 16 Actions since that update is as follows:

##### Completed (2 Actions)

Action 1.5: Implement and streamline municipal tools and processes to attract

high-value, employment generating businesses

- The Town of Whitby's Concierge Program was relaunched in Fall 2025. The program was designed to enhance the customer service experience, expedite the development review process, and improve internal coordination and external communication. Following a comprehensive review with staff, the program was relaunched with refinements and is currently working with its first formal applicant who submitted their Expression of Interest (EOI) in December 2025. Staff are currently working through the program with an existing Whitby business looking to expand their operations.

#### Action 2.3: Develop Business Webinar Series

- In 2025, Economic Development staff delivered one virtual session focused on the Home-Based Business Kit delivered in partnership with the Planning Department. Future business webinar series may include Enbridge information sessions, as they are interested in further engaging with the Whitby Business Community.

### In Progress (10 Actions)

#### Action 1.2: Sponsorship Activation Fulfillment and Renewal Plan

- Early progress of a plan is in development that will work to activate new and existing sponsors. A key component of the plan is optimizing tools and processes to track the outcome of sponsorship fulfillment throughout their contract term. This type of robust partnership has proven to stimulate renewals. This information will measure sponsorship impacts and build and outline new opportunities.

#### Action 1.6: Attract a hotel and conference centre to Whitby by 2026

- A hotel and convention feasibility study was completed in 2025. Staff are actively engaging with prospective investment leads. The Hotel Investment Marketing Brochure was created to be used with prospective clients.

#### Action 2.1: Facilitate conversations with landlords to animate vacant storefronts

- Ongoing discussions with private sector partners, Downtown Whitby Businesses, and the Downtown Whitby BIA to animate vacant storefronts through public art.

#### Action 2.2: Create a film location directory

- Development underway in collaboration with the Film Advisory Committee

Action 3.2: Launch programming to support green economy, agriculture and agri-business

- Through CityStudio Durham, the Town is working with the Windrush Farm Agriculture Hub on applied student projects that support year-round cultivation and sustainable agricultural innovation. These projects assess technical and business model adaptations for Ontario-based farming, while establishing metrics to evaluate the growth and economic impact of green economy and agri-business activities in Whitby.

Action 3.4 Work with partners to increase access to family physicians

- Two family physicians have been secured to date. The program has expanded to all medical clinics in Whitby. Staff also supported the Angels Investors Event focused on MedTech and partnered with the Oshawa Clinic Group to introduce physicians to increase capacity and increased access to resident access.

Action 4.2 Increase supports offered to tech-based businesses in partnership with Whitby's technology accelerator (1855 Whitby)

- Program announcement in early 2026.

Action 4.6: Develop a public/private pilot project program

- A second project identified through the Intelligent Cities Action Plan is the use of People Counters in urban intersections in Downtown Whitby, Downtown Brooklin and within in a new recreational facility. Previously used on recreational trails, this program will pilot and introduce compact, easily installed sensors that will collect real-time automated data on pedestrian and cycle activity.

Action 4.7: Develop and implement Intelligent City Strategy and Action Plan

- The Intelligent Cities Action Plan is being presented to Council in January 2026. The development of the Intelligent Cities Action Plan responds to direction in two key municipal strategic plans: the Economic Development Strategy and the Community Strategic Plan. As an Economic Development-led initiative, the plan identifies five projects designed to benefit both the local business community and residents, supporting economic competitiveness, service modernization, and long-term growth.

Action 4.8: Leverage grant funding to support broadband and Smart City Initiatives

- One of the five projects identified in the Intelligent Cities Action Plan is the 3D Building Inventory and Analysis Tool which uses Ecopia's advanced 3D mapping technology to generate a

comprehensive, high-resolution digital model of all buildings and visible infrastructure across Whitby. This project will be implemented as a 1-year pilot. Ecopia AI, in partnership with Sustainable Development Technology Canada (SDTC), provided the initial 3D building inventory data (valued at \$30,000) as part of the funding partnership.

### Outstanding (4 Actions)

Action 4.3: Establish formal referral process for local companies

Action 4.4: Develop entrepreneur in residence program

Action 4.5: Develop a municipal innovation challenge

Action 4.9: Develop a climate awareness preparedness education campaign

The remaining in-progress and outstanding actions will be implemented and completed in 2026.

## 4.7 Planned Initiatives for 2026

### Programs & Initiatives

- **Business Retention and Expansion (BR+E) Program** – The Town of Whitby's BR+E Program has become a permanent part of economic development support services. Now formalized, this corporate calling program will continue to monitor and support businesses and organizations that require immediate assistance or guidance.
- **Concierge Program** – Since being re-introduced in Fall 2025, staff will continue to build awareness for this program that strives to enhance the customer service experience and expedite the development review process for significant investment opportunities. The program will be promoted in the new year to encourage participation and uptake.

### Business Outreach, Engagement, and Events

- **Mayor's Tariffs Task Force** – The task force continues to meet monthly to discuss tariff related matters that affect the Whitby Business Community. Currently, the group is focused on provincial changes - Bill 72 that will affect municipal procurement practices. There are also new concerns about the increase in electricity costs for manufacturers and their operations. This issue has been flagged by other Ontario municipalities.
- **Local Business Week** – In 2026, staff plan to host Local Business Week in either Spring or Summer 2026. Next year program will deliver a mix of programming and offerings across many sectors. The key to the 2026 campaign will be additional marketing support to promote and increase business participation.

- **Business Sector Roundtables** – Next year, Economic Development will host business roundtables focused on two priority sectors – Downtowns and Lifestyle and Professional, Scientific, and Technical Services. With the success of the forum format in 2025, one of the two will be expanded to include a tour and panel discussion.
- **Whitby Job Fair** - Economic Development will assist and participate in the Whitby Chamber of Commerce's signature job fair event in 2026. As a part of the coordinating committee, economic development will work to solicit additional vendors for the fair.
- **Reverse Trade Job Fairs** – To assist employers who may be struggling to find workers and employees who have recently been laid off, staff are exploring a reverse job fair where employers are matched with targeted employers who are experiencing employee and workforce hiring issues.

## Collaboration & Partnerships

- **1855 Whitby Tech Accelerator** – The Economic Development team continues to promote and work collaboratively with 1855 Whitby's tech accelerator. In 2026, a new initiative will be launched in collaboration with 1855 Whitby and other partners in the Durham Innovation Ecosystem. Details will be shared in early 2026.
- **Intelligent Cities Action Plan** – The implementation of this Action Plan will be an opportunity for economic development to showcase municipal service delivery and how the pilot projects can ensure the Town of Whitby is connected, responsive, and future-ready.
- **AgriTech event** – A green economy event will be held in 2026 that will highlight the growth and economic impact of the green economy and agri-business activities in Whitby.

## Marketing

- **Industrial and Commercial Campaign** – With the restart of the Concierge Program, Highway 407 toll-free announcement, and significant large parcels of industrial lands available in Whitby, Economic Development will be exploring a media campaign that will drive new leads to these opportunity sites.
- **Business Webinars** - Economic Development staff will deliver business webinars in 2026 building on the success of the Home-Based Business Kit information session. Enbridge has expressed interest in hosting a home retrofit session in 2026.

### **Economic Development Strategy 2027-2031**

- Staff will begin discussions on the next update and development of the Economic Development Strategy 2027-2031 in late 2026. This Strategy will be developed in-house.

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

Financial resources to implement the Economic Development Strategy and work plan are included in the Town's annual budgets. Staff will seek out and apply for grants to proactively support new initiatives as opportunities arise.

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

Economic Development continues to collaborate with external teams to support the implementation of the 5-year Economic Development Strategy. The Economic Development Strategy was informed by extensive engagement with the business community, and the work was led by a Steering Committee comprised of local businesses and support organizations.

Furthermore, with the newsletter and Invest Whitby LinkedIn page, outreach efforts are supported by community partners such as the Whitby Chamber of Commerce, Business Advisory Centre of Durham, Invest Durham, and local post-secondary institutions. Additional survey work has been conducted throughout 2025 during Local Business Week, Tariff Survey, and the BR+E business visits.

The development of the 2027-2031 Economic Development Strategy will be developed in-house and will begin in late 2026 and/or early 2027.

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

The Economic Development team continues to collaborate with internal teams to support the implementation of the 5-year Economic Development Strategy. Several key actions (e.g., Intelligent Cities Action Plan) worked with an internal cross-functional team to evaluate priority projects. Other actions completed to date and/or in progress involve partnerships with Planning and Development, Creative Communities, Recreation, Facilities, and the Whitby Public Library. In addition, Economic Development staff will continue to work with external organizations such as the Whitby Chamber of Commerce, Downtown Whitby BIA, 1855 Accelerator, the Region of Durham, post-secondary institutions, and the Business Advisory Centre of Durham to implement the strategy and other initiatives.

**8. Strategic Priorities:**

The Economic Development team plays a key role in advancing the Town of Whitby's Community Strategic Plan, particularly Strategic Pillar 3: Whitby's Economy. Their work includes leading 11 CSP Action Items across the following three Objectives:

- 3.1 Accelerate progress, create jobs, and drive local economy
- 3.2 Attract and retain businesses and industry
- 3.3 Promote innovation and build competitive advantage.

All work undertaken by the Economic Development Division is committed to meeting accessibility and sustainability standards. One new economic development led project –2026 Intelligent Cities Action Plan – seeks to supports multiple municipal priorities and reinforces Whitby's commitment to innovation, service excellence, and sustainable community building.

**9. Attachments:**

N/A.

# Town of Whitby

## Staff Report

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



---

### Report Title: 2026 Intelligent Cities Action Plan

---

**Report to:** Committee of the Whole

**Submitted by:**

Sarah Klein, Deputy CAO

**Date of meeting:** January 12, 2026

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

**Report Number:** CAO 03-26

**For additional information, contact:**

**Department(s) Responsible:**

Madeleine Riley, Economic Development  
Officer, 905.410.3915

Office of the Chief Administrative Officer

---

#### 1. Recommendation:

1. That Report CAO 03-26 be received for information; and,
2. That the 2026 Intelligent Cities Action Plan be endorsed by Council.

#### 2. Highlights:

- As a part of the 2022-2026 Economic Development Strategy (EDS), and 2023-2026 Community Strategic Plan (CSP), the Intelligent Cities Action Plan was identified as a key goal to foster municipal innovation.
- This report highlights the work of the Intelligent Cities Working Group, an internal cross-functional group that evaluated high-impact digital modernization projects to advance organizational efficiency, data-driven decision making, and resident and business service experience.
- The Intelligent Cities Working Group reached a consensus on the following five priority projects:
  - AI Virtual Agent
  - People Counters

- 3D Building Inventory & Analysis Tool
- Sustainability Dashboard
- Smart Growth Transit Planning Project

- The recommended projects fall within an approved \$100,000 capital budget to be delivered in 2026. This budget was approved as part of the 2025 Budget.
- The purpose of this report is to provide Council with an overview of the process undertaken, the recommended projects, and the next steps toward implementation in 2026.

### **3. Background**

An Intelligent City Action Plan applies data, technology, and innovation to enhance municipal operations and service delivery. Unlike traditional “Smart City” approaches, which often prioritize large-scale, technology-driven initiatives, Whitby’s Intelligent Cities framework focuses on practical, results-driven municipal outcomes. The objective is to execute projects that improve service delivery, support residents and the business community, and advance operational efficiency. Key objectives include:

- Modernizing infrastructure and service delivery
- Streamlining internal processes
- Supporting economic growth through innovation
- Improving decision-making with high-quality data

The development of the Intelligent Cities Action Plan responds to direction from two key municipal strategic plans: the Economic Development Strategy and the Community Strategic Plan. As an Economic Development-led initiative, the plan identifies projects designed to benefit both the local business community and residents, supporting economic competitiveness, service modernization, and long-term growth.

At its core, the Action Plan is focused on enhancing municipal service delivery to create a more connected, responsive, and future-ready Town. The approach is organized around two complementary focus areas – Built Environment and Innovative Partnerships – both designed to advance municipal operations. The Built Environment addresses the infrastructure and systems required to support intelligent municipal operations, while the Innovative Partnerships area emphasizes collaboration with businesses, post-secondary institutions, and other stakeholders to support priority growth sectors and enhance Whitby’s capacity for economic development and innovation.

### **4. Discussion:**

#### **Intelligent Cities Working Group**

The development of a plan began in Q2 2025, and staff recognized the need for a collaborative, cross-departmental approach to guide future digital and data initiatives.

Consequently, an Intelligent Cities Working Group was formed, bringing together representatives from various departments including Creative Communities, Sustainability & Climate Change, Service Whitby, TIS, Facilities, Asset Management, and Economic Development.

The Working Group met three times between June and September 2025. Each meeting focused on a different stage of project identification, evaluation, and prioritization, ultimately resulting in a shortlist of projects recommended for inclusion in the 2026 Intelligent Cities Action Plan.

## Selection and Evaluation Process

From the onset, the Working Group convened to explore the guiding question:

“How might we use data, technology, and innovation to improve Whitby’s built environment – making it smarter, more connected, and better aligned with current and future needs?”

The group initially identified **30 project ideas** spanning digital service delivery, asset management, community-facing tools, internal modernization opportunities, and environmental data applications. Each project was evaluated using the following evaluation criteria:

- **Strategic Alignment** – Alignment with the Intelligent Cities Action Plan, Community Strategic Plan, and other municipal priorities.
- **Municipal Delivery** – Potential to improve internal workflows or operational efficiency.
- **Impact on Residents** – Degree to which residents would see meaningful, positive benefits.
- **Impact on Businesses** – Degree to which business or the local economy would see meaningful, positive benefits.
- **Public Trust & Transparency** – Ability to enhance accountability, openness, or confidence in Town services.
- **Innovation** – Demonstration of forward-thinking, technology-enabled approaches.
- **Equity & Inclusion** – Ability to improve accessibility or support equity-deserving groups.
- **Data & Measurement** – Capacity to generate performance data or improve reporting.
- **Funding Feasibility** – Likelihood of fitting within the approved \$100,000 budget or being eligible for external funding.
- **Overall Feasibility** – Realism of implementation considering staff capacity, technological readiness, and financial feasibility.

As the list was reduced to the top 10 scoring projects, an added “best-fit filters” assessment was used to determine which projects were realistic, fundable, and achievable for 2026.

## Rational for Recommended Projects

The final five projects were chosen due to the following:

- Alignment with municipal priorities, including innovation, sustainability, service modernization, and data-driven decision making.
- Deliverable within 2026 given departmental capacity and existing technology infrastructure.
- Fit within the approved \$100,000 capital budget, with some requiring no cost to implement.
- Provide broad organizational benefit across multiple departments.
- Offer clear resident and business value, improving transparency, accessibility, and planning capabilities.

## Intelligent Cities Action Plan – Recommended Projects

The Working Group unanimously endorsed the following five projects for inclusion in the Intelligent Cities Action Plan:

- AI Virtual Agent
- People Counters
- 3D Building Inventory & Analysis Tool
- Sustainability Dashboard
- Smart Growth Transit Planning Project

Together, these projects represent a balanced, achievable action plan that advances innovation, supports internal and external stakeholders, and positions Whitby for data-driven, technology-enabled growth.

## Project Descriptions and Implementation Timelines

### AI Virtual Agent

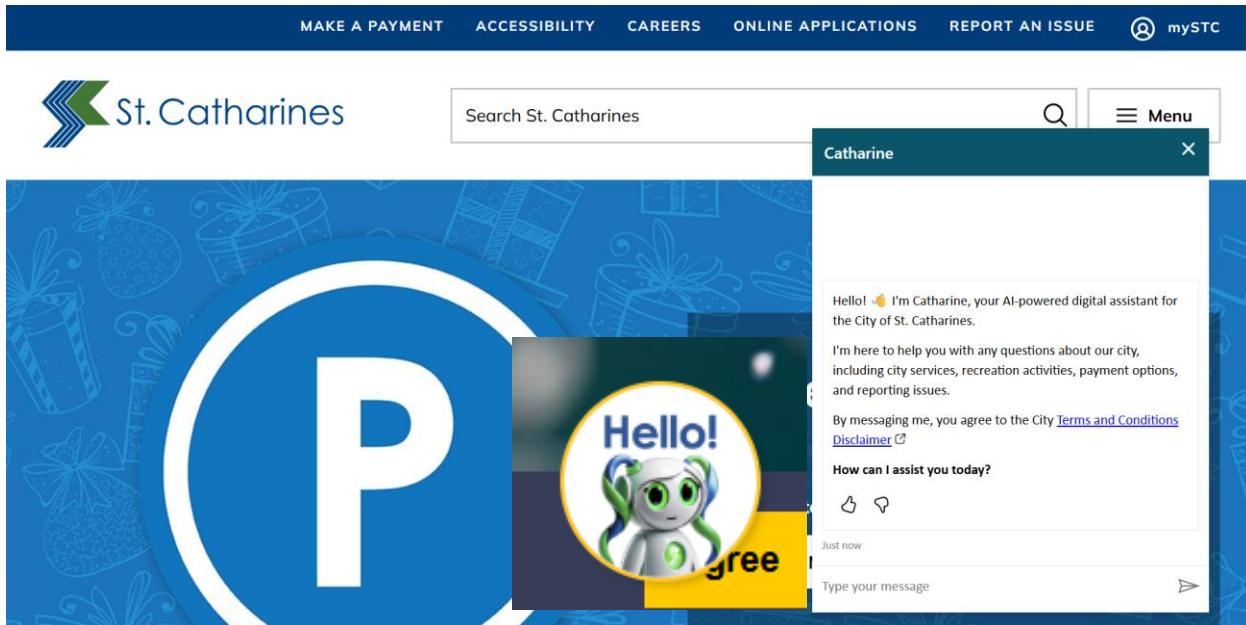
**Description:** The AI Virtual Agent is a 24/7 digital service tool that will be integrated into the Town's new Dynamics 365 (D365) Customer Relationship Management (CRM) platform. Built within the D365 ecosystem, the virtual agent will ensure consistent service experience, reduce operating costs, and support long-term scalability.

At launch, the agent will provide automated responses to common resident inquiries. As the Town expands its website, CRM, and knowledge base, the virtual agent will continually improve, enhancing accuracy, expanding available responses, and increasing overall service quality. Economic Development staff will work closely with Service Whitby, TIS and Communications & Creative Services to ensure the agent is fully versed in common inquiries, as well as business and investment-specific inquiries, strengthening support for Whitby's residents and business community.

Staff will also ensure this project aligns with the Town's AI Acceptable Use Policy to certify the virtual agent operates responsibly and without bias. This project directly

supports the Town's digital modernization priorities and will provide residents and businesses with more accessible and efficient online service.

### Implementation: Q2 2026



Caption: Example of Virtual Agent (Catharine) on City of St. Catharine's website

### People Counters

**Description:** The People Counters project introduces compact, easily installed sensors that collect real-time, automated data on pedestrian activity in both urban and recreational areas. These units would detect foot-traffic and cyclist patterns and automatically transmit the data to an online dashboard that generates customizable reports on peak hours, seasonal variations, and overall visitation volumes.

Real-time pedestrian data is a valuable economic development tool. It helps quantify visitor activity in commercial districts, measure the economic impact of foot traffic, identify trends that support business attraction and retention, and demonstrate demand for investment in public spaces. The data also informs active transportation planning, accessibility assessments, and cross-departmental decision-making.

The project would proceed with installing six sensors at the following intersections in Downtown Whitby:

- Brock St. and Dundas St.
- Brock St. and Colborne St.
- Brock St. and Dunlop St.
- Brock St. and Mary St.
- Dundas St. and Henry/Euclid St.
- Dundas St. and Hickory St.

This technology would replace the yearly manual pedestrian counts currently conducted by the Creative Communities team in Downtown Whitby, providing continuous, more accurate data while significantly reducing staff time.

Pending final budget availability, the network may also be expanded to following six intersections in Downtown Brooklin:

- Winchester Rd. and Baldwin St.
- Baldwin St. and Roebuck St.
- Roebuck St./Cassels St./Princess St.
- Baldwin St. and Campbell St.
- Vipond Rd. (outside BCCL)
- Winchester Rd./Durham St./Chelmsford Dr.

As well as six units across the following locations at the Fieldgate Sports Complex:

- Primary facility entrances (3 units)
- High-traffic exterior locations (3 units)

Year-round visitation data at the Fieldgate Sports Complex would strengthen sponsorship and advertising sales, support hotel and conference centre attraction efforts, and help demonstrate the value of this municipal investment.

This project will be implemented as a 1-year pilot, with costs covered for the pilot period only.

**Implementation:** Q2 2026



Caption: Example of an automated pedestrian and cyclist counter.

### **3D Building Inventory and Analysis Tool**

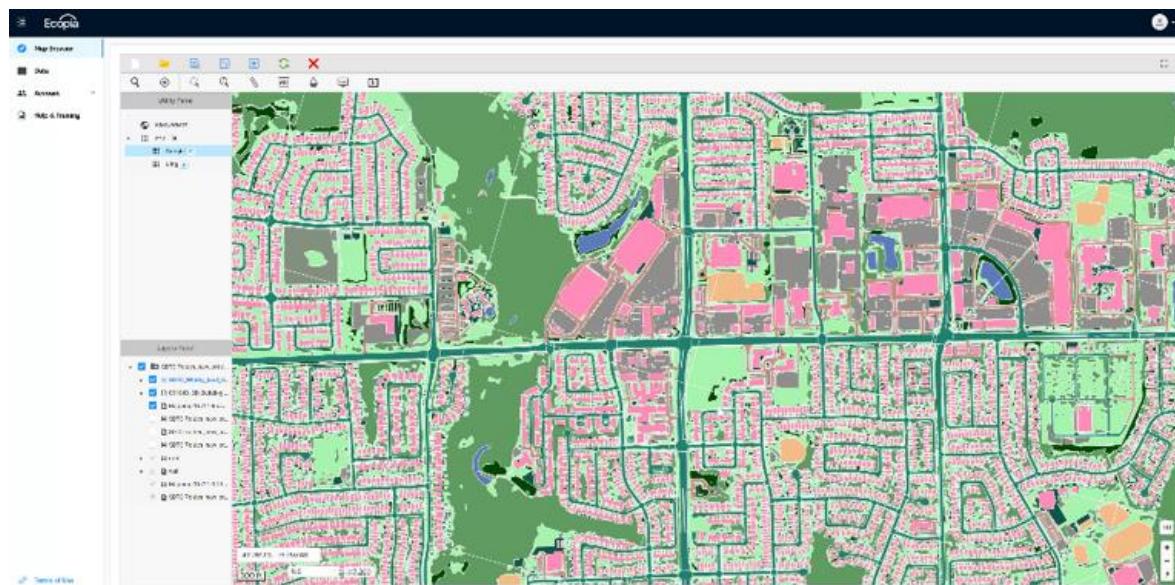
**Description:** The 3D Building Inventory & Analysis Tool uses Ecopia's advanced 3D mapping technology to generate a comprehensive, high-resolution digital model of all

buildings and visible infrastructure across Whitby. Derived from aerial photography, the dataset provides a precise “snapshot in time” of the community and is currently accessible to staff through Ecopia’s live web viewer. This enables immediate use of the data while also allowing for future integration into the Town’s Esri platform to support planning, asset management, development review, and growth monitoring.

The 3D Building Inventory & Analysis Tool provides a high-resolution, town-wide digital model of Whitby’s built environment, offering staff a precise and visually intuitive baseline of existing buildings and infrastructure. This tool supports Economic Development by helping visualize development clusters, identify opportunity areas, and illustrate site context for investors and industry partners. This information strengthens land-readiness discussions by clearly depicting site characteristics, surrounding built form, and compatibility with adjacent uses. The tool also supports work across Planning, Asset Management, and Engineering by providing accurate spatial detail that informs growth monitoring and infrastructure planning.

This project will be implemented as a 1-year pilot. Ecopia AI, in partnership with Sustainable Development Technology Canada (SDTC), provided the initial 3D building inventory data (valued at \$30,000) as part of the funding partnership. While there are no costs for the initial dataset, any future updates to the 3D inventory would require additional funding.

### Implementation: Q1 2026



Caption: 3D Building Inventory and Analysis Tool on Ecopia’s Live Web Viewer

### Sustainability Dashboard

**Description:** The Sustainability Dashboard leverages existing software to monitor energy performance and track utility cost savings at the Fieldgate Sports Complex.

Working with the Sustainability and Communications teams, this data will be transformed into clear, visual storytelling slides for display on facility screens, providing real-time insights to residents, visitors, and staff.

For Economic Development, this dashboard provides an asset by showcasing Whitby's commitment to energy efficiency, climate leadership, and responsible facility management. These are factors increasingly important to investors. Transparent reporting enhances the marketability of the Fieldgate Sports Complex, supporting sponsorship and advertising sales, demonstrating operational excellence, and Whitby's position strengthening when attracting future investments.

By making energy and sustainability performance visible, the dashboard reinforces Whitby's broader climate commitments while also creating a compelling narrative that supports business attraction, partnership development, and long-term economic growth.

**Implementation:** Q3 2026

### **Smart Growth Transit Planning Project**

**Description:** Through CityStudio, a partnership with the Region of Durham and its three post-secondary institutions (Durham College, Ontario Tech University, and Trent University), Economic Development staff will work with students in Durham College's AI program to deliver the Smart Growth Transit Planning Project.

Students will analyze Whitby's projected residential and industrial growth in relation to existing transit infrastructure and provide data-driven recommendations to Durham Region Transit on potential future stops and route adjustments. From an Economic Development perspective, this project is valuable as it helps identify transit improvements that support commercial and industrial corridors, enabling businesses to access employees and customers more efficiently. By proactively planning for future growth, the Town can enhance the attractiveness of employment lands, support business retention, and expansion, and provide investors with confidence that Whitby is strategically prepared for long-term economic development.

This approach ensures that transit planning aligns with broader growth and investment strategies, supporting sustainable development while strengthening Whitby's competitiveness in attracting and retaining businesses.

**Implementation:** Q1 2026

## 5. Financial Considerations:

Capital project # 55237505 Intelligent Cities Strategy has an approved budget of \$100,000 funded from the Long-Term Finance reserve (also known as the “One-Time Reserve”) for implementation of the Intelligent Cities Action Plan.

A portion of the overall budget was originally allocated for a consultant to assist with the development of the Intelligent Cities Action Plan. As noted above, the action plan was completed in-house via an Intelligent Cities Working Group of staff. By completing the action plan in-house, the full budget of \$100,000 is available for implementation costs, enabling the Town to advance a set of high-impact initiatives. As outlined in the table below, only two of the five priority projects are anticipated to require dedicated municipal funding. The remaining three are being delivered through strategic partnerships, grant opportunities, and in-house expertise.

The breakdown below provides an overview of the proposed budget across the five projects and will be refined as the projects progress:

Project	Budget
AI Virtual Agent	\$40,000
People Counters	\$45,000
3D Building Inventory & Analysis Tool	No Cost
Sustainability Dashboard	No Cost
Smart Growth Transit Planning Project	No Cost

Unspent funds, if any, at the end of the project will be returned to the Long-Term Finance reserve.

Costs beyond the first full year of the Virtual Agent, People Counters, and 3D Building Inventory and Analysis Tool projects (i.e. additional development and licensing fees for the virtual agent, people-counter leases and dashboard subscriptions, and 3D building inventory data updates) would need to be incorporated into departmental operating budgets, subject to future Council approval, should the Town wish to continue these initiatives. These projects will be evaluated prior to completion to measure their success, impact, and outcomes. Staff will provide an update to Council upon the completion of the Action Plan.

## 6. Communication and Public Engagement:

A formal Intelligent Cities Action Plan document will be developed by the Communications team in Q1 2026. This document will serve as a foundational resource

to raise awareness of the Action Plan internally across departments and externally with residents and the business community. It will provide a clear overview of the Town's initiatives, objectives, and anticipated outcomes, supporting both transparency and corporate understanding of the Action Plan.

For the AI Virtual Agent project, a dedicated public-facing communications plan will be created. This plan will focus on ensuring residents and community members clearly understand the purpose, functionality, and benefits of the projects, while promoting engagement, trust, and transparency. Communications approaches are still to be determined and may include a "choose the agent's name" contest, digital content, Curbex signs, print material, and other channels to effectively reach and inform the public.

Internal communications have and continue to play a critical role in the success of the Action Plan. By working closely with the Intelligent Cities Working Group, staff leveraged previous public engagement exercises to inform project design and priorities, ensuring that initiatives reflect community needs while reducing the need for additional early-stage consultation. Departments will continue to be kept informed of project timelines, available tools, and opportunities for collaboration, supporting alignment, and coordination as projects are implemented.

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

The development of the Intelligent Cities Action Plan was informed by a cross-departmental Working Group comprised of nine staff representing seven Town departments. The Working Group collaborated through a series of structured meetings to brainstorm potential projects, evaluate feasibility using defined criteria, and prioritize initiatives for inclusion in the Action Plan. Input from participating departments helped ensure projects align with operational capacity, departmental priorities, and community and business needs.

In addition to internal coordination, Economic Development staff have actively engaged through the Region of Durham's Intelligent Communities Consortium. Using the Intelligent Community Forum Framework as a guide, consortium partners, including local area municipalities, post-secondary institutions (Durham College, Ontario Tech University, and Trent University), boards of trade, chambers of commerce, Downtown Whitby BIA, and 1855 Whitby, work together to leverage the regional innovation ecosystem, initiate pilot projects, and address region-wide challenges. Participation in this consortium has helped guide the development of the Action Plan and informed project selection.

The BIA and Chamber have been briefed on the recommended projects, and Economic Development staff will continue to identify opportunities for collaboration and engagement as initiatives progress. Additional consultation and coordination with the Working Group and relevant departments and stakeholders will also continue during implementation.

## 8. Strategic Priorities:

Intelligent Cities Action Plan directly advances the Town of Whitby's Community Strategic Plan. Under Strategic Pillar 3: Whitby's Economy – Innovative & Competitive, Action 3.3.1 highlights the need for the Town to: "Develop and implement an Intelligent City Strategy and Action Plan that leverages collaboration and technology to support innovative solutions".

The initiative is also aligned with the Economic Development Strategy. Under Pillar 4: Foster Municipal Innovation, Action 4.7 identifies the development and implementation of an Intelligent City Strategy and Action Plan as a key priority to support innovation, modernization, and cross-departmental collaboration.

The Intelligent Cities Action Plan also supports:

- Pillar 2: Whitby's Natural & Built Environment – Connected & Resilient – Through projects like the People Counters, 3D Building Inventory and Analysis Tool, Sustainability Dashboard, and Smart Growth Transit Planning Project, the Action Plan strengthens data-informed growth planning, energy monitoring, and sustainability reporting; and
- Pillar 4: Whitby's Government – Accountable & Responsive – Through projects like the AI Virtual Agent, the Action Plan enhances transparency, digital service delivery, and accessible resident information.

The 2026 Intelligent Cities Action Plan supports multiple municipal priorities and reinforces Whitby's commitment to innovation, service excellence, and sustainable community building.

## 9. Attachments:

N/A

# Town of Whitby

## Staff Report

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



### Report Title: Community Strategic Plan – 2025 Progress Report

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** CAO 04-26

**Department(s) Responsible:**

Office of the Chief Administrative Officer

**Submitted by:**

Sarah Klein, Deputy Chief Administrative Officer

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

**For additional information, contact:**

Renee Dupuis, Project Advisor, Strategic Initiatives, 905-391-6914

#### 1. Recommendation:

1. That Report CAO 04-26 related to the 2025 progress of the Community Strategic Plan be received for information.

#### 2. Highlights:

- The 2023-2026 Community Strategic Plan (CSP) was approved by Council in June 2023. This is the third annual report on the progress made on the 62 Actions identified under the 4 Pillars and 13 Objectives, with the fourth and final report going to Council in June 2026.
- By the end of 2025:
  - 100% of Actions are now underway or complete.
  - 15 Actions are now complete (nine of these in 2025).
  - 47 Actions are progressing through various stages of work, with 83% of these nearing completion.
- Since the adoption of the CSP, Council has approved the 2024, 2025, and 2026 Town of Whitby budgets, which are guided by community priorities identified in the Community Strategic Plan. These budgets were developed in alignment with and to support the initiatives outlined in the CSP.

### 3. Background:

Council endorsed the Community Strategic Plan in June 2023 which provides a roadmap for how Town Council and staff will work together to deliver on community priorities over the four years it covers (2023-2026). The Community Strategic Plan includes a Community Vision, Corporate Mission, Corporate Values, four Strategic Pillars, 13 Objectives, and 62 Actions. As part of the development of the CSP, a commitment to transparency and timely reporting was identified as a priority of the community, and feedback identified that annual reporting at the Action level was recommended. As such, this Report presents the third annual report of the 2023-2026 Community Strategic Plan highlighting the progress to date at the Action level.

### 4. Discussion:

The end of 2025 marked the last full calendar year of work on priorities identified in the Community Strategic Plan.

As the Plan approaches its final stages, significant progress has been made, with the number of completed Actions increasing from six to fifteen and approximately 83% of those still in progress now nearing completion.

The summary of top accomplishments to date for each Objective is highlighted in Attachment 1 of this report. Attachment 2 includes a full listing of all 62 Actions, their status, measures of progress, and details on the progress achieved in 2025. Indicating that work is on track to realize the Community Strategic Plan's Objectives by the end of 2026, below is a summary of the advancement in the progress of the 62 Actions since the last status report to Council in January 2025:

- All of the 62 Actions are now either underway or complete.
- Based on the identified measures of progress, a total of 15 Actions are now complete, with nine (9) of these being completed in 2025. The completed Actions to date are:
  - 1.1.2 Advocate for new Emergency Medical Services facility (paramedic station) in Whitby
  - 1.3.2 Develop the Parks and Recreation Master Plan and deliver identified recreational programs
  - 1.3.6 Work with partners to support and connect individuals experiencing homelessness with shelter support and services
  - 2.1.2 Explore partnership opportunities to advance alternate energy systems designed to reduce GHG emissions of new developments
  - 2.1.6 Promote the use of electric vehicles and lead by example by implementing electric vehicles in the Town's municipal fleet
  - 2.1.7 Update Whitby Green Standard designed to advance sustainable development in the community
  - 2.3.3 Enhance existing facilities and services and invest in structural upgrades at the waterfront
  - 2.3.4 Implement enhanced street design to improve walkability
  - 2.3.7 Repurpose the historic Pumphouse for a new gathering place

- 3.2.2 Develop tools to support collaborative workspaces and home-based businesses
- 4.1.2 Strengthen existing and build new partnerships
- 4.2.4 Implement strategies to attract and retain the best staff to serve the community
- 4.3.1 Continually improve the customer experience through the use of technology. More flexible payment and service options, and the implementation of a consolidated customer contact centre
- 4.3.3 Implement new technologies and systems that modernize business tools to increase efficiencies and engagement
- 4.4.3 Proactively address growth by completing ward boundary review
- 47 actions are underway, with 83% close to completion.

Playing a crucial role in enhancing Whitby as an exceptional place to live, work, and explore, Staff have been diligently working to fulfill the Plan's priorities and are on track to complete the identified measures of progress at or before the end of the four years. The final Community Strategic Plan report will be submitted to Council by June 2026.

## **5. Financial Considerations:**

There are 62 Actions identified to move forward and realize the Community Strategic Plan. When the Plan was approved, it was identified that more than half of the Actions would require Council approval of additional funding in future budgets to implement. That meant additional capital investments, staff resources, and/or other operating budgets have been required.

Since the approval of the Plan in June 2023, there have been three budget cycles completed for the Town of Whitby – one for 2024 (approved in February 2024), a new multi-year budget for 2025 to 2027 (adopted in December 2024), and the 2026 budget (adopted in November 2025) – all informed by priorities identified through the Community Strategic Plan.

More than 74% of positions approved in the 2024 Budget and 100% of those approved in the 2025 actively supported the remaining Community Strategic Plan Action Items and support the Town's goal to realize the Plan by 2026.

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

Community and staff engagement was a priority in developing the Community Strategic Plan with over 3,000 individuals providing input on its development. Since the approval of the Plan, accomplishments related to Community Strategic Plan Actions have been shared at [ConnectWhitby.ca/CommunityPlan](http://ConnectWhitby.ca/CommunityPlan), as part of media releases and promotional videos by the Mayor to report on progress. Progress on the implementation of the Community Strategic Plan has also been highlighted through speaking engagements, earned media opportunities, digital storytelling opportunities through the Town's owned channels including social media, and through presentations, Council reports, and the Mayor's newsletters. The Community Strategic Plan was also communicated through extensive public engagement during the 2025, 2025, and 2026

Budget cycles. Community engagement opportunities and regular status updates on the Plan continue to be shared through all the Town's channels.

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

Staff from across the organization identified as leads on each of the Strategic Plan Actions and are responsible for providing updates on their progress to-date related to the 62 Actions. These leads are engaged at multiple points in the year to provide updates, at times aligned with the budget cycle and this year-end status report.

**8. Strategic Priorities:**

All of the Actions of the Community Strategic Plan support strategic priorities. As detailed in Action 4.3.5, the Community Strategic Plan prioritizes transparency through regular and timely reporting, including this formal annual progress report, in addition to regular updates through staff reports, Council communications, and public meetings. Feedback from the community during the plan's creation identified the recommendation of annual progress reporting at the Action level.

**9. Attachments:**

Attachment 1: Community Strategic Plan 2025 Progress Report – Summary

Attachment 2: Community Strategic Plan 2025 Progress Report – Detailed



TOWN OF WHITBY

# Community Strategic Plan

## 2025 Progress Report



[connectwhitby.ca/CommunityPlan](http://connectwhitby.ca/CommunityPlan)  
Page 171 of 339



# Whitby's Neighbourhoods

## Safe, Healthy, & Inclusive

Healthy and inclusive neighbourhoods are safe and welcoming. They provide equitable access to municipal programs and services, and support the health and well-being of all residents, at all ages and stages of life.

### Top 2025 Achievements:

- 1.1.3 Draft Traffic Calming Policy presented to Council in June 2025; final version, incorporating feedback, expected early 2026.
- 1.1.5 Groundbreaking for West Whitby Fire Station 6 occurred in 2025; opening expected in 2027. Twenty new firefighters completed recruitment training.
- 1.2.1 Over 90,000 attended 75+ Town and community events in 2025, including the new Home Sweet Home Festival in July, which drew 40,000 attendees.
- 1.3.2 Whitby advanced its Parks and Recreation Master Plan with park upgrades, new playgrounds, and public input on Rotary Centennial Park ahead of 2026 construction.
- 1.3.4 Additional Dwelling Unit Incentive Program ran through the end of 2025. The Program incentivized building by covering some fees for additional dwelling unit permitting. ADUs continue to represent the greatest percentage of total permits for new dwelling units.

### Overall Status of Pillar 1 Action Items:

0

Not Started

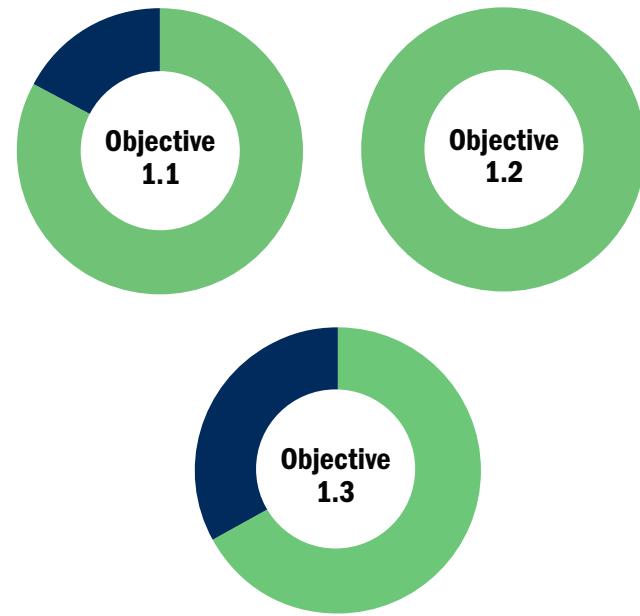
12

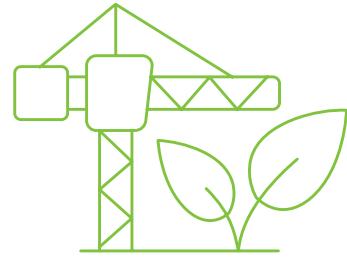
In Progress

3

Complete

### Progress of Pillar 1 Action Items:





# Whitby's Natural & Built Environment

## Connected & Resilient

Connected and resilient natural and built environments demonstrate a commitment to plan for and invest in green space and quality infrastructure to support the needs of a growing and changing community. It involves promoting environmental stewardship and building resilience to climate change while enhancing community beautification.

### Top 2025 Achievements:

- 2.1.5 **Green Standard Incentive Program developed** and approved that includes three key components: Staff Assistance, Builder Recognition, and a one-year Pilot Financial Incentive.
- 2.1.7 **Whitby Green Standard updated and approved**; approach now focuses on incentives rather than enforcement in response to provincial legislation changes. (✓)
- 2.3.1 **Phase 1 construction of the Mid-Arterial Roadway** between Baldwin Street and Ashburn Road has been completed and will be open for traffic in early 2026.
- 2.3.2 **Significant construction progress** was made on the **Whitby Sports Complex** which is anticipated to open in 2026 under its new name, the Fieldgate Sports Complex.
- 2.3.3 **Corbett Creek boardwalk and bridge replacement** and associated trail upgrades are **complete**, improving both connectivity and accessibility in the area. (✓)

### Overall Status of Pillar 2 Action Items:

0

● Not Started

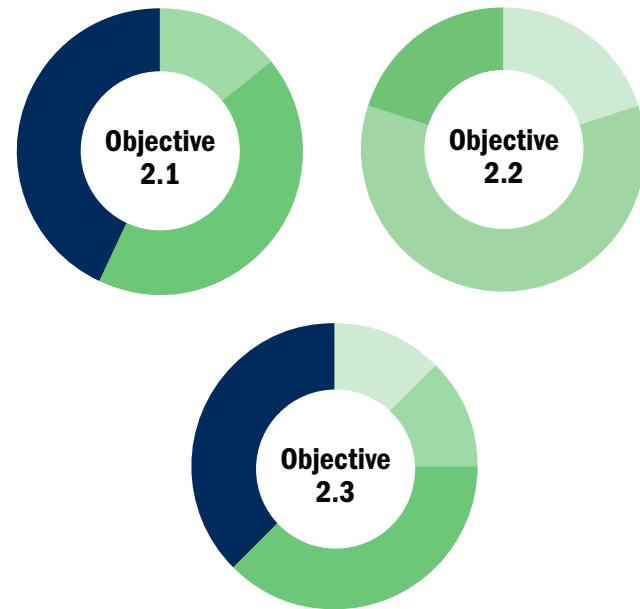
14

● In Progress

6

(✓) | ● Complete

### Progress of Pillar 2 Action Items:



Objective	Not Started	25%	50%	75%	Complete
2.1	0	0	1	3	3
2.2	0	1	3	1	0
2.3	0	1	1	3	3





# Whitby's Economy

## Innovative & Competitive

An innovative and competitive economy is premised on collaboration and partnerships that maximize opportunities for business and employment growth. This is achieved through business retention and attraction, promotion of tourism, agriculture, and other sectors.

### Top 2025 Achievements:

- 3.1.2 [105 new businesses](#) were established in the Town of Whitby in 2025.
- 3.1.3 [85% of Tourism Strategy actions complete](#). Whitby Tourism Development Corporation incorporated. Seasonal Visitors' Centre opened at the waterfront.
- 3.2.1 [Hotel Feasibility Study endorsed by Council](#); included detailed feasibility figures to share with the investment community.
- 3.2.5 [New placemaking features added at Roebuck Street in Brooklin](#); [New public art installed at Grass Park](#).
- 3.3.1 Development is now underway on the [Intelligent City Strategy](#). Projects have been [identified](#), and an Action Plan will be presented to Council for approval in early 2026.

### Overall Status of Pillar 3 Action Items:

0

Not Started

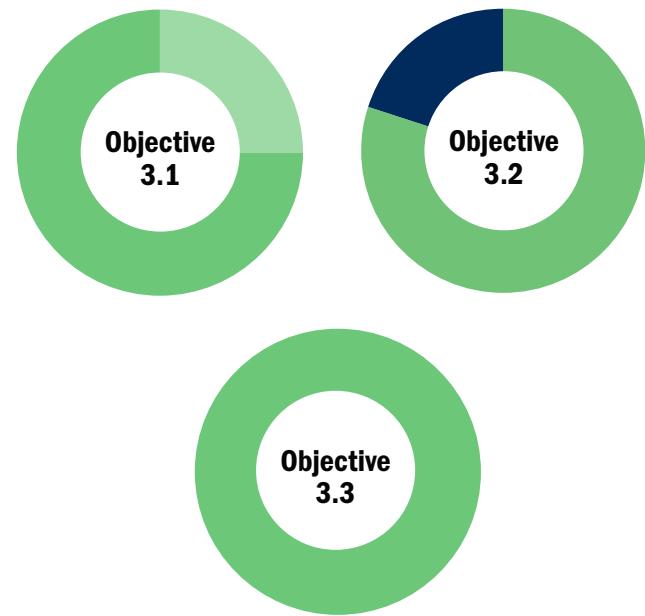
11

In Progress

1

✓ | ● Complete

### Progress of Pillar 3 Action Items:



Objective	Not Started	25%	50%	75%	Complete
3.1	0	0	1	3	0
3.2	0	0	0	4	1
3.3	0	0	0	3	0



# Whitby's Government Accountable & Responsive

Accountable and responsive government is customer service-driven. It is focused on efficiency, effectiveness, value for money, and financial sustainability. It is premised on the best use of technology, transparent and open decision-making, meaningful engagement, and a commitment to continuous improvement. It is forward-thinking, prioritizing strong community partnerships and integrating good urban planning to ensure the community's sustainable future.

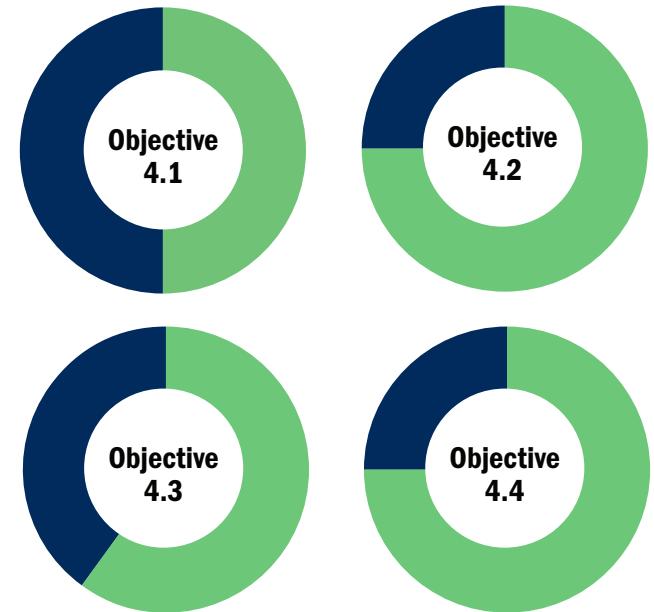
## Top 2025 Achievements:

- 4.1.1 The Town applied for over 20 grants, resulting in over \$21.5 million in grant funding in 2025.
- 4.1.2 Town partnered with municipalities across the Durham Region to form an Indigenous Consultation Working Group to develop a practical Municipal Indigenous Engagement Guide. 
- 4.3.1 Phase 1 of Service Whitby launched in 2025, integrating front counter, phone, and email services for Tax and Clerks. Contact Centre introduced, providing residents and businesses with a responsive, resolution-focused main line for inquiries. 
- 4.4.1 Participatory budgeting continued for a third year. Staff identified more than \$2 million in internal cost savings to bring the 2026 tax increase down to 3.44 per cent.
- 4.2.1 The Career Development Program pilot was completed in 2025 along with a soft launch of the program with a second cohort of Staff participating.

## Overall Status of Pillar 4 Action Items:



## Progress of Pillar 4 Action Items:



# Community Strategic Plan



## STRATEGIC PILLAR 1

### Whitby's Neighbourhoods - Safe, Healthy, & Inclusive

#### Objective 1.1: Improve community safety, health and well-being

Actions	Identified Measures of Progress	Status of Progress	2025 Update
1.1.1 Advocate for and secure property for new hospital	Property for hospital secured.	In Progress – Nearly Finished (75%)	Completed a delegation to the Minister of Health at the Association of Municipalities of Ontario conference to advocate for the approval of Lakeridge Health's pre-capital planning grant submission.  Mayor Roy met with the Minister of Transportation to advocate for the disposition of land for the hospital.
1.1.2 Advocate for new Emergency Medical Services facility (paramedic station) in Whitby	Emergency Medical Services facility planned in Whitby.	Complete in 2024	Not Applicable

<p>1.1.3 Identify opportunities to improve road safety by developing and implementing a traffic calming and safety policy and identify opportunities to reduce traffic congestion</p>	<p>Traffic calming policy approved. Traffic calming elements implemented on 10 streets annually.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>Draft Traffic Calming Policy and Guidelines were presented to Council in June 2025. The document is being finalized based on input received from Council and the community. The final document is expected to be approved in early 2026.</p>
<p>1.1.4 Partner with Durham Region to implement the Community Safety &amp; Well-Being Plan which addresses criminal involvement, experiences of racism, homelessness and basic needs, mental health, social isolation, substance use, and victimization</p>	<p>Whitby participation on the Area Municipal Working Group to ensure collaborative implementation of the Community Safety &amp; Well-Being Plan.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>Attended Community Safety and Well-Being (CSWB) Plan Workshops – a collection of sessions, each focused on one of the priority risk factors identified in the CSWB Plan.</p> <p>Hosted third annual Community Safety Roundtable, bringing together representatives from the Town of Whitby, Durham Regional Police Service, and local school boards to discuss school zone safety, speeding, and other key road safety issues. This annual collaboration has proven to be extremely helpful in creating new partnerships.</p> <p>Participated in Poverty Reduction workshop hosted by the Region of Durham, in collaboration with community partners.</p> <p>Continued participation in the Community Liaison Committee for 1635 Dundas.</p> <p>Attended information session in and learned about the planned relaunch of the Durham Connect Situation Table to provide Town perspective.</p>

			Staff also participated in the Region of Durham's Anti-Hate conference.
1.1.5 Review and plan for fire services to address growth of community	Update Fire Master Plan.  Begin implementation of recommendations of the Fire Master Plan.	In Progress – Nearly Finished (75%)	<p>The updating of the Fire Master Plan is progressing, and it is anticipated to be presented to Council in 2026.</p> <p>In 2025, the Town officially broke ground on a new fire station in West Whitby. Station 6 is anticipated to open in 2027 and will help service the continued growth in the community.</p> <p>The 20 firefighters required to respond out of the new station completed their recruit class training program. They are initially responding out of Station 4 until the construction of Station 6 is completed.</p>
1.1.6 Work with partners to increase access to family physicians	Partner with Region of Durham to create a family physician recruitment program.  Implement, track, and monitor impact of program annually.	In Progress – Nearly Finished (75%)	<p>Expanded the program to all medical clinics in Whitby. Two family physicians have been secured to date.</p> <p>Supporting Queen's Lakeridge Health program and developing community connections with students.</p> <p>Staff visited clinics in Whitby and are maintaining a publicly available list of local family physicians accepting new patients.</p>

## Objective 1.2: Increase opportunities to acknowledge and celebrate the diversity of the community

Actions	Identified Measures of Progress	Status of Progress	2025 Update
1.2.1 Enhance Town-led and community-based events and festivals that celebrate diversity	<p>Launch New Town Signature Event celebrating Whitby's diversity.</p> <p>Approve one new Third Party Event Permit annually showcasing culturally diverse programming.</p> <p>Complete one Exit Survey annually at a Town event.</p>	In Progress – Nearly Finished (75%)	<p>More than 90,000 residents and visitors came out to more than 75 events hosted by the Town and community event organizers – including the new Home Sweet Home Festival launched in July 2025, drawing an overwhelming crowd of over 40,000 residents and visitors. The festival celebrated collaboration between many community groups and the Downtown Whitby BIA. The event showcased Whitby through food, culture, art, and music. An exit survey was completed with vendors and businesses to receive feedback and understand where improvements can be made for next year.</p> <p>Other events included culture popups, National Indigenous Peoples Day, Whitby Lights the Night Festival, Canada Day, Movies in the Park, and the award-winning Brooklin Harvest Festival.</p> <p>A total of 35 Third Party event permits were issued in 2025 with 4 new events showcasing culturally diverse programming.</p>

<p>1.2.2 Enhance Whitby's culinary and live music sectors through collaborative partnerships</p>	<p>Offer two additional Music in the Park events annually.</p> <p>Increase musical pop-up events by 10%.</p> <p>Release one Food Guide every two years.</p> <p>Target 10% increase in page visits to the digital Food Guide annually.</p> <p>Establish online musician roster to enhance live music opportunities.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>The Town of Whitby published its fourth edition of the Whitby Food Guide, supporting over 100 culinary and brewery businesses. Online, the Food Guide attracted 2,608 views in its first six weeks.</p> <p>Sixteen local musicians were featured on the Town's "Meet Our Local Musicians" webpage.</p> <p>The Town collaborated with the Downtown Whitby BIA to host the second annual walking Food Tours and issued a third-party permit to the Whitby Music Festival in June 2025 at Celebration Square.</p>
<p>1.2.3 Invest, promote, and strengthen the local arts, culture, heritage, and creative sector</p>	<p>Public art policy approved.</p> <p>Increase culture contact list by five entries annually.</p> <p>Increase number of social media posts by 25% annually on #ExploreWhitby Instagram page.</p> <p>Target a 10% increase in website visits and social media analytics annually.</p> <p>Increase investment in the culture budget.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>Five Culture Pop Up events were held at Whitby Waterfront, including National Indigenous Peoples Day, Bollywood on the Pier, Greek Summer Night, Boots and Beats, and Rhythms of Africa.</p> <p>Two new public art projects are being planned in local parks (West Ward and North Ward) with a "Call for Art" issued in 2025 with the winning design to be selected by the end of year.</p> <p>The culture contact list was increased by 10 artists in 2025.</p> <p>Social media posts increased by 47% in 2025. The number of overall views across posts and stories on Instagram to date this year is well over 612,000. The Whitby Tourism microsite homepage increased visits by 95% and on Facebook and LinkedIn, posts received 961k impressions, 36.5k engagements, 31.9k</p>

			<p>clicks, and 10.8k video views.</p> <p>The Municipal Accommodation Tax (MAT) was used in 2025 to support events, public art projects, and community placemaking initiatives, thereby increasing investment in the Culture budget.</p>
--	--	--	---

## Objective 1.3 Provide accessible and inclusive municipal services and programming

Actions	Identified Measures of Progress	Status of Progress	2025 Update
1.3.1 Continue to collaborate with non-profit organizations to anticipate and deliver changing community program and service needs	<p>Establish network of non-profit organizations serving Whitby.</p> <p>Coordinate an annual meeting to provide the opportunity to collaborate on specific areas of interest.</p>	In Progress – Nearly Finished (75%)	<p>In 2025, two roundtable meetings were hosted with faith-based and community groups, fostering collaboration across multiple organizations. Topics discussed included grant writing, community gardens, and homelessness.</p> <p>The Mayor's Community Development Fund and Performing Arts Community Development Fund awarded 50 grants to community groups in 2025 totaling nearly \$200,000 to expand their services and address community needs.</p>
1.3.2 Develop the Parks and Recreation Master Plan and deliver identified recreational programs	<p>Parks and Recreation Master Plan approved.</p> <p>Implement 20% of identified actions in the Plan.</p>	Complete in 2024	<p>The implementation of the Parks and Recreation Master Plan continues, offering a range of health and active choices while ensuring Whitby continues to grow as a vibrant and healthy community.</p> <p>Park improvements were completed, including upgrades to the multiskills court at Baycliffe Park and accessibility improvements and new playground equipment at Glenayr, D' Hillier, and Powell Parks. A conceptual design for Rotary Centennial Park was shared to gather public input ahead of construction in 2026.</p>

<p>1.3.3 Expand recreation opportunities and increase participation in recreation programs and activities, specifically for 55+ and youth</p>	<p>Increase participation rates in recreational swim and skate programs by 3% per year.</p> <p>Increase 55+ recreation program capacity for directly provided registered programs by 3% per year.</p> <p>Increase youth room visits by 5% per year.</p> <p>Increase annual number of unique users for directly provided registered programs by 3%.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>There has been an increase in the number of registered programs and drop-in activities for youth and adults 55+, such as pickleball, recreational 55+ drop ins and special events. Registration in Recreation programs has increased 7% overall. Youth participation in Youth Rooms has increased by 31%.</p> <p>With the opening of the Whitby Sports Complex in 2026, further Town recreational opportunities will be made available for residents of all ages.</p>
<p>1.3.4 In collaboration with partners, support the implementation of Durham Region's Housing Plan regarding affordability and diversity of housing</p>	<p>Report on number of purpose-built rentals and secondary suites approved.</p> <p>Monitor, measure, and report on diversity of housing approvals.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>The Additional Dwelling Unit (ADU) Incentive Program, supported by the Housing Accelerator Fund, ran through the end of 2025. The Program incentivized building by covering some fees for additional dwelling unit permitting.</p> <p>Building Permits for ADUs continue to represent a significant percentage of the total number of permits - accounting for 41% (194) of total new permits by the end of November 2025. In addition, of the 472 total units permitted by the end of November 2025, there were 125 singles; 16 semis; 62 Townhouses; and 75 Apartments.</p> <p>In partnership with the City of Pickering, the Town has also made available several pre-reviewed Additional Dwelling Unit (ADU) designs on a Regional Design catalogue to streamline the design/approval process and lower the cost of building housing/ADUs.</p>

			<p>The Town continues to expand and develop its e-Permitting platform and portal, resulting in faster and more efficient application processing, improved accessibility for residents and businesses, and enhanced tracking and transparency.</p> <p>ADUs continue to represent the greatest percentage of total permits for new dwelling units.</p>
1.3.5 Work with partners to address food security	<p>Develop food security action plan.</p> <p>Implement one new action annually.</p>	In Progress – Nearly Finished (75%)	<p>In 2025, Feed the Need in Durham introduced a second day of service at The Market located in Iroquois Park Sports Centre. In addition, Town-owned property was provided for use by MannaHelp to establish a community garden to support families in need.</p> <p>Food security was a significant topic at Mayor's Community Roundtable events.</p> <p>The Mayor's Community Development Fund provided nearly \$30,000 in 2025 to support food security initiatives in the community.</p> <p>The Market Model was presented by Staff as a municipal best practice at the Ontario Municipal Administrators' Association Conference.</p>
1.3.6 Work with partners to support and connect individuals experiencing homelessness with shelter and support services	Partner with the Region of Durham to establish a community hub providing shelter and social services.	Complete in 2025	<p>Following the opening of the shelter at 1635 Dundas in March 2024, the Town of Whitby continues to participate in the Community Liaison Committee and works with the Region to support their work in the community, including providing feedback on Phase 2 of the</p>

			<p>shelter facility at 1635 Dundas.</p> <p>Town staff address encampment concerns and connect homeless individuals to services in collaboration with Outreach and DRPS. The Mayor and CAO joined the Region's Outreach Team to engage directly with the local homeless community. Whitby Fire and Emergency Service also began providing fire safety education to promote safety among those experiencing homelessness.</p> <p>The Mayor's Office, in partnership with the Downtown Whitby BIA, launched Operation Cozy Toes in 2025, collecting socks for individuals experiencing homelessness.</p> <p>During the Town's new signature event, the Home Sweet Home Helps the Homeless fundraising opportunity provided "cooling kits" to the homeless population.</p>
--	--	--	--

## STRATEGIC PILLAR 2

### Whitby's Natural & Built Environment - Connected & Resilient

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

Actions	Identified Measures of Progress	Status of Progress	2025 Update
2.1.1 Develop community climate mitigation measures to achieve zero-carbon emissions by 2045	<p>Develop Community Mitigation Plan as part of the Climate Emergency Response Plan - Phase 2.</p> <p>Implement a minimum of one action from Climate Emergency Response Plan - Phase 2: Community Mitigation Plan annually.</p>	In Progress – Nearly Finished (75%)	In 2025, Phase 2 of the Climate Emergency Response Plan: Mitigation included a "plug-in and drive" event and a public education campaign on home energy retrofits, featuring social media and radio ads for Durham Greener Homes. Enbridge partnered to provide a webinar and an in-person session about home energy retrofits.
2.1.2 Explore partnership opportunities to advance alternate energy systems designed to reduce GHG emissions of new developments	One alternate energy system introduced.	Complete in 2024	Staff continued working with the Region to develop district heat mapping across Whitby for future potential partnership opportunities.
2.1.3 Implement actions to increase community resilience to the impacts of climate change	Implement minimum of three actions annually from the Climate Emergency Response Plan - Phase 1: Community Resilience Plan.	In Progress – Nearly Finished (75%)	In 2025, four actions of the Climate Emergency Response Plan - Phase 1: Resilience were implemented:  The Town partnered with Durham Little Forests and the Rotary Club to deliver Whitby's first Little Forest.  Through the partnership with CLOCA, Whitby and Durham Region, the SNAP Pilot Project for the West Lynde Neighbourhood has advanced to Phase 2: Community Engagement.  As part of the Implementation of the

			<p>Town's Emergency Preparedness Plan, Staff hosted two climate risk themed workshops and had sustainability booths at the Home Sweet Home event and the Brooklin Harvest Festival to engage residents in Emergency Preparedness.</p> <p>In addition, a Workshop was held to bring together key internal and external partners to discuss progress on actions to date and how to work together to advance further actions.</p>
2.1.4 Implement corporate plan to achieve zero-carbon emissions by 2045	<p>Achieve 20% GHG emissions reduction.</p>	<p>In Progress – Halfway Complete (50%)</p>	<p>The following major Zero Carbon projects were implemented or commenced in 2025:</p> <p>The Combined Heat and Power (CHP) unit at the Civic Recreation Complex was transitioned to a backup system, resulting in GHG savings equivalent to taking nearly 100 cars off the road.</p> <p>The Town received a grant from the Federal Green and Inclusive Community Buildings (GICB) program to update key equipment at the Whitby 55+ Recreation Centre, which will result in a more comfortable experience for staff and users and reduce energy costs and emissions. Equipment upgrades will include new air handling units, rooftop unit condensers, replacement of hot water tanks, and upgrades to the building automation system.</p> <p>A Deep Energy Feasibility Pathway Study was initiated in 2025 for seven of the Town's largest GHG emitting facilities. As a result, a greater reduction in GHG emissions is anticipated in the coming</p>

			years, helping to advance progress towards the Town's ultimate goal of achieving net-zero carbon emissions by 2045.
2.1.5 Implement Green Standard Incentive Program focused on encouraging the adoption of sustainable development practices	Incentive program developed. Observe 5% increase in applications achieving higher tiers.	In Progress – Nearly Finished (75%)	An Incentive Program has been developed and approved that includes three key components: Staff Assistance, Builder Recognition, and a one-year Pilot Financial Incentive.  Through the implementation of this program, the goal is for at least five development applications to achieve higher tiers of the Green Standard in 2026. This would represent an approximate increase of 5.5% in applications achieving higher tiers based on the number of applications received in 2024.
2.1.6 Promote the use of electric vehicles and lead by example by implementing electric vehicles in the Town's municipal fleet	Increase electric vehicle chargers at municipal facilities by 50%.  20% of fleet passenger vehicles will be electric.	Complete in 2025	The Town has increased the EV chargers by over 50% in 2024 to 47 current ports, and work was underway in 2025 to bring 46 more online in 2026.  A total of \$604,775 from the Federal Government through the Zero Emission Vehicle Infrastructure Program (ZEVIP), and \$300,000 from the Provincial Government was received to support the Town's expansion of its EV Charging Network.  The Town has increased the number of fleet passenger vehicles by 20% through the purchase of 16 plug-in hybrid vehicles.

2.1.7 Update Whitby Green Standard designed to advance sustainable development in the community	Whitby Green Standard updated.	Complete in 2025	The Whitby Green Standard has been updated and approved by Council. In response to changes in provincial legislation, the approach has changed to focus on incentivizing rather than enforcing standards.
---	--------------------------------	------------------	---

## Objective 2.2: Enhance community connectivity and beautification

Actions	Identified Measures of Progress	Status of Progress	2025 Update
2.2.1 Improve wayfinding including signage at parks and trails	Increase wayfinding signage of parks and trails by an average of 10% annually.	In Progress – Just Started (25%)	<p>Installed Great Lakes Waterfront Trail wayfinding signage in conjunction with trail improvements at Corbett Creek and Wetland.</p> <p>Initiated the Planning and Design phase for the replacement of approximately 10 park signs, aligning with the new standards outlined in the Accessible Signage and Wayfinding Study.</p> <p>Installed a bronze interpretive cairn and plaque at Cullen Central Park, contributing to the park's historical and educational value.</p>
2.2.2 Increase active transportation facilities, including trails, multi-use paths, and bike lanes, across the community, considering the Active Transportation Plan	<p>Increase bike lanes by an average of 2km annually.</p> <p>Increase the number of kilometres of multi-use paths and trails, year over year.</p>	In Progress – Halfway Complete (50%)	<p>Cycling infrastructure continues to be planned through development reviews. On-road cycling lanes covering more than 2 km in the Town of Whitby – including nearly one kilometre on sections of Conlin Road - were implemented in 2025.</p>

2.2.3 Invest in public art	<p>Public art policy approved.</p> <p>One public art installation annually.</p> <p>Increase number of visitors to Arts Trail website by 10% annually.</p>	In Progress – Nearly Finished (75%)	<p>Following the adoption of the new Public Art Policy in 2024, several new public art pieces were installed in 2025 including a street piano at the Whitby Waterfront painted by youth artist Jasmine Ward, two Indigenous art panels at Shirley Scott Park created by artist Tessa Shank, and a mural on Roebuck Street by artists Daniel Fromstein, Chrrie Carley and Lesley Kelz. Public consultation was also completed for a new public art piece coming to Thickson Road in 2026.</p> <p>The Arts Trail website received 1,530 visits, and increase of 10%, year over year.</p>
2.2.4 Maintain and enhance parks, trails, tree canopy, and green spaces and identify opportunities to connect existing and currently underutilized open space areas	<p>Parks and Recreation Master Plan approved.</p> <p>Urban Forestry Master Plan approved.</p> <p>Incremental budget approved to implement plans.</p>	In Progress – Halfway Complete (50%)	<p>The Draft Urban Forestry Management Plan is underway and is expected to be delivered to Council for approval in 2026.</p> <p>By pursuing the Urban Forest Management Plan's goals and objectives, the Town of Whitby, its urban forest partners, and members of the community will bring the community's urban forest vision to life.</p>
2.2.5 Review and enhance service level standards that promote community beautification and maintenance	Review one service level standard annually and report on options to increase beautification (i.e. street sweeping, garbage, tree planting)	In Progress – Halfway Complete (50%)	The Town's Graffiti Task Force removed graffiti from multiple sites, throughout the Town. The graffiti blitz identified over 350 locations in 2025.

## Objective 2.3: Invest in infrastructure and assets

Actions	Identified Measures of Progress	Status of Progress	2025 Update
2.3.1 Construct mid-arterial roadway south of 407, between Cochrane and Thornton	<p>Complete Phase 1 construction from east of Baldwin Street to Ashburn Road.</p> <p>Complete Phase 2 design from Garden Street to Anderson Street.</p> <p>Phase 2 tender and begin construction.</p>	<p>In Progress – Halfway Complete (50%)</p>	<p>Phase 1 construction, between Baldwin Street and Ashburn Road has been completed and will be open for traffic in early 2026.</p> <p>Detailed design work is underway on Phase 2, from East of Ashburn to Anderson Street, and has commenced on Phase 3, from Anderson Street to east of the Town limit.</p>
2.3.2 Construct Whitby Sports Complex	Open Whitby Sports Complex	<p>In Progress – Nearly Finished (75%)</p>	<p>In 2025, significant Construction progress was made on the Whitby Sports Complex which is anticipated to open in 2026 under its new name Fieldgate Sports Complex. The \$1.5 million ten-year naming rights sponsorship will help offset operating costs of the facility.</p> <p>Environmental sustainability initiatives incorporated into the facility's design will make it the first Zero Carbon building and LEED Gold facility in Canada to include a twin pad arena, gymnasium, and aquatics facility.</p> <p>The 13-acre outdoor park neighbouring the facility is also planned to include pickleball, tennis, and basketball courts; a multi-purpose artificial sports field; a playground; as well as a skatepark and pump track.</p>

2.3.3 Enhance existing facilities and services and invest in structural upgrades at the waterfront	Invest to implement the recommendations in the Waterfront Masterplan; complete Corbett Creek Bridge and Boardwalk replacement along waterfront trail.	Complete in 2025	<p>Council approved the Community Services Department Report on the Marina Feasibility and Harbour Land Use Study in 2025.</p> <p>The Corbett Creek Boardwalk and Bridge replacement have been successfully completed, along with associated trail upgrades, improving both connectivity and accessibility in the area.</p> <p>Through the Commemorative Waterfront Dedication Feature Report, Council approved the installation of metal plaques featuring nautical and fish-themed designs. These plaques will be affixed to the existing railing along Lions Promenade, enhancing the waterfront with a dedication feature that adds visual interest and community character. The commemorative plaques are planned to be available in 2026.</p>
2.3.4 Implement enhanced street design to improve walkability	80% of new developments and reconstruction initiatives adopt the enhanced street design standard.	Complete in 2024	In 2025, the priority was to add new sidewalks and multi-use paths (MUPs) through new developments without impacting the Town's capital budget.
2.3.5 Implement recreational infrastructure enhancements as identified in the Sports Facility Strategy and the Parks and Recreation Master Plan	<p>Parks and Recreation Master Plan approved.</p> <p>Incremental budget approved to implement plans.</p>	In Progress – Just Started (25%)	Implementation of the Parks and Recreation Master Plan (PRMP) is ongoing. Projects have been strategically added to the capital forecast, ensuring alignment with PRMP priorities while balancing available resources.

2.3.6 Invest in upgrades at the Marina	<p>Replace all Marina outdoor lighting to LED.</p> <p>Marina Masterplan approved.</p> <p>Pier 2 replacement of 56 floating dock system slips.</p> <p>Complete ecological improvements within Whitby Harbour through Department of Fisheries and Oceans' harbour remediation project.</p> <p>Incremental budget approved to implement Marina Masterplan.</p>	In Progress – Nearly Finished (75%)	<p>Marina lighting is complete and the Port Whitby Marina Feasibility and Harbour Land Use Study for the Whitby Marina was presented to and approved by Council in 2025.</p> <p>Specifications are being finalized for the Pier 2 replacement project, with tendering planned for 2026.</p> <p>Town Staff continue to work with Fisheries and Oceans Canada and the Ministry of the Environment, Conservation and Parks to advance the harbour remediation project. Main dredging is expected to be completed by March 2026, with substantial completion of the project anticipated in 2026.</p>
2.3.7 Repurpose the historic Pumphouse for a new gathering place	Pumphouse serving as a gathering place.	Complete in 2023	The Pumphouse continues to serve as a gathering place at the waterfront through 2025.
2.3.8 Work with Metrolinx to finalize Bus Rapid Transit design for Dundas Street	Provide feedback to the Region of Durham on the Design and Construction of Phase 1 of the Bus Rapid Transit project between Lake Ridge Road and Des Newman Boulevard.	In Progress – Nearly Finished (75%)	Discussion continues with the Region of Durham staff regarding the provision of transit priority through Downtown Whitby, between Cochrane Street and Garden Street.

## STRATEGIC PILLAR 3

### Whitby's Economy - Innovative & Competitive

#### Objective 3.1: Accelerate progress, create jobs, and drive local economic growth

Actions	Identified Measures of Progress	Status of Progress	2025 Update
3.1.1 Continue to implement the Economic Development Strategy that focuses on the following sectors: information and communications technology, professional and technical services, advanced manufacturing, and downtowns and lifestyle	80% of annual recommendations accomplished.	In Progress – Nearly Finished (75%)	<p>Development of the Intelligent City Strategy is underway. Staff from departments across the Town identified priority projects representing a cross section in various service areas. These projects use data, technology, and innovation to improve how services are delivered.</p> <p>Staff continue to partner with 1855 Whitby, including a joint Ontario Vehicle Innovation Network (OVIN) application that supports tech mobility innovation. This partnership includes the City of Oshawa, Ontario Tech University, and Durham Region. If the application is successful, the Town will provide municipal infrastructure for testing, event space, and support from economic development staff. A decision by OVIN is expected in early 2026.</p> <p>The Town of Whitby continues its work to mitigate the impact of tariffs in the community. Local businesses were surveyed to gather information that will help better understand the impacts, including how Town procurement policies can support purchasing local. The Mayor's Tariffs</p>

			<p>Task Force continues to meet regularly and met with Whitby MP Ryan Turnbull and Whitby MPP Lorne Coe to discuss current provincial and federal efforts, including funding opportunities for businesses from both levels of government.</p> <p>The Advanced Manufacturing Roundtable was held in October 2025.</p>
3.1.2 Expand Whitby's commercial and industrial tax base	<p>Annual increase in commercial/industrial building permit values.</p> <p>Annual increase in number of new businesses.</p>	In Progress – Nearly Finished (75%)	<p>Staff reported to Council an update on Provincially Owned Employment Lands, identifying two sites totaling over 50 acres as providing the most opportunity in the immediate future. The Province has begun the disposition process for the priority sites. Staff have also included these sites for development opportunities for investment leads.</p> <p>Throughout 2025, 105 new businesses were established in the Town of Whitby.</p>

<p>3.1.3 Implement actions to enhance Whitby's tourism sector including a focus on the waterfront</p>	<p>80% of annual recommendations from Tourism Strategy accomplished.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>A total of 85% of the actions from the Tourism Strategy have been completed to date.</p> <p>In 2025, a new tourism entity - the Whitby Tourism Development Corporation (WTDC) - was officially incorporated.</p> <p>The Host in Whitby Grant Program and the Marketing Services RFP for the promotion of tourism in Whitby was launched in fall 2025 through the WTDC.</p> <p>The Town hosted the third Destination Development Event to provide networking opportunities with tourism stakeholders.</p> <p>A new seasonal Visitors' Centre opened at the Whitby Waterfront, including seating, informational resources, public art, a photo op installation, planters, a bike repair stand, and a bike rack. Two seasonal Tourism Ambassadors were hired using the Municipal Accommodation Tax funding to support the Visitors' Centre and tourism initiatives.</p>
---	--	--	---

<p>3.1.4 Support green economy, agriculture, and agri-business</p>	<p>Partner with two post-secondary institutions per year to support programs and recruitment for these sectors.</p> <p>Annual increase in agriculture and green economy building permit values.</p> <p>Annual increase new agriculture and green economy businesses.</p>	<p>In Progress – Halfway Complete (50%)</p>	<p>The Windrush Farm Agriculture Hub is a community-driven initiative bringing together local farmers, startups, and post-secondary institutions to create a dedicated hub for innovation, training, and year-round food production.</p> <p>Through CityStudio Durham, students will develop a business plan that supports this initiative, ultimately advancing multiple actions in the Economic Development Strategy to promote Whitby's green economy, agriculture, and agri-business, while fostering local innovation, food security, and economic growth.</p> <p>The CityStudio project will incorporate developing baseline metrics to evaluate how green economy businesses are growing in Whitby.</p>
--	--	---	--

## Objective 3.2: Attract and retain businesses and industry

Actions	Identified Measures of Progress	Status of Progress	2025 Update
3.2.1 Attract investment for hotel and convention centre	Secure investment in hotel and convention centre.	In Progress – Nearly Finished (75%)	The Hotel Feasibility Study was presented to and endorsed by Council, with detailed feasibility figures to share with the investment community. The package included a marketing brochure to attract prospective investors, clients, and media coverage. Staff attended an investor focused Dragon's Den event with the hospitality sector in November 2025.
3.2.2 Develop tools to support collaborative workspaces and home-based businesses	Develop home-based business tool kit and launch a new tool annually.  Develop action plan to support collaborative workspaces.	Complete in 2024	Hosted a business webinar as part of Local Business Week. The webinar was made available on the Invest Whitby webpage.
3.2.3 Expand the business retention and expansion program	Increase business retention and expansion program to conduct 50 interviews annually.  25 introductions to external organizations annually.  40 business support resources provided annually.	In Progress – Nearly Finished (75%)	The Business Retention and Expansion (BRE) program resumed mid-year in 2025, and Economic Development Staff completed 27 interviews in 2025.  Staff assisted well over 100 companies in Whitby including assistance on funding programs, site selection, and other resources.

<p>3.2.4 Implement and streamline municipal tools and processes to attract high-value, employment-generating businesses</p>	<p>Three businesses accepted into Concierge Program.</p> <p>Annual increase in commercial/industrial building permit values.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>The Concierge Program Framework was reviewed in 2025 to ensure program uptake, reflect current development trends, and remove any barriers to participation. Since the program's inception, clients have been identified but no formal applications have been received by staff. The program was relaunched in 2025 with new marketing and improved intake forms.</p>
<p>3.2.5 Implement initiatives that support our downtowns as thriving destinations</p>	<p>Implement one new placemaking initiative each year.</p> <p>Community Improvement Plan investment tracked annually.</p> <p>Maintain less than 5% Commercial Vacancy Rates.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>New placemaking features were installed at Roebuck Street in Brooklin, including a photo op installation, foosball table, cornhole boards, and solar-powered self-compacting garbage/recycling containers. New public art was painted at Grass Park.</p> <p>Community Improvement Plan Grants provided to date in 2025 for Downtown Whitby total more than \$38,000, and nearly \$6,000 for Downtown Brooklin.</p> <p>The Downtown Whitby retail vacancy rate is at 0.6% and office vacancy rate is at 1.7% in the Downtown Whitby Secondary Plan Area.</p> <p>The Brock Street Redesign Study concept plan was launched for public engagement in September 2025.</p>

## Objective 3.3: Promote innovation and build competitive advantage

Actions	Identified Measures of Progress	Status of Progress	2025 Update
3.3.1 Develop and implement Intelligent City Strategy and Action Plan that leverages collaboration and technology to support innovative solutions	Action Plan developed.	In Progress – Nearly Finished (75%)	Development is underway on the Intelligent City Strategy. Projects have been identified, and an Action Plan will be presented to Council for approval in early 2026.
3.3.2 Increase supports offered to tech-based businesses in partnership with Whitby's technology accelerator (1855 Whitby)	2 initiatives undertaken annually in partnership with 1855. 20 clients impacted annually.	In Progress – Nearly Finished (75%)	An Information and Communication Technology (ICT) Roundtable was held in April 2025 with more than 15 tech businesses in attendance. During Local Business Week, the Town partnered with 1855 Whitby Technology Accelerator for a Masterclass event focused on entrepreneurship. The Town of Whitby, together with 1855 Whitby, submitted a joint submission for Ontario Vehicle Innovation Network (OVIN).
3.3.3 Leverage grant funding to support broadband and Smart City initiatives	Grant funding secured. One project undertaken.	In Progress – Nearly Finished (75%)	Through the development of the Intelligent City Action Plan, several projects identified in 2025 will be leveraged for grant funding to support broadband and Smart City Initiatives.

## STRATEGIC PILLAR 4

### Whitby's Government - Accountable & Responsive

#### Objective 4.1: Address community needs through collaboration and strategic partnerships

Actions	Identified Measures of Progress	Status of Progress	2025 Update
4.1.1 Advocate for funding from upper levels of government and other partners to support and advance current and anticipated community priorities	<p>Present community needs to government partners annually.</p> <p>Report annually on grant funding applications.</p>	In Progress – Nearly Finished (75%)	<p>The Town has applied for over 20 grants, resulting in over \$21.5 million in grant funding in 2025.</p> <p>These include the Housing Enabling Core Services Grant, the Green and Inclusive Community Building Grant for 55+ Building Retrofits, Growing Canada's Community Canopies, Canada Summer Jobs, and Seniors Active Living Centers Grants.</p>
4.1.2 Strengthen existing and build new partnerships	<p>Develop partnership database.</p> <p>Establish four new partnerships and report on outcomes.</p>	Complete in 2025	The Town established a partnership with local area municipalities in Durham to create an Indigenous Consultation Working Group and develop a practical and actionable Municipal Indigenous Engagement Guide. This Guide will support both legislated consultation requirements and the advancement of best practices related to land use planning, infrastructure, and other municipal projects across the Region.

## Objective 4.2: Be the organization that people want to join and build their future

Actions	Identified Measures of Progress	Status of Progress	2025 Update
4.2.1 Identify and apply leading practices to ensure the Town is competitive in the market	<p>Complete Market Review for all Regular Full-Time Exempt and CUPE positions and present recommendations to Council.</p> <p>Advance development and implementation of at least two keystone programs identified in the Town's Talent Management framework.</p>	In Progress – Nearly Finished (75%)	<p>The Market Review is complete, and its recommendations were approved by Council.</p> <p>The Career Development Program pilot was completed in 2025 along with a soft launch of the program. A second cohort is underway in late 2025/early 2026.</p> <p>Components of the Leadership Development Program have been identified, and the program is being finalized. Expected to launch no later than Q2 2026.</p>
4.2.2 Identify and implement training and professional development opportunities	Advance the development and implementation of at least two keystone programs identified in the Town's Talent Management framework.	In Progress – Nearly Finished (75%)	<p>The Career Development Program pilot was completed in 2025 along with a soft launch of the program. A second cohort is underway in late 2025/early 2025.</p> <p>Components of the Leadership Development Program have been identified, and the program is being finalized. Expected to launch no later than Q2 2026.</p>
4.2.3 Identify opportunities and take steps to establish a more diverse and inclusive workplace	<p>Advance corporate census that benchmarks the Town's diverse employee population compared to the community.</p> <p>Advance an outreach program to provide individuals from marginalized communities with opportunities to learn about and experience public service.</p>	In Progress – Nearly Finished (75%)	<p>Planning is in progress to implement the voluntary disclosure of identifying information of job applicants. This will be launched in 2026.</p> <p>Staff have been exploring a program to provide vulnerable individuals with an opportunity to gain work experience. The program will be launched in early 2026.</p>

<p>4.2.4 Implement strategies to attract and retain the best staff to serve the community</p>	<p>Complete Market Review for all Regular Full Time Exempt and CUPE positions and present recommendations to Council.</p> <p>Develop Talent Acquisition and Retention Strategy, including outreach program that increases awareness of benefits of careers in public service.</p>	<p>Complete in 2025</p>	<p>The Market Review is complete, and its recommendations were approved by Council.</p> <p>The development of the Talent Acquisition and Retention Strategy is complete. The Strategy will be shared with Staff in early 2026.</p>
---	---	-------------------------	--

## Objective 4.3: Deliver exceptional customer service and community engagement

Actions	Identified Measures of Progress	Status of Progress	2025 Update
4.3.1 Continually improve the customer experience through the use of technology, more flexible payment and service options, and the implementation of a consolidated customer contact centre	<p>Begin implementing the customer contact centre.</p> <p>Streamline the digital customer experience through an online portal and/or Customer Relationship Management (CRM) software.</p> <p>Expand and standardize payment options by offering e-transfer and/or credit card payment options on all invoices.</p>	Complete in 2025	<p>In 2025, Phase 1 of Service Whitby brought together front counter, phone, and email services for Tax and Clerks, creating the foundation for the Town's 'one-window' customer service model.</p> <p>Key achievements include the launch of the Contact Centre. Residents and businesses now benefit from a more informed and responsive main line for both phone and email inquiries, moving beyond traditional switchboard transfers to a resolution focused point of contact.</p> <p>Consolidated customer service functions in Tax and Clerks, Staff implemented, reviewed, and refined processes, and are leveraging technology and workflow improvements to make Service Whitby more efficient and customer centered.</p> <p>With a focus on the digital customer experience, the Town issued and awarded a Request For Proposal to support the implementation of a Customer Relationship Management (CRM) tool and online portal and initiated the project.</p>

<p>4.3.2 Identify, establish, and report on service levels of interest to the community</p>	<p>Identify service levels of interest to the community.</p> <p>Report on one service level standard of interest to the community annually (i.e. winter maintenance, waste collection).</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>A comprehensive strategy to include private laneways and multi-residential locations in the Town's waste collection program has been finalized.</p> <p>The Town's updated Waste Collection By-law, which includes the Technical Risk Guidelines for waste collection on private property, was presented to Council and locations will be phased in beginning in early 2026.</p>
<p>4.3.3 Implement new technologies and systems that modernize business tools to increase efficiencies and engagement</p>	<p>Develop a scorecard to track progress of the Corporate Information Technology and Digital Strategy Plan. Assess growth using the Digital Maturity Model.</p> <p>Measure and report on completion and advancements of modernization projects.</p>	<p>Complete in 2025</p>	<p>The Scorecard has been developed. Based on the Digital Maturity model, which tracks progress across various categories identified in the CTDSP, the Town of Whitby began its journey as an Early Experimenter.</p> <p>Early Experimenters (Level 2) have some digital solutions in place, are exploring and implementing others, and have core business solutions implemented but not fully leveraged.</p> <p>Since this initial assessment, the Town's IT department and its partners have collaborated to accelerate the understanding of the digital-first approach. This has resulted in our evolution to Digitally Accelerating (Level 3) with governance in place to align IT and business strategies.</p> <p>An internal Technology Resource Group and an organization-wide Strategic Resource Planning process have enabled the Town to focus on high-volume digital tools, facilitating increased digital collaboration and prioritizing key digital</p>

			<p>integrations. The Town continues to focus on customer-facing applications to enhance and improve the citizen experience. The focus in 2025 has been on stabilizing Workday for Finance and HR, developing and implementing customer service applications, implementing Housing Accelerator Fund-supported improvements to permitting portals, and leveraging applications to streamline processes.</p>
4.3.4 Implement opportunities for Council to engage the community	<p>Host annual Ward Town Halls.</p> <p>Publish a monthly Mayor's newsletter with a 5% annual increase in page views.</p> <p>Publish a Council highlights document after each regular Council meeting with a 5% annual increase in page views.</p> <p>Magazine published annually, focusing on life in Whitby.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>All members of Council actively engage with the community through social media channels, at Town and community events, and more.</p> <p>In addition to four Ward Town Hall Events, the Mayor's second annual Facebook Live event, and more, Mayor and Council continued to find new ways to connect with residents in 2025. This included increased "Coffee with Mayor Roy" events, the introduction of two new Meet Up with Mayor Roy events, and the increase in the number of Talk Budget with Mayor Roy events.</p> <p>The monthly Mayor's Newsletter has seen a 32% increase in page views between 2024 and 2025.</p>

<p>4.3.5 Provide timely and transparent reporting to the community, staff and Council</p>	<p>Regular updates on Community Strategic Plan accomplishments through staff reports, Council newsletters and public meetings.</p> <p>Formal annual reporting on progress of Community Strategic Plan.</p> <p>Creation of interactive webpage to support real-time reporting.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>The 2024 annual progress report for the Community Strategic Plan was submitted to Council in early 2025 to provide a fulsome report on the status of measures of progress to date. A status update was reported on the Connect Whitby project page for the public.</p>
---	---	--	---

## Objective 4.4: Ensure fiscal accountability and responsibility plan for growth

Actions	Identified Measures of Progress	Status of Progress	2025 Update
4.4.1 Deliver services that respond to community needs while balancing the impact to taxpayers	<p>Obtain community needs/budget priorities through citizen budget engagement tools.</p> <p>Introduce participatory budgeting to inform investment in the budget for Council consideration.</p> <p>Balance the impact to taxpayers by annually reviewing and updating user fees to recover costs of service delivery/new services.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>Third consecutive year of utilizing participatory budget tools and incorporating engagement results into the budget/preliminary budget.</p> <p>For the 2026 budget, 48 per cent of participants chose no new investments in order to keep taxes low. This represents a shift from last year's budget engagement where participants were asked how to best allocate a \$100,000 incremental investment, and only 22 per cent voted not to spend money on new investments.</p> <p>Staff identified more than \$2 million in internal cost savings to bring the 2026 tax increase down to 3.44 per cent.</p> <p>In 2025, the Town began a review of its core services to assess whether they meet community needs and to identify opportunities for greater efficiency and cost-effectiveness.</p>

4.4.2 Plan for future growth through update to Official Plan and Comprehensive Zoning By-Law	<p>Interactive zoning map launched.</p> <p>Update to Official Plan completed and approved.</p> <p>Comprehensive Zoning By-Law approved.</p>	In Progress – Nearly Finished (75%)	<p>Staff are in the final phase of the Official Plan Amendments, following public engagement in 2025. Statutory Public Meetings regarding Draft Proposed Amendments were held at the end of 2025, and Final Amendments went to Council for adoption.</p> <p>The second draft of the Comprehensive Zoning By-law was completed and circulated at the end of 2025 to the applicable public agencies and internal departments for a final review and input. It is further anticipated that the Draft Comprehensive Zoning By-law will be presented for additional input at a Public Open House and a statutory Public Meeting in the first half of 2026.</p>
4.4.3 Proactively address growth by completing ward boundary review	Ward boundary review.	Complete in 2025	<p>In 2025, Staff worked with an organization with expertise in land-use planning, demographics, and population forecasting, to prepare a ward population projection. Due to recent changes in market conditions resulting in a slower rate of development, the projection found that the Electoral Ranges projected for each of the Town's four wards in 2030 still fall into an acceptable range as indicated in the Ward Boundary Review Guidelines Policy. Therefore, a Ward Boundary Review is not required at this time.</p>

<p>4.4.4 Update long-range financial plans to ensure essential Town services are provided in a sustainable and affordable way</p>	<p>Long-range financial plan updated annually.</p> <p>Ensure annual contributions to keep Town infrastructure in a state of good repair are adjusted annually to account for inflation, growth, and condition of assets and do not decline (as a % of the Town's asset management plan contribution target).</p> <p>Utilize debt in a fiscally responsible manner to fund capital projects while ensuring debt servicing costs as a % of net revenues are below the thresholds set by Town policy and the 25% threshold set by the province.</p> <p>Allocate a minimum of 50% of additional tax revenues from growth (e.g. new homes, businesses added to the tax roll) to offset operating budget pressures related to the maintenance of essential services and service levels.</p>	<p>In Progress – Nearly Finished (75%)</p>	<p>The Town's 2025 Municipal Asset Management Plan ("MAMP") update was completed on time and met the provincial requirements (Ontario Regulation 588/17). It was approved by Council in June 2025 and has informed the projects and funding amount in the 2026 Budget.</p> <p>The MAMP includes the following with the goal of keeping the Town's aging infrastructure in a state of good repair:</p> <ol style="list-style-type: none"> <li>1) Proposed Level of Service for all asset categories;</li> <li>2) Lifecycle management activities; and</li> <li>3) Costs/ Financial strategy and risk Overview.</li> </ol>
---	---	--	--

# Memorandum to Council

Office of the Town Clerk



---

**To:** Mayor and Members of Council

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

**From:** C. Harris, Town Clerk

**Date:** February 2, 2026

**File #:** n/a

**Subject:** Additional Proposed Amendments to the Procedure By-law re: decorum and recordings

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

---

With amendments to the Procedure By-law pending through Staff Report CLK 02-26, Staff have taken the opportunity to further review the By-law, specifically Section 5.12, to ensure best practices are incorporated. The review was triggered following a recent inquiry from the Justice Centre for Constitutional Freedoms with respect to the use of personal recording devices at Council and Committee meetings. Staff are recommending the following revisions to Section 5.12, with the primary objective being to modernize the Town's approach to transparency while maintaining a safe and orderly environment for Council and Committee meetings:

## Members of the Public

5.12 No member of the public shall:

- 5.12.1 display signs, banners, emblems, or flags, ~~or make use of cameras, audio or video recording devices in the Council Chambers or other Meeting location~~, except by permission of the Chair;
- 5.12.2 **make use of cameras or recording devices in a manner that is disruptive to the proceedings, creates a hazard, obstructs the view of others, or may be reasonably perceived as an attempt to intimidate, harass, or impede any person's participation in the Meeting;**
- 5.12.3 come onto the dais during a Meeting of Council or Committee without the permission of the Mayor;

- 5.12.4 make detrimental comments, or speak ill of, or malign the integrity of staff, the members of the public, or Council and Committee;
- 5.12.5 use offensive, abusive, or demeaning language, make gestures, or undertake any other actions that are intimidating or intended to undermine the orderly conduct of the Meeting;
- 5.12.6 make any statement or engage in any behaviour that may be reasonably perceived as a threat of violence or retaliation against staff, Council, or members of the public; or,
- 5.12.7 consume food or drink, other than water, in a room in which a Meeting is taking place.

With respect to using personal recording devices to record meetings, the existing By-law language requires members of the public to obtain explicit permission from the Chair to use any recording device. The proposed amendment would permit the use of cameras and recording devices by default, provided they are not used in a manner that is disruptive, creates a physical hazard, or is intended to harass and intimidate participants. The legal rationale and analysis for this proposed amendment is provided in Confidential Memorandum LS-M-02-2026 from the Commissioner of Legal and Enforcement Services/Town Solicitor, circulated under separate cover to Council.

Beyond recording, the amendment also expands the standards of conduct to address incivility, and allow for Staff, Council, and the public to express themselves in a forum which is respectful, civil, and free from harassment or intimidation. While the current By-law focuses broadly on detrimental comments, speaking ill of, or maligning one's integrity, the new language in Subsection 5.12.5 would prohibit language, gestures or other actions that are intended to intimidate or undermine the orderly conduct of, and participation within, the meeting. These additions will provide the Chair with stronger tools to intervene should behaviour at a meeting shift from healthy disagreement to targeted disruption or harassment.

Overall, when considering these changes in tandem with Confidential Memorandum LS-M-02-2026, the aim is to balance the public's right to document and participate in their local government with the Town's responsibility to provide a safe, respectful, and functional meeting space for all. Accordingly, it is recommended that Council adopt the following resolution:

**Recommendation:**

That Council refer to the By-laws portion of the agenda to adopt the amended Procedure By-law in accordance with Staff Report CLK 02-26 and the Memorandum from the Town Clerk dated February 2, 2026.

# Town of Whitby

## Staff Report

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



---

### Report Title: Enhancing Governance and Procedural Fairness for Notice of Motion (Response to Resolution #254-25)

---

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** CLK 02-26

**Department(s) Responsible:**

Office of the Town Clerk

**Submitted by:**

Chris Harris, Town Clerk

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

**For additional information, contact:**

Chris Harris, Town Clerk, x4302

---

#### 1. Recommendation:

**That the Clerk be directed to bring forward a by-law to amend the Procedure By-law to adopt the revisions as shown in Attachment 1 to Report CLK 02-26.**

#### 2. Highlights:

- This report reviews the rules of procedure for motions introduced by Members of Council that are provided to Staff and Council with little or no notice.
- Revisions to the Procedure By-law are proposed to reinforce the Town's commitment to informed governance and procedural fairness by revising the timelines for the introduction of motions under new and unfinished business.

#### 3. Background:

This report is in response to Council Resolution #254-25 adopted at the December 15, 2025 Council meeting:

"Whereas Council requires adequate notice of motions to allow members sufficient time to become informed on the topic, understand its implications, consult with Staff, and make well-considered decisions for the benefit of the community; and,

Whereas advance notice of matters before Council must be provided through the published agenda and made publicly available so that all stakeholders - whether they are in support, opposed, or undecided - have the opportunity to register to speak to the issue.

Now Therefore Be It Resolved:

That the Clerk be directed to review the Procedure By-law regarding notices of motion and delegation requests, with particular attention to motions introduced under New and Unfinished Business with little or no notice, and recommend amendments to ensure Council and the public have sufficient time to review and provide input on such matters.”

Section 11.37 of the Procedure By-law permits a Member of Council, with the consent of two-thirds majority support, to introduce a motion under the New and Unfinished Business portion of the agenda, which due to its urgent nature cannot be properly presented in accordance with the prescribed timelines. Should the two-thirds threshold (6 of 9 Members) be achieved, then the motion will be considered by Council and may be adopted by Council on a simple majority (5 of 9 Members).

The Procedure By-law, specifically Section 11.33, prescribes that a Member of Council is required to notify the Clerk of the topic of a proposed motion 10 days in advance of the meeting and submit a written copy no later than Wednesday noon before the meeting (5 days in advance of the meeting). Following these timelines ensures that Council receives notice of pending motions prior to the agenda’s publication and allows the motion to appear on the agenda so that all stakeholders have an opportunity to review and submit feedback in advance of the meeting. A motion that is submitted in accordance with the prescribed timelines per Section 11.33 will be considered by Council as part of the meeting agenda and may be adopted on a simple majority vote.

The Wednesday noon deadline for motions has been in place since 2008 following the adoption of Procedure By-law #6125-08. Deadlines for motions have been in place for some time and the deadline was previously set as Thursday noon from 2003 to 2008 in accordance with Procedure By-law #5210-03. The requirement that a Member submit to the Clerk the topic of a proposed motion 10 days in advance of the meeting was introduced in 2024 following a comprehensive review of the Procedure By-law and input from all Members of Council. As noted in [Staff Report CLK 04-24](#), the justification for introducing the 10-day deadline was to “allow Members to be aware of the topics of Notices of Motion prior to agendas being published and receiving inquiries from constituents who may review meeting agendas shortly after publication, prior to Members having capacity to review themselves.”

A review of each Committee of the Whole and Regular Council meeting was undertaken for this Term of Council to identify the introduction of urgent motions requiring two-thirds support for leave to introduce. As identified in the table below, there have been more frequent requests for Council to waive the rules of procedure to allow late but urgent motions over the course of this Term of Council:

Year	Late but urgent motions where Council was requested to waive the rules of procedure
2023	0
2024	2
2025	7

While the increase in requests to waive the rules of procedure as shown in the table above coincided with the introduction of the 10-day notice requirement in 2024, based on a review of each individual late motion, Staff do not believe that the more frequent introduction of late motions is entirely attributable to the deadline change.

Delegation requests are only permitted for items that appear on an agenda in accordance with Section 11.17 of the Procedure By-law. Having delegates speak “to an item on the agenda” was a provision that first appeared in the Procedure By-law in 2013. As only motions submitted in accordance with the prescribed timelines are published on the agenda, delegates are only permitted to register and speak as of right to motions submitted prior to the notice of motion deadlines in Section 11.33. Currently, if a Member of Council wishes to have delegations speak to a late motion, they must request that Council waive the rules of procedure which requires a two-thirds majority vote to pass.

The following provides a summary of the existing rules in the Procedure By-law pertaining to motions and delegations speaking to motions submitted by Members of Council:

Motion type	Submission Deadline	Delegations allowed?	Council vote required
Standard	Notice to Clerk 10 days prior, with final wording by Wednesday Noon	Yes	None – motion is considered by Council and delegates heard as of right.
Late	Deadline has been missed	No, but Council may waive the rules of procedure to allow	2/3rds majority for leave to introduce motion due to its urgent nature 2/3rds majority to waive rules of procedure to hear delegates

Staff understand that Members of Council have the following concerns which resulted in Council Resolution #254-25 being brought forward and adopted:

- Late motions do not allow sufficient notice for Members of Council to review and become informed on the topic, understand its implications, consult with Staff, and make well-considered decisions;
- When delegates are organized by individual Members of Council to speak to a late motion that is not published on the agenda and those delegates are physically present at the meeting, Members of Council may feel pressured to allow them to speak and fear being accused of not allowing public input if the request is denied even though the rules of procedure do not permit delegations in such instances;
- In the vast majority of cases, Members have indicated that with proper planning and foresight, it is possible to submit motions that adhere to the prescribed timelines.

Staff have also heard concerns from some Members that limiting Council's ability to waive the rules of procedure to consider late motions and hear delegates on those motions will result in urgent matters not being considered and the curtailing of public input. The recommendations contained in this report attempt to balance the different concerns of Council while responding to Council Resolution #254-25.

#### 4. Discussion:

This report recommends that the Procedure By-law be amended to put in place the following revised timelines to consider motions and delegations to those motions (see

also Sections 4.1 to 4.5 below for a breakdown and comparison of the current versus proposed provisions):

<b>Motion type</b>	<b>Submission Deadline</b>	<b>Delegations allowed?</b>	<b>Council vote required</b>
Standard	Notice to Clerk 10 days prior by noon, with final wording by Monday noon	Yes	None - motions submitted prior to the deadline and delegations speaking to those motions are permitted as of right
Late – missed deadline but submitted before 8:00am on the day of the meeting	Deadline has passed, but Council may grant leave to introduce motion due to its urgent nature	No	Motion - 2/3rds majority required for leave to introduce  Delegations - a vote to suspend the rules of procedure is not permitted
Late – missed deadline and submitted after 8:00am on the day of the meeting	Deadline has passed and Council may not suspend the rules of procedure to grant leave to introduce motion	No	Motion and Delegations - a vote to suspend the rules of procedure is not permitted

The changes to notice of motion deadlines and hearing delegations on Member motions as shown above seek to reinforce the Town's commitment to transparency and informed governance by revising the timelines for the introduction of late motions of an urgent nature under New and Unfinished Business. As noted in Resolution #254-25, the primary rationale for these changes is to ensure that Council members have sufficient time to understand the implications of a motion and consult with Staff, while providing the public with a meaningful opportunity to review the matter and register as delegations.

The current practice of introducing late motions under New and Unfinished Business with little or no notice can circumvent essential democratic processes. By implementing a strict 8:00 a.m. meeting-day cutoff for the consideration of late motions of an urgent nature and prohibiting the suspension of rules of procedure to allow delegations on items that miss the standard notice period, the proposed framework ensures that all stakeholders, whether they are in support or opposition, have a fair and predictable opportunity to participate in the process.

While these amendments introduce a more formalized structure to Council proceedings, they are fundamentally a logical extension of Council's established procedural principles. Currently, the Procedure By-law restricts delegations to matters appearing on the published agenda to ensure that both Council and the public have adequate notice and understanding of matters to be considered at a meeting. The proposed changes simply align the handling of notices of motions with this existing standard by requiring motions be submitted by the established deadlines so that they appear on the agenda in order for delegations to be permitted. While the proposed amendments add a layer of procedural rigidity by limiting the use of discretionary waivers for certain late motions and associated delegations, it ensures that the rule requiring that delegations speak only to matters appearing on the agenda is applied uniformly.

In addition to introduction of urgent motions from Members, the Procedure By-law provides an avenue for the handling of urgent or emergency issues impacting the Town by allowing the Mayor to call an emergency Special Council Meeting. Section 8.17 of the By-law provides that "on urgent or extraordinary circumstances, the Mayor may call an emergency Special Council Meeting" and that the provisions requiring that notice provided be no later than 24 hours prior to the meeting do not apply in such circumstances.

The following provides an overview of each change proposed, and how it differs from the current rules of procedure:

#### **4.1 Motion Topic Submission Deadline**

<b>Current</b>	<b>Proposed</b>
10 days in advance of meeting (for Monday meetings, this is two Fridays before)	10 days at noon in advance of meeting

Reason for change – Setting the deadline for motion topics at noon, rather than an undefined time of day, 10 days in advance of the meetings allows Clerks Staff to distribute the motion topic to Members of Council before the end of the working day and ensures Council has the weekend to review.

#### **4.2 Motion Wording Submission Deadline**

<b>Current</b>	<b>Proposed</b>
Wednesday noon	Monday noon

Reason for change – the Clerk's Office aims to publish Committee of the Whole agendas the Monday prior to the meeting or one week in advance. Synchronizing the deadline for motion wording with the agenda publication is deemed desirable to ensure that the public has as much time as possible to review motions and submit feedback

and/or register to appear as a delegation. In most instances, Members of Council submit the full motion wording on or before the topic deadline, and it is the minority of instances where the topic is submitted followed by final motion wording. Accordingly, this change is expected to have minimal impact on Council Members while ensuring the public benefits from having full motion details available when the agenda is first published.

#### 4.3 Late motions

Current	Proposed
Members may put forward a motion to waive the rules of procedure due to a motion's urgent nature. Requires 2/3rds support to introduce.	<p>Motion is late but submitted to the Clerk <u>before 8:00am</u> the day of the meeting, and it is of an urgent nature, then a Member may put forward a motion to waive the rules of procedure to request leave to introduce.</p> <p>Motion is late but submitted to the Clerk <u>after 8:00am</u> the day of the meeting, the rules of procedure may not be waived to allow the motion to be introduced and the matter must wait until the next meeting to be considered.</p>

Reason for change – Establishing an 8:00am day of the meeting deadline that acts as a definitive cut-off for late submissions will ensure administrative readiness and procedural fairness. The 8:00am deadline will provide the Clerk's Office with a final window to process and distribute late items to Council and Staff before the meeting commences. Further, by prohibiting the ability to waive the rules of procedure for motions submitted after 8:00am, Council will eliminate attempts to surprise other Members with late motions and circumvent Staff's review. The proposed change still preserves the ability of Council to handle genuinely urgent matters that meet the day of cut-off through a two-thirds majority vote, while ensuring that the democratic process is not compromised by last-minute items.

#### 4.4 Delegations speaking to motions submitted in accordance with the established timelines

Current	Proposed
Permitted to register and speak to items that appear on the published agenda, including motions submitted in accordance with the timelines in the Procedure By-law.	No change

#### 4.5 Delegations speaking to late motions

Current	Proposed
A Member of Council may request that the rules of procedure be waived to allow delegations to speak to late motions that do not appear on the agenda.	For all late motions, delegations are not permitted and a Member may not ask for the rules of procedure to be waived to allow delegations to be heard.

Reason for change – the proposed amendment to prohibit delegations on late motions is rooted in the principles of procedural fairness, transparency, and informed decision-making for the following reasons:

- Meaningful public consultation requires that all residents have an equal opportunity to review and respond to proposed motions. The published agenda serves as the official vehicle for notice and residents subscribe to these updates with the expectation that it contains all matters to be considered at a meeting. Allowing delegations on late motions that do not appear on the published agenda creates an information asymmetry. It privileges those who may have “insider” knowledge of late motions while effectively excluding the broader public who rely on official notice periods through the published agenda to exercise their democratic rights.
- Restricting delegations to items already published on the agenda will ensure that Council is not forced to deliberate based on limited public feedback that may skew to one side of the argument.
- Under current rules, Members of Council are often placed in an untenable position when asked to waive the rules for delegations present in the gallery. Denying such requests can be mischaracterized as “shutting down public debate,” even when the denial is based on a legitimate desire for staff input or proper public notice. Removing the option to waive this rule creates a consistent and predictable framework. It shifts the focus from political optics to procedural integrity, ensuring that no Member is pressured into making a snap decision without information from Staff and ensuring a fair and equal opportunity for public input.

- It is recognized that some matters are truly time-sensitive. However, if a motion is so urgent that it must be introduced after the standard deadline (and before the 8:00 a.m. cutoff), it typically requires Council to exercise its representative function to prevent immediate harm or missed opportunities. In such rare and urgent cases, the timeline inherently precludes a fulsome public consultation process. If a matter is important enough to require public input, then it should be important enough to be scheduled on a future agenda where that input can be gathered and Council have time to consider that input as part of its decision making process.
- This framework provides Staff with the time to research the matter in order to be able to respond to questions raised during the meeting.

Ultimately, these revisions reinforce the standard that public transparency should not be sacrificed for procedural convenience. By requiring motions to meet established deadlines to qualify for delegations, Council will ensure that public input is part of a deliberate and visible democratic process.

## **5. Financial Considerations:**

Not applicable.

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

The proposed amendments to the Procedure By-law recommended through this report revise and strengthen the existing the existing rules of procedure that Members of Council must follow to ensure transparency and meeting readiness. Accordingly, broad public engagement was not undertaken in the preparation of this report.

It is important to note that the proposed amendments do not reduce the existing rights of residents to participate in the Council decision making process. Under the current Procedure By-law, the public is only permitted to register and speak to items appearing on the published agenda. Since late motions are not included on the published agenda, there is currently no "as of right" opportunity for the public to delegate on these items. The current ability for a delegation to speak to a late motion is not a guaranteed public right, but rather a discretionary privilege that requires a two-thirds majority of Council to waive established rules. Removing the option for this waiver provides procedural consistency without stripping away a standard public entitlement.

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

As was noted when Council Resolution #254-25 was before Council, it was not the intent of Staff to obtain the input from each Member of Council on this matter prior to bringing forward a recommendation. Discussion that occurred during the debate of Resolution #254-25 was taken into account when developing this report. Further, the opportunity for each Member to provide their input, including whether to proceed with the recommended amendments as presented, will occur while debating this report.

**8. Strategic Priorities:**

The recommendation in this report aligns with Pillar 4 of the Whitby Community Strategy Plan which highlights that Whitby government “is focused on efficiency, effectiveness, value for money, and financial sustainability. It is premised on the best use of technology, transparent and open decision-making, meaningful engagement, and a commitment to continuous improvement.”

**9. Attachments:**

Attachment 1 – Proposed Revisions to the Procedure By-law



# The Corporation of the Town of Whitby

## Rules of Procedure By-law # 8081-24

### Consolidated Version

A By-law governing the calling, place and proceedings of meetings.

This document has been reproduced for convenience only and is a consolidation of the “Rules of Procedure By-law # 8081-24”, adopted by the Council of the Town of Whitby on May 27, 2024.

As amended by By-laws:

By-law Number      Date Passed:

8190-25              May 26, 2025

Individual copies of any of the above by-laws are available from the Office of the Town Clerk of the Town of Whitby. For legal purposes, copies of the original by-laws should be obtained.

## Table of Contents

<b>Section</b>	<b>Page Number</b>
<b>1. Definitions.....</b>	Page 5-7
<b>2. Interpretation.....</b>	Page 7
<b>3. Application and Suspension of the Rules.....</b>	Page 7
<b>4. General Principles.....</b>	Page 7-8
<b>5. Conduct at Meetings.....</b>	Page 8-10
▪ Members of Council (8)	
▪ Rules of Debate (9)	
▪ Members of the Public (9-10)	
<b>6. Powers and Duties of the Mayor.....</b>	Page 10-11
▪ Duties of the Mayor (10)	
▪ Mayor's Designates and Appointments (11)	
<b>7. Powers and Duties of the Clerk.....</b>	Page 11-12
<b>8. Meetings – General Provisions.....</b>	Page 12-15
▪ Electronic Participation (12-13)	
▪ Inaugural Council Meeting (13)	
▪ Notice of Meetings (13)	
▪ Special Council Meetings, Calling and Notice (14)	
▪ Seating (14)	
▪ Voting (15)	
<b>9. Closed Meetings.....</b>	Page 15-16
<b>10. Quorum.....</b>	Page 16
<b>11. Council Proceedings.....</b>	Page 16-22
▪ Council Order of Business (16-17)	
▪ Call to Order (17)	
▪ Land Acknowledgement, National Anthem, and Moment of Reflection (17)	
▪ Call of the Roll (17)	
▪ Declarations of Conflict of Interest (17-18)	
▪ Presentations (18)	
▪ Delegations (18-19)	
▪ Correspondence/Petitions (19-20)	
▪ Committee Reports (20)	
▪ Contents of Committee Reports (20-21)	
▪ Notice of Motion (21)	
▪ New and Unfinished Business (21)	
▪ By-laws (21-22)	
▪ Confirmatory By-law (22)	
▪ Announcements (22)	
▪ Adjournment (22)	

<b>12. Standing Committee Meetings.....</b>	Page 22-25
▪ Chair and Vice-Chair (22-23)	
▪ Committee Order of Business (23)	
▪ Composition (23)	
▪ Special Standing Committee Meetings (23-24)	
▪ Referral by Mayor (24)	
▪ Rules of Procedure for Committee (24)	
▪ Standing Committees (24)	
▪ Standing Committee Responsibilities (24-25)	
<b>12. Statutory Public Meetings under the Planning Act.....</b>	Page 25-26
<b>13. Advisory Committee Procedures and Reporting.....</b>	Page 26
<b>14. Motions.....</b>	Page 26-31
▪ Precedence of Motions (26-27)	
▪ Seconding (27)	
▪ Adjourn (27)	
▪ Appeal (27-28)	
▪ Beyond Jurisdiction (28)	
▪ Call the Question (28)	
▪ Deferral (28)	
▪ Limit or Extend Limits of Debate (28-29)	
▪ Point of Order (29)	
▪ Question of Privilege (29)	
▪ Recess (29-30)	
▪ Reconsideration (30)	
▪ Referral (30)	
▪ Rescind (30-31)	
▪ Table (31)	
▪ Take from the Table (31)	
▪ Withdrawal (31)	
<b>15. Short Title.....</b>	Page 32
<b>16. Repeal of Existing By-laws.....</b>	Page 32
<b>17. Effective Date.....</b>	Page 32
<b>Appendix 1 – Voting Table.....</b>	Page 34



# Town of Whitby

## By-law # 8081-24

### Rules of Procedure By-law

Being a By-law governing the calling, place and proceedings of meetings.

Whereas section 238(2) of the Municipal Act, 2001, S.O. 2001, c. 25, provides that every municipality shall pass a procedural by-law for governing the calling, place and proceedings of meetings.

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

#### 1. Definitions

- 1.1. **Advisory Committee** means a Committee created by Council to act in an advisory capacity on a specific matter of municipal interest;
- 1.2. **By-law** means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council;
- 1.3. **Chair** means the presiding officer of any Meeting of Council or Committee;
- 1.4. **Clerk** means the Clerk of the Corporation of the Town of Whitby, or their designate, as the context requires;
- 1.5. **Closed Meeting** means a Meeting, or part of a Meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act;
- 1.6. **Committee** means any Standing Committee, Advisory Committee, Quasi-Judicial Committee or other committee, subcommittee or similar entity established by Council;
- 1.7. **Consent Agenda** means a listing of Consent Items presented to Council or Committee for its consideration and vote;
- 1.8. **Consent Item** means a report that is presented for approval without debate and is generally considered routine or time sensitive;
- 1.9. **Consent Report** means a report from a Standing Committee outlining items approved by the Standing Committee and being forwarded to Council for its consideration;
- 1.10. **Council** means the Council of the Corporation of the Town of Whitby;
- 1.11. **Councillor** means a Member of Council, other than the Mayor;
- 1.12. **Delegate** means any person, group of persons, firm or organization, who is neither a Member of a Committee or Council or an appointed official of the Town, or a consultant or other individual hired by the Town, wishing to address Committee or Council on a specific matter upon request to the Clerk;

- 1.13. **Local Board** means any board established and exercising any power and a substantial amount of authority over their own operations under any Act with respect to the affairs or purposes of the Town, or the Town and one or more other municipalities;
- 1.14. **Majority** means for the purpose of voting, unless otherwise specified, more than half the total number of the Members of Council or Committee present at the vote and not prohibited by statute from voting;
- 1.15. **Majority Vote** means more than one half of the votes cast by Members present (see also Attachment 1);
- 1.16. **Mayor** means the Mayor of the Corporation of the Town of Whitby;
- 1.17. **Meeting** shall have the same meaning as Section 238 of the Municipal Act.
- 1.18. **Member** means a Member of Council, a Committee, or a Local Board, as the context requires, and includes the Mayor;
- 1.19. **Motion** means a proposal moved by a Member and seconded by another Member, for the consideration of Council, or a proposal moved by a Member for the consideration of a Committee;
- 1.20. **Municipal Act** means the Municipal Act, 2001, S.O. 2001, c. 25, as amended or replaced from time to time;
- 1.21. **Open Meeting** means a Meeting which is open to the public;
- 1.22. **Petition** means a document requesting Council's consideration of a matter to which multiple individuals have signed or otherwise agreed with as petitioners and presented in a form and according to the process outlined in this by-law;
- 1.23. **Quasi-Judicial Committee** means a Committee created by Council to exercise a legislative or quasi-judicial power under the Planning Act, Municipal Act or an Act so prescribed, and includes the Municipal Licensing and Standards Committee (Property Standards Committee) required under the Building Code Act and the Compliance Audit Committee required under the Municipal Elections Act;
- 1.24. **Resolution** means a Motion that has been carried by Council;
- 1.25. **Rules of Procedure** means the rules and regulations governing the calling, place and proceedings of Meetings as provided in this by-law;
- 1.26. **Special/Ad Hoc Committee** means a Committee created by Council, with a defined ending, to report and recommend directly to Council/Committee on a specific matter;

- 1.27. **Standing Committee** means a Committee appointed by and directly reporting to Council, created from time to time, and currently comprised of the following Committees:
  - 1.27.1. Audit Committee; and,
  - 1.27.2. Committee of the Whole.
- 1.28. **Town** means the Corporation of the Town of Whitby; and,
- 1.29. **Two-Thirds Vote** means an affirmative vote of at least two-thirds of the votes cast by Members present (see also Attachment 1).

## **2. Interpretation**

- 2.1. In the event of a conflict between this Procedure By-law and any statute or regulation, the provisions of the statute or regulation shall prevail.
- 2.2. When advice or guidance is required on a question of procedure, Robert's Rules of Order may be used by the Clerk. The advice or guidance provided by Robert's Rules of Order may then be communicated by the Clerk to the Chair to assist in making a ruling.
- 2.3. Further to Section 2.2, Robert's Rules of Order does not automatically take precedence when the Procedure By-law does not address a particular procedural matter. Custom, precedent, and the intentional silence of the Procedure By-law on a matter must also be considered. Only when there is an inability to interpret or act upon the Procedure By-law would there be a need to reference Robert's Rules of Order.

## **3. Application and Suspension of Rules**

### **Suspension of Rules**

- 3.1. These Rules of Procedure shall be observed in all proceedings at meetings of Council, and, where applicable, in Standing Committee meetings.
- 3.2. The Rules of Procedure may be suspended by a Two-Thirds Vote, with the exception of the following:
  - 3.2.1. Section 11.18 (Delegations to Integrity Commissioner Reports and delegations to late notices of motion);
  - 3.2.2. Section 11.39 (Leave to introduce motions not provided to the Clerk on or before 8:00 a.m. on the day of the meeting);
  - 3.2.3. Section 11.475 (Adjournment); and,
  - 3.2.4. and any rule which is required to be followed by law.

**3.2.3.3.** A Motion to suspend the Rules of Procedure required by this by-law shall not be debatable or amendable and shall require a Two-Thirds Vote of the Members present.

**3.3.3.4.** A Motion to reconsider shall not be applied to a Motion to suspend the Rules of Procedure.

## **4. General Principles**

4.1. The following general principles shall be observed by all Members participating in a meeting, and may be used by a meeting Chair for guidance in determining the appropriate course of action for any matter not addressed in these procedures:

- 4.1.1. The majority of Members have the right to decide;
- 4.1.2. All Members have the right to be heard;
- 4.1.3. All Members have the right to information to help make decisions;
- 4.1.4. All Members have a right to an efficient meeting;
- 4.1.5. All Members have the right to be treated with respect and courtesy; and,
- 4.1.6. All Members have equal rights, privileges, and obligations.

## **5. Conduct at Meetings**

### **Members of Council**

5.1. No Member shall,

- 5.1.1. consume food in a room in which a Meeting is taking place, noting that beverages are permitted provided they are consumed in the provided drinkware;
- 5.1.2. speak disrespectfully of any level of government, including elected or appointed members of government, another municipality, or the Region of Durham;
- 5.1.3. use offensive words or speak disrespectfully against Council, staff, a Committee or Local Board, or against any Member;
- 5.1.4. speak on any subject other than the subject in debate;
- 5.1.5. criticize any decision of Council except for the purpose of moving that the question be rescinded, amended, or reconsidered; and,
- 5.1.6. disobey the Rules of Procedure or decisions on questions of order or practice, or upon the interpretation of the Rules of Procedure, and in

the case where a Member persists in any such disobedience after having been called to order, the Mayor or the Chair of the Committee or Local Board, as the case may be, may order that such Member leave the Meeting, however if the Member apologizes and agrees to adhere to the Rules of Procedure, matter of order, or matter of practice, the Member shall be permitted to remain at the Meeting.

### **Rules of Debate**

- 5.2. Every Member prior to speaking to any Motion must be recognized first by the Chair. This will be done by the raising of the Member's hand.
- 5.3. When two or more Members request to speak, the Chair shall designate the Member who has the floor first.
- 5.4. When the Chair calls for the vote on a Motion, no Member shall speak to any other Member or make any noise or disturbance and no Member shall speak to the Motion nor shall any other Motion be made until after the vote is taken and the result has been declared.
- 5.5. When a Member is speaking, no other Member shall interrupt the Member except to raise a question of privilege, appeal from the decision of the Chair, or raise a point of order.
- 5.6. Any Member may require a Motion under discussion to be read or displayed at any time during the debate but not so as to interrupt a Member while speaking.
- 5.7. No Member shall speak more than once to the same Motion without permission of the Chair, except that a reply shall be allowed to be made only by the Member who has presented the Motion to Council.
- 5.8. No Member, without leave of Council, shall speak to the same Motion, or in reply, for longer than five (5) minutes.
- 5.9. A Member after being recognized as the next speaker may ask questions for the purpose of obtaining information relating to the Motion under discussion and such questions must be stated concisely and asked only through the Chair, following which the Member shall speak.
- 5.10. The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before Council or a Standing Committee without leaving the Chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a Motion or debate a question without first leaving the chair.
- 5.11. If the Mayor desires a Member to preside over a portion of the Meeting for the purpose of the Mayor taking part in debate or moving a Motion, the Mayor

shall request that the Deputy Mayor, if present, and if not present, any other Member, preside over the Meeting until the Mayor resumes the Chair.

### **Members of the Public**

5.12. No member of the public shall:

- 5.12.1. display signs, banners, emblems, or flags, or make use of cameras, audio or video recording devices in the Council Chambers or other Meeting location, except by permission of the Chair;
- 5.12.2. come onto the dais during a Meeting of Council or Committee without the permission of the Mayor;
- 5.12.3. make detrimental comments, or speak ill of, or malign the integrity of staff, the public, or Council and Committee; or,
- 5.12.4. consume food or drink, other than water, in a room in which a Meeting is taking place.

## **6. Powers and Duties of the Mayor**

### **Duties of the Mayor**

6.1. It shall be the duty of the Mayor,

- 6.1.1. to preside at all Meetings of the Council;
- 6.1.2. to open Meetings of the Council by taking the Chair and calling the Members to order;
- 6.1.3. to announce the business before the Council in the order in which it is to be acted upon;
- 6.1.4. to receive and submit to a vote, in the proper manner, all Motions which do not contravene the Rules of Procedure and to announce the result;
- 6.1.5. to decline to put to a vote Motions which infringe upon the Rules of Procedure;
- 6.1.6. to restrain the Members, within the Rules of Procedure, when engaged in debate;
- 6.1.7. to enforce on all occasions the observance of order and decorum among the Members;
- 6.1.8. to expel any person for improper conduct at a Meeting, it being understood that such action shall be at the sole discretion of the Mayor;

- 6.1.9. to authenticate, by signature when necessary, all By-laws, Resolutions, and minutes of Council;
- 6.1.10. to inform Members of the Council on any point of order; and,
- 6.1.11. to adjourn the Meeting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of disorder arising in the Meeting.

### **Mayor's Designates and Appointments**

- 6.2. Where Council representation is required on a Committee or a Local Board, the Mayor shall designate the Member or Members to represent Council on such Committee or Local Board. A list of the Mayor's designates shall be placed on the next Regular Council agenda with a recommendation that they be received for information.
- 6.3. The Mayor shall appoint Members to serve as Chair and Vice-Chair of Planning and Development and Chair and Vice Chair of General Government, and those Members shall be responsible for chairing the respective portions of the Committee of the Whole agenda and meeting. The term of appointment shall be for one calendar year.

**Note:** Notwithstanding the provisions of the Procedure By-law, the ability for the Mayor to appoint Members to serve as Chair and Vice-Chair of Committees consisting solely of Members of Council is prescribed by Part VI.1 of the Municipal Act, 2001, S.O. 2001, c. 25.

- 6.4. The Mayor shall appoint a Ward Councillor as an alternate member of the upper-tier council, to act in place of a Member who is a member of the councils of the local municipality and its upper-tier municipality, when the Member is unable to attend a meeting of the upper-tier council for any reason.
- 6.5. The Mayor may appoint a Member to act as the Chair of Finance/Budget, and that Member shall be responsible for consulting with the Treasurer with regard to the preparation of the annual budget, and the presentation of the budget to the Council and public.

**Note:** Notwithstanding the provisions of the Procedure By-law, the Mayor has the authority to prepare and propose the annual budget to Council for Council's consideration, as prescribed by Part VI.1 of the Municipal Act, 2001, S.O. 2001, c. 25, unless the Mayor chooses to direct staff to carry out those duties and/or have that responsibility pass to Council by allowing the statutory timeframes to lapse.

- 6.6. Council shall consider and adopt a policy governing the appointment of and assignment of responsibilities to a Deputy Mayor. As a transition provision, until such time as a Council approved policy on the appointment of a Deputy Mayor is adopted, the appointment of Deputy Mayor shall continue to be in

accordance with Section 2.3 of By-law # 7462-18, with that section deemed to be in force and effect until such time as Council passes a policy on the appointment of a Deputy Mayor to supersede it.

## **7. Powers and Duties of the Clerk**

- 7.1. The Clerk shall record in the minutes:
  - 7.1.1. the date, time, and place of a Meeting;
  - 7.1.2. the Members attending the Meeting;
  - 7.1.3. the correction and adoption of the minutes of prior Meetings; and,
  - 7.1.4. all other proceedings of the Meeting without note or comment.
- 7.2. It shall be the duty of the Clerk to ensure that the minutes of the last regular Meeting and all special, closed and Standing Committee Meetings held prior to a regular Meeting are included in the next regularly scheduled Council agenda.
- 7.3. The minutes are a legal record of what action was taken and are open for errors and omissions. No debate is permitted.
- 7.4. The minutes shall be adopted by the Council without being read by the Clerk.
- 7.5. When the minutes of a Council Meeting have been adopted, the Mayor and the Clerk shall sign them. Committee Meeting minutes are presented to Council for information only and do not require adoption or signatures.
- 7.6. The Clerk shall be authorized to make minor corrections to any By-law, Motion, Resolution, minutes or other Council document to eliminate technical or typographical errors or to make any other corrections that do not materially alter the intent and purpose of the original document.
- 7.7. The Clerk or their designate shall be the secretary of all Standing Committees.
- 7.8. It shall be the duty of the secretary to give notice of each Meeting of a Standing Committee together with an agenda of the matters to be considered so that such notice and agenda will reach the Members not later than the day preceding the day of the Meeting.
- 7.9. Despite any provision of this by-law to the contrary, the secretary shall make every effort to publish an agenda with respect to a Meeting of a Standing Committee at least three (3) business days prior to such Meeting.
- 7.10. The Clerk shall prepare a Council Information Index listing all petitions and correspondence received by the Clerk and not related to an upcoming agenda. The Council Information Index shall be delivered directly to each

Member of Council, generally on a weekly basis. A Member of Council may request in writing that an item from the Council Information Index be lifted and included on the next appropriate agenda, and the Clerk shall advise the Mayor and relevant Standing Committee Chair, and then add the item to the next appropriate agenda.

## **8. Meetings – General Provisions**

### **Electronic Participation at Meetings**

- 8.1. A Member of Council may participate electronically in a Meeting that is open or closed to the public. A Member participating electronically shall count towards determining whether or not a quorum of members is present at any point in time.
- 8.2. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair, in consultation with the Clerk shall have the authority to modify the Rules of Procedure to ensure Members can effectively electronically participate in the meeting.
- 8.3. Members of the public shall have the option to present or delegate to Council and at Statutory Public Meetings under the Planning Act either electronically or in person, and the Clerk shall facilitate the presenter or delegate's preferred option upon receiving a formal request to appear as a delegation.
- 8.4. The Clerk may provide for the electronic participation of staff, including electronic participation of the Clerk.

### **Inaugural Council Meeting**

- 8.5. The first Meeting of Council following a regular election shall be held on the Monday following November 15<sup>th</sup>, or if November 15<sup>th</sup> is a Monday, on that day.
- 8.6. At the inaugural Meeting, each Member present shall make their declaration of office and Council shall not proceed with any regular business at this Meeting.

### **Notice of Meetings**

- 8.7. Prior to the end of each year, Council shall adopt a regular Meeting schedule for its Meetings to be held in the following year including the dates, times, and locations for such Meetings and the Clerk shall publish the schedule on the Town's website.
- 8.8. Despite the provisions of Section 8.7, the date, time, and location of regular Meetings of Council may subsequently be amended by consent of Mayor, and the Clerk shall note the change on the Town's website and shall give notice of the revised date, time and/or location to all Members and the public in accordance with Section 8.9 and Section 8.10.

- 8.9. Staff shall give public notice of all regular Council and Standing Committee Meetings by inclusion on the Town's website at least 72 hours prior to the Meeting.
- 8.10. Staff shall give public notice of all Special Meetings of Council and Standing Committees by inclusion on the Town's website as soon as possible after the Meeting is called and no later than 24 hours prior to the Meeting.
- 8.11. Notwithstanding Section 8.9 and Section 8.10, staff shall give further notice as required of specific items on an agenda in accordance with applicable legislation and/or Town policy.

### **Special Council Meetings**

- 8.12. The Mayor may at any time call a Special Meeting of Council.
- 8.13. The Majority of the Members of the Council may present a petition to the Mayor and Clerk calling a Special Meeting for the purpose and at the time and place mentioned in the petition.
- 8.14. The Clerk shall give notice of the time, place, and purpose of every Special Meeting to all Members not less than 24 hours prior to the time fixed for the Meeting.
- 8.15. The notice calling a Special Meeting of the Council shall state the business to be considered at the Special Meeting and Council shall consider no business other than that stated in the notice of such Meeting.
- 8.16. A Special Meeting may be called for the purpose of educating or training Members, it being understood that the purpose of the Meeting is only to educate or train, and delegations shall not be received and decisions shall not be made or considered.
- 8.17. On urgent or extraordinary circumstances, the Mayor may call an emergency Special Council Meeting without the notice provided in Section 8.10 and Section 8.14 of this by-law.

### **Seating**

- 8.18. For meetings taking place in the Council Chambers, Members will be assigned seating as follows:
  - 8.18.1. Council Meetings: Ward Councillors seated on the west side of the dais, in order clockwise from Ward 1 through Ward 4. Regional Councillors seated on the east side of the dais, in order clockwise based on the order of votes received in the last municipal election, from highest to lowest. Mayor and Deputy Mayor seated on the north side of the dais.

- 8.18.2. Committee of the Whole Meetings: Ward Councillors seated on the west side of the dais, in order clockwise from Ward 1 through Ward 4. Regional Councillors seated on the east side of the dais, in order clockwise based on the order of votes received in the last municipal election, from highest to lowest. Mayor and Chairs seated on the north side of the dais.
- 8.19. Notwithstanding the provisions of Section 8.18 of this By-law, the Mayor may revise the assigned seating for the purpose of an accommodation a Member requires that has been confirmed by the Town.

### **Voting**

#### Open Meeting Voting

- 8.20. The manner of determining the decision of the Council on a Motion shall be by show of hands unless a recorded vote is requested. In the event that all or some Members are participating in the meeting electronically, the vote shall be called by asking for "those opposed". No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

#### Recorded Vote

- 8.21. If a Member present at a Council Meeting at the time of a vote requests before the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by any Act, shall announce their vote openly and the Clerk shall record each vote. The order of voting shall be in alphabetical order by surname or single name, save and except the Mayor who shall vote last.
- 8.22. The Clerk shall record in the minutes the name of any Member of Council who is not present at the Meeting when such recorded vote is taken.

#### Majority Vote

- 8.23. The vote required to pass a Motion shall be a simple majority except as otherwise provided in this by-law or by statute and every Member shall have one vote.

#### Failure to Vote

- 8.24. A failure or abstention to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

#### Voting at Closed Meetings

- 8.25. In a closed Meeting, Council or Committee shall only vote on Motions pertaining to a procedural matter or for giving directions or instructions to

officers, employees or agents of the Town or persons retained by or under a contract with the Town.

#### Tie Votes

- 8.26. Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.

### **9. Closed Meetings**

- 9.1. A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is a matter permitted to be considered in a Closed Meeting in accordance with Section 239 of the Municipal Act.
- 9.2. Prior to holding a Closed Meeting, Council or Committee shall state by resolution the fact of the holding of the Closed Meeting and the general nature of the matter to be considered.
- 9.3. Council may maintain a Closed Meeting Policy for the purpose of providing consistent rules and guidelines for Council, Local Board and Committee Meetings that may be closed to the public.
- 9.4. A Closed Meeting Policy may exempt certain Local Boards and Committees from the open Meeting requirements as contained in the Municipal Act.

### **10. Quorum**

- 10.1. A majority of the Members of Council shall constitute a quorum.
- 10.2. For the purposes of a quorum of a Committee:
  - 10.2.1. two Members of the Audit Committee shall constitute a quorum, and;
  - 10.2.2. a Majority of the Members of Council shall constitute a quorum for Committee of the Whole.
- 10.3. Where there is an insufficient number of voting Members to constitute a quorum due to a provision of the Municipal Conflict of Interest Act, the remaining Members of Council constitute quorum provided that such number is not less than two (2).

### **11. Council Proceedings**

#### **Council Order of Business**

- 11.1. The business of Council shall be taken up in the following order unless otherwise decided by the majority of the Members present:
  - 11.1.1. Call to Order
  - 11.1.2. Land Acknowledgement, National Anthem, and Moment of Reflection

- 11.1.3. Call of the Roll
- 11.1.4. Declarations of Conflicts of Interest
- 11.1.5. Approval of the Minutes
- 11.1.6. Presentations
- 11.1.7. Delegations
- 11.1.8. Correspondence/Petitions
- 11.1.9. Committee Reports
- 11.1.10. Notices of Motion
- 11.1.11. New and Unfinished Business
- 11.1.12. By-laws
- 11.1.13. Closed Session
- 11.1.14. Confirmatory By-law
- 11.1.15. Announcements
- 11.1.16. Adjournment

#### **Call to Order**

- 11.2. As soon after the hour fixed for holding the Meeting of the Council and provided a quorum is present, the Mayor shall call the Members to order.
- 11.3. In the case of the Mayor not attending within 15 minutes after the hour fixed for holding the Meeting of the Council, and provided a quorum is present, the Deputy Mayor shall call the Members to order and shall preside until the arrival of the Mayor.
- 11.4. If a quorum is not present within fifteen minutes after the time appointed for a Meeting, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next regular Meeting or other Meeting called in accordance with the provisions of this by-law.

#### **Land Acknowledgement, National Anthem, and Moment of Reflection**

- 11.5. Council meetings shall commence with a land acknowledgement, the playing of the National Anthem, and a moment of reflection.

#### **Call of the Roll**

- 11.6. The Clerk shall report the attendance of the Members of the Council.

## **Declarations of Conflict of Interest**

- 11.7. When a Member present at a Meeting has a conflict of interest as defined in the Municipal Conflict of Interest Act, as amended or replaced from time to time, the Member shall, prior to any consideration or discussion of the matter, disclose the conflict of interest and the general nature thereof and refrain from discussing, debating or voting on the matter.
- 11.8. Every disclosure of conflict of interest made by a Member shall be recorded in the minutes of the Meeting by the Clerk in accordance with the provisions of the Municipal Conflict of Interest Act, and the Member shall file a statement of the interest and its general nature with the Clerk.
- 11.9. If the matter is being considered or discussed at a Closed Meeting, the Member declaring a conflict of interest shall leave the Meeting for the portion in which that matter is discussed, debated, or voted on.

## **Presentations**

- 11.10. Presentations at Meetings shall be limited to a maximum of 10 minutes.
- 11.11. The following types of presentations shall provide information only and shall be heard at the beginning of a Meeting:
  - 11.11.1. Presentations approved by the Mayor made by outside organizations providing information with no accompanying report or recommendations; and,
  - 11.11.2. Presentations by staff or Town consultants.
- 11.12. Recognitions at Meetings will generally occur at Regular Council Meetings and will be considered in accordance with the procedures established by the Clerk in consultation with the Mayor.

## **Delegations**

- 11.13. A Delegate may only address Council with respect to an item on the agenda that was not previously considered at a Standing Committee meeting or in instances where the effect of the staff recommendation has been altered by a Standing Committee. Delegates may only present information on matters of fact. To make a request to appear at Council, written notice shall be given to the Clerk no later than 8:00 a.m. on the day of the Meeting.
- 11.14. Persons making delegations to Council or Committee shall not speak more than five (5) minutes unless otherwise provided by a Majority Vote of the Members present.
- 11.15. The priority in which delegations shall be considered by Council or Committee shall be determined by the Mayor or Chair, as applicable.

- 11.16. Delegates shall not be permitted to appear before Council or Committee for the sole purpose of generating publicity for an event.
- 11.17. A Delegate may only address a Standing Committee with respect to an item on the agenda. Delegations have until 8:00 a.m. on the day of the Committee Meeting to notify the Clerk in order to be a registered Delegate for the Meeting. Delegations meeting the notification deadline will be added to the meeting agenda.
- 11.18. Notwithstanding the provisions of Section 11.13 and Section 11.17, delegates shall not be permitted ~~to appear before Council or Committee~~ to address ~~an item~~s on the agenda pertaining to:
  - 11.18.1. ~~a~~An Integrity Commissioner report regarding a Member of Council; and,
  - 11.18.2. ~~Notices of motion that do not meet the submission timelines as set out in Section 11.33 (including those requiring a Two-Thirds Majority under Section 11.37).~~
- Note:** in accordance with Section 3 of this By-law, Council may not suspend the rules of procedure to hear any delegation that is prohibited under Section 11.18.
- 11.19. Members may only address a Delegate upon recognition by the Chair and may only ask questions and not express opinions or enter into debate or discussion.
- 11.20. When posing questions to a Delegate, Members shall:
  - 11.20.1. ask questions to clarify points raised by a Delegate without introducing new information or asking the Delegate's opinion on a potential idea, suggestion, or course of action; and,
  - 11.20.2. ask questions in a succinct manner without summary of the delegate's speaking points, and without preamble, other introduction, or adding their own opinions or remarks.
- 11.21. The Chair shall be responsible for summarizing the speaking points of Delegates, referring questions from Delegates to Staff when appropriate, and managing the exchange of questions between Members and Delegates ensuring that questions are in accordance with Section 11.19 and Section 11.20.

### **Correspondence/Petitions**

- 11.22. Correspondence intended to be presented to the Council shall,

- 11.22.1. include the author's full name and full address;

- 11.22.2. be legibly written or printed;
- 11.22.3. be appropriate and respectful in tone, and not contain any improper or offensive language or information; and,
- 11.22.4. be filed with the Clerk.

11.23. Petitions intended to be presented to the Council shall:

- 11.23.1. Be filed with the Clerk and be regarding a subject or requesting an action that is within Council's authority.
- 11.23.2. Have the text listed at the top of each page for multiple-page petitions. Pages should be numbered, and total number of pages indicated.
- 11.23.3. Be appropriate and respectful in tone and must not contain any improper or offensive language or information.
- 11.23.4. Identify the petition organizer and provide the organizer's full name, full address, and contact information.
- 11.23.5. If a paper petition, the petition should be legible and printed in ink, and include the signature, printed full name, and full address of each petitioner.
- 11.23.6. If an electronic petition, include the full name, full address, and a valid e-mail address of each petitioner.
- 11.23.7. Petitioners acknowledge that petitions addressed to the Town of Whitby and/or Council are considered a public document, may be posted on a publicly available agenda, and that the information contained in the petition may be subject to the scrutiny of the Town and members of the general public.
- 11.23.8. A petition that adheres to some but not all of the above requirements may be distributed to Council at the discretion of the Clerk. If the Clerk refuses to accept the petition for not meeting the above criteria, the Clerk shall notify the petition organizer and advise Members of Council that the petition has been refused.

11.24. Petitions or correspondence relating to a matter on the Council or Committee agenda shall be delivered to the Clerk not later than noon on the day of the Meeting.

11.25. The Clerk shall distribute the petition or correspondence received to Council or Committee Members prior to the Meeting to which the correspondence pertains.

- 11.26. All correspondence on any subject within the purview of a Standing Committee shall be referred directly to that Standing Committee.

### **Committee Reports**

- 11.27. Council shall consider reports of the Committees in the following order:
  - 11.27.1. Committee of the Whole
  - 11.27.2. Audit Committee
- 11.28. Committee reports shall be presented by the Chair of the Committee or, in their absence, the Vice-Chair of the Committee, who shall move the adoption of the report.
- 11.29. Council Members shall identify any items contained in a Committee Consent Report which they wish to speak to and the matter shall be extracted from the Consent report to be dealt with separately.
- 11.30. The balance of items on the Committee Consent report, which have not been extracted, shall be voted on in one Motion.

### **Contents of Committee Reports**

- 11.31. All recommendations of a Standing Committee passed as a Motion shall be placed on the next regular Council agenda as part of the applicable Standing Committee Report, save and except:
  - 11.31.1. The Referral of an item at Standing Committee shall be noted as having been referred on the next regular Council agenda. Notwithstanding referral of a matter at Standing Committee, Council may dispense with or otherwise consider said matter;
  - 11.31.2. Motions to lift a matter from the Standing Committee's New and Unfinished Business List.
- 11.32. In the event that a recommendation or Motion regarding a Staff Report presented at a Standing Committee is defeated and not replaced with an alternative recommendation or Motion, the subject header for that Staff Report shall be placed on the next regular Council agenda as part of the applicable Standing Committee Report, with the following note in place of a recommendation: "No Committee Recommendation – Council Direction Required".

### **Notice of Motion**

- 11.33. A Member desiring to introduce a Motion at a Meeting regarding a matter that would not otherwise be considered by the Council at such Meeting, shall notify the Clerk of the topic of the proposed motion by noon on the day that is 10 days in advance of the meeting in order that the Clerk may share

the topic of the motion with Members. The Member shall then deliver a written copy of the Motion, with a confirmed mover and seconder, to the Clerk not later than Wednesday noon on the day that is 7 days before the regular Meeting of Council at which notice of the Motion is to be given.

- 11.34. The Clerk, upon receipt of a notice of Motion submitted in accordance with the timelines set out in Section 11.33, shall print the Motion in full in the agenda for the next regular Meeting of the Council.
- 11.35. Any Member of Council may agree to second a notice of Motion if the seconder is absent from the Meeting.

### **New and Unfinished Business**

- 11.36. Departmental reports of an urgent nature which have not been considered by a Committee shall be listed under the New and Unfinished Business Section of the agenda for Council's consideration.
- 11.37. A Member may, with the consent of Two-Thirds Majority of the Members present, introduce a Motion under New and Unfinished Business which due to its regarding an urgent nature matter that could not cannot be properly presented at a Meeting of Council or a Meeting of Committee in accordance with Section 11.33, provided that:

- 11.37.1. A written copy is delivered to the Clerk no later than 8:00 a.m. on the day of the meeting; and,
  - 11.37.2. A Two-Thirds Majority of the Members present consent to its introduction.

- 11.38. Prior to introducing a formal Motion under Section 11.37, a Member may provide clarity on the subject.

- 11.37.11.39. Notwithstanding the provisions of Section 11.37, no motion shall be introduced under New and Unfinished Business unless the written copy was provided to the Clerk by the 8:00 a.m. deadline.

**Note:** in accordance with Section 3 of this By-law, Council cannot suspend the rules of procedure to consider any motion that fails to meet any of the requirements of Section 11.37.

### **By-laws**

- 11.38.11.40. The Clerk shall submit to Council a summary of all by-laws proposed for adoption, including the by-law number and title.
- 11.39.11.41. Unless otherwise requested or separated, all by-laws proposed for adoption shall be passed in one single Motion, duly moved and seconded.
- 11.40.11.42. Every By-law passed by Council shall:

~~11.40.1.~~11.42.1. be signed by the Mayor, or the presiding officer at the Meeting;

~~11.40.2.~~11.42.2. be signed by the Clerk or Deputy Clerk;

~~11.40.3.~~11.42.3. be sealed with the seal of the Town; and,

~~11.40.4.~~11.42.4. indicate the date of passage.

### **Confirmatory By-law**

~~11.41.~~11.43. Council may enact a By-law to confirm all actions taken by Council at that Meeting.

### **Announcements**

~~11.42.~~11.44. Each Member shall be provided with up to one minute to make announcements regarding achievements and/or milestones within the community and to inform citizens about upcoming events to promote awareness.

### **Adjournment**

~~11.43.~~11.45. On a Motion, which is non-debatable, approved by the majority of Members present, the Meeting shall adjourn.

~~11.44.~~11.46. At 10:30 p.m. during any Meeting, the Mayor or Chair, as applicable, shall conduct a review of remaining items of business and present a plan to Members for how the remaining items of business may be considered prior to the meeting's adjournment. At the discretion of the Mayor or Chair, and subject to the consensus of Members, all or select remaining business may be presented to the Members as Consent Items to be considered without debate.

~~11.45.~~11.47. If a Meeting is still in session at 11:00 p.m., it shall adjourn with any remaining items of business deferred to the next appropriate meeting agenda.

**Note:** in accordance with Section 3 of this By-law, Council may not suspend the rules of procedure to circumvent the automatic adjournment at 11:00 p.m.

## **12. Standing Committee Meetings**

### **Chair and Vice-Chair**

12.1. The Members appointed as Chair, and in their absence the Vice Chair, shall Chair the portions of Committee of the Whole that respectively consider General Government and Planning and Development matters, and the Mayor

and in their absence the Deputy Mayor shall chair the remaining portions of the agenda and meeting.

### **Committee Order of Business**

12.2. The Clerk shall prepare an agenda containing the following:

- 12.2.1. Call to Order
- 12.2.2. Land Acknowledgement
- 12.2.3. Call of the Roll
- 12.2.4. Declarations of Conflict of Interest
- 12.2.5. Consent Agenda
- 12.2.6. Delegations/Presentations
- 12.2.7. Correspondence
- 12.2.8. Staff Reports
- 12.2.9. New and Unfinished Business
- 12.2.10. Adjournment

### **Composition**

12.3. The Audit Committee shall be composed of the Mayor, Deputy Mayor, and the Councillor designated as Chair of Finance/Budget by the Mayor. If the Mayor does not appoint a Chair of Finance/Budget or, if the Deputy Mayor and Chair of Finance/Budget are the same Member, then the Mayor may appoint an alternate Member to serve on the Audit Committee in order to achieve the three Member composition.

12.4. Committee of the Whole shall be comprised of all Members of Council.

12.5. Only Standing Committee Members may make Motions and vote. Members of Council who are non-Members of a Standing Committee may:

- 12.5.1. attend the Standing Committee Meetings;
- 12.5.2. sit at the Standing Committee table; and,
- 12.5.3. speak after Members of the Standing Committee have had the first opportunity to speak.

### **Special Standing Committee Meetings**

12.6. The Mayor may call a Special Standing Committee Meeting.

- 12.6.1. The Clerk shall give notice of the time, place and purpose of every Special Standing Committee Meeting in accordance with Section 8.10.
- 12.6.2. The agenda for a Special Meeting of the Standing Committee shall state the business to be considered at the Special Meeting and the Standing Committee shall consider no business other than that stated in the agenda.
- 12.6.3. All recommendations passed at a Special Standing Committee Meeting shall be forwarded to Council for consideration.

### **Referral by Mayor**

- 12.7. The Mayor may refer any matter of an urgent nature to Council which, due to its urgent nature, cannot be properly presented at the next regular Meeting of a Standing Committee.

### **Rules of Procedure for Committee**

- 12.8. The Rules of Procedure of Council shall be observed in Meetings of Committees in so far as they are applicable, provided that,
  - 12.8.1. a Motion shall not be required to be seconded;
  - 12.8.2. the number of times a Member may speak on any question shall not be limited; and,
  - 12.8.3. no Member shall speak more than once until every Member who desires to speak shall have spoken.

### **Standing Committees**

- 12.9. There shall be the following standing committees of Council:

- 12.9.1. Audit Committee; and,
  - 12.9.2. Committee of the Whole.

**Note:** Notwithstanding the provisions of the Procedure By-law, the Mayor has the power to establish or dissolve Committees consisting solely of Members as prescribed by Part VI.1 of the Municipal Act, 2001, S.O. 2001, c. 25, unless the Mayor chooses to delegate those powers and duties.

### **Standing Committee Responsibilities**

- 12.10. The Audit Committee shall generally be responsible for review of the audit statements of the Corporation, prior to submission to Council.
- 12.11. The Committee of the Whole shall be responsible for considering all matters that do not properly fall under the jurisdiction of the Audit Committee, with

the Committee of the Whole agendas segregated into matters of general government and matters of planning and development, the latter of which shall generally include those related to the Planning and Development Department.

**Note:** Notwithstanding the provisions of the Procedure By-law, the Mayor has the power to assign functions to Committees consisting solely of Members as prescribed by Part VI.1 of the Municipal Act, 2001, S.O. 2001, c. 25, unless the Mayor chooses to delegate those powers and duties.

### **13. Statutory Public Meetings under the Planning Act**

- 13.1. The Chair and in their absence the Vice-Chair of Planning and Development appointed by the Mayor shall Chair Statutory Public Meetings under the Planning Act.
- 13.2. The dates and times for hearing Statutory Public Meetings under the Planning Act shall be established in the Council and Standing Committee meeting schedule as provided for in Section 8.7, and the dates and times of such Statutory Public Meetings under the Planning Act may be amended with the consent of the Planning and Development Chair and Commissioner of Planning and Development, provided all notice requirements under the Planning Act are met.
- 13.3. Statutory Public Meetings under the Planning Act are not deemed to be a meeting of Council or a Standing Committee. The Chair, Commissioner of Planning and Development and designates, and Clerk and/or recording secretary shall be permitted to appear on the dais, and no other Member shall be permitted on the dais.
- 13.4. The rules regarding the hearing of a Delegate as provided for in this By-law shall apply to Statutory Public Meetings under the Planning Act, including provisions regarding speaking time and decorum, save and except that any person wishing to make an oral submission at a public meeting shall not be required to register with the Clerk prior to appearing. All procedure rulings and interpretation regarding a Delegate shall be at the discretion of the Chair.
- 13.5. The Statutory Public Meeting under the Planning Act for each application shall proceed as follows:
  - 13.5.1. Staff shall provide a brief overview of the application;
  - 13.5.2. The applicant or their representative may appear and provide information regarding the application;
  - 13.5.3. Members of the public and/or stakeholders in attendance and wishing to speak may make an oral submission; and,

- 13.5.4. The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public and/or stakeholders.
- 13.6. The Clerk shall capture oral submissions from the public and stakeholders at Statutory Public Meetings under the Planning Act, and shall publish a copy of the minutes once prepared.

## **14. Advisory Committee Procedures and Reporting**

- 14.1. The Clerk may establish simplified Rules of Procedure for Advisory Committees, Quasi-Judicial Committees or Local Boards. Where simplified Rules of Procedure are not established, the Committee or Local Board shall be deemed to have adopted this Procedure By-law, save and except Local Boards which may adopt their own Rules of Procedure subject to the approval of the Clerk.
- 14.2. Where an Advisory Committee is established to advise Council on certain matters, recommendations from the Advisory Committee requiring Council endorsement shall be placed on the Council Information Index and may be considered by Council in accordance with Section 7.10.

## **15. Motions**

### **Precedence of Motions**

- 15.1. Except as otherwise provided in this by-law, the order of presentation and disposition of Motions shall be as follows, with the lowest ranking Motion being at the bottom of the list and a Motion shall not be in order if a Motion having higher precedence is pending.

#### **15.1.1. Privileged Motions**

- 1) Adjourn
- 2) Recess
- 3) Question of Privilege

#### **15.1.2. Subsidiary Motions**

- 4) Table
- 5) Call the Question
- 6) Limit or Extend Limits of Debate
- 7) Deferral
- 8) Referral
- 9) Main Motion

10)Take from the Table

11)Reconsideration

12)Rescind

#### 15.1.3. Incidental Motions

13)Appeal

14)Point of Order

15)Withdrawal of Motion

16)Suspension of Rules

17)Motion of Divide

### **Seconding**

15.2. Council shall not debate any Motion until it has been seconded. When a Motion has been seconded, it may upon request be read or stated by the Mayor or Clerk at any time during the debate, but not so as to interrupt a speaker.

### **Motions**

[Listed alphabetically for ease of reference]

#### **Adjourn**

15.3. A motion to adjourn Council or adjourn the debate shall always be in order except:

15.3.1. when a Member is speaking or during the taking of a vote;

15.3.2. immediately following the affirmative resolution of a Motion that a vote on the question be now taken;

15.3.3. when a Member has already indicated to the Chair that the Member desires to speak to the question; and,

15.3.4. when resolved in the negative, cannot be made again until Council has conducted further proceedings.

#### **Appeal**

15.4. A Motion to appeal from the decision of the Mayor,

15.4.1. If a Member appeals to Council, the Member shall have the right to state their case, the Mayor shall have the right to reply and Council

shall decide the question without further debate by Majority Vote of the Members present and its decision shall be final.

- 15.4.2. shall be made only at the time the ruling is made by the Mayor;
- 15.4.3. shall not be debated, amended, or reconsidered; and,
- 15.4.4. the Chair will give concise reasons for the ruling and will call a vote on the following question; "Will the ruling of the chair be sustained?", and the decision is final. The Chair may vote on this question.

### **Beyond Jurisdiction**

- 15.5. A Motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order unless it is a matter which, in the opinion of the Majority of Members present (this question to be decided without debate), has to do with the welfare of the citizens generally.

### **Call the Question**

- 15.6. A Motion to call the question,
  - 15.6.1. shall not be debatable or amendable;
  - 15.6.2. shall not be proposed when there is an amending Motion under consideration except for the purpose of moving that the amending Motion be considered immediately;
  - 15.6.3. when decided in the affirmative shall preclude all further amendments of the main Motion;
  - 15.6.4. when resolved in the affirmative, the original Motion shall be considered immediately without debate or amendment; and,
  - 15.6.5. shall not be moved by a Member who has spoken on the main Motion.

### **Deferral**

- 15.7. A Motion to defer is to postpone a matter to a definite time and shall be debatable, amendable, and may be reconsidered.
- 15.8. If a matter has been deferred and a Member wishes to bring it back before the appointed time, the Motion to bring the matter back shall require a Two-Thirds Vote.

### **Limit or Extend Limits of Debate**

- 15.9. A Motion to limit or extend the limits of debate,
  - 15.9.1. shall not be debatable;
  - 15.9.2. may be amended;

- 15.9.3. may be reconsidered; and,
- 15.9.4. shall require a Two-Thirds Vote.

### **Point of Order**

- 15.10. A point of order may be called by a Member to bring attention to,
  - 15.10.1. any breach of the Rules of Procedure of the Council;
  - 15.10.2. any defect in the constitution of any Meeting of the Council;
  - 15.10.3. the use of improper, offensive, or abusive language;
  - 15.10.4. notice of the fact that the matter under discussion is not within the scope of the proposed Motion; or,
  - 15.10.5. any other informality or irregularity in the proceedings of the Council.
- 15.11. When a Member wishes to raise a point of order, the Member shall ask leave of the Mayor to raise the point of order and after leave is granted the Member shall state the point of order to the Mayor and then remain silent until the Mayor has decided and stated the point of order.
- 15.12. Thereafter, a Member shall only address the Mayor for the purpose of appealing the Mayor's decision to Council.
- 15.13. If no Member appeals, the decision of the Mayor shall be final.

### **Question of Privilege**

- 15.14. Where a Member considers that their integrity or the integrity of Council as a whole has been called into question, the Member may, as a matter of privilege raise the matter at any time, with the consent of the Mayor, with no debate being allowed, for the purpose of drawing the attention of Council to the question.
- 15.15. A Motion resulting from a question of privilege shall be treated as a main Motion and shall receive disposition by Council forthwith and the Motion so interrupted shall be immediately considered at the point where it was interrupted.

### **Recess**

- 15.16. A Motion to recess when other business is before the Meeting:
  - 15.16.1. shall specify the length of time of the recess;
  - 15.16.2. shall not be debatable and shall only be amendable with respect to the length of the recess; and,

- 15.16.3. shall not have a Motion to reconsider applied to it.
- 15.17. A Motion to recess, when no other business is pending, shall be treated as a main Motion. The recess may be taken immediately or at a future time.

### **Reconsideration**

- 15.18. After a matter has been decided by Council, it shall only be reconsidered within 12 months following the decision of Council based on new information and if Council decides to do so by a Two-Thirds Vote, unless a regular election has occurred following the decision.
- 15.19. A Motion to reconsider is debatable.
- 15.20. No discussion on the matter being reconsidered shall be allowed until the Motion for reconsideration is carried.
- 15.21. If the Motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and debate on the question to be reconsidered shall proceed as though it had never previously been considered.
- 15.22. Where a decision of the Ontario Land Tribunal (OLT) results in a planning and development matter being referred back to Council for reconsideration, the matter shall be placed as soon as practicable on the Council meeting agenda following the referral from the OLT and the matter shall not be deemed a reconsideration for the purpose of this Section.

### **Referral**

- 15.23. A Motion to refer:
  - 15.23.1. shall identify to whom or what body the question or Motion is being referred (i.e. staff, an Advisory Committee, or from a Standing Committee to Council);
  - 15.23.2. shall identify the date and time the matter shall be brought back for consideration by the Standing Committee or Council;
  - 15.23.3. shall require instructions or reasons for the referral (i.e. to undertake further investigations or provide additional information); and,
  - 15.23.4. is debatable and amendable.

### **Rescind**

- 15.24. A Motion to rescind:
  - 15.24.1. shall not be used if it is possible to use the Motion to reconsider;

- 15.24.2. shall require a Two-Thirds Vote; and,
- 15.24.3. shall be debatable, amendable, and may be reconsidered.

### **Table**

- 15.25. A Motion to lay on the table:

- 15.25.1. takes precedence over all other subsidiary Motions;
- 15.25.2. may be applied to main Motions, to appeals, to reconsideration and to Motions that arise out of questions of privilege;
- 15.25.3. is in order when a Motion to close debate is pending or has been carried;
- 15.25.4. cannot be debated or amended; and,
- 15.25.5. cannot apply to any subsidiary Motion and cannot have any subsidiary Motion applied to it.

### **Take from the Table**

- 15.26. A Motion to take from the table:

- 15.26.1. shall not be in order when another Motion is before the Meeting;
- 15.26.2. shall not be debatable or amendable;
- 15.26.3. when resolved in the negative, shall not be presented again that meeting; and,
- 15.26.4. when resolved in the affirmative the Motion shall become immediately pending.

### **Withdrawal**

- 15.27. A request to withdraw a Motion:

- 15.27.1. shall only be made by the mover of the Motion;
- 15.27.2. may be made without the consent of the seconder of the Motion; and,
- 15.27.3. shall be in order up until the vote on the Motion is taken;

- 15.28. If a Member objects to the withdrawal of a Motion, a withdrawal Motion may be entertained and becomes a main Motion, requires a seconder and a Majority Vote to adopt. If no Member objects to the withdrawal of the Motion, the Motion shall be considered withdrawn without the necessity of a seconder and a vote.

## **16. Short Title**

16.1. This by-law may be referred to as the Procedure By-law.

## **17. Repeal of Existing By-laws**

17.1. The following by-laws are hereby repealed:

- 17.1.1. By-law # 7462-18;
- 17.1.2. By-law # 7467-19;
- 17.1.3. By-law # 7534-19;
- 17.1.4. By-law # 7586-19;
- 17.1.5. By-law # 7618-20;
- 17.1.6. By-law # 7632-20;
- 17.1.7. By-law # 7656-20;
- 17.1.8. By-law # 7724-21;
- 17.1.9. By-law # 7814-21;
- 17.1.10. By-law # 7834-21; and,
- 17.1.11. By-law # 7888-22.

## **18. Effective Date**

18.1. This by-law shall come into force and take effect on the passing thereof.

By-law read and passed this 27th day of May, 2024.

## **Appendices**

### **Appendix 1**

Table for Determining “More Than One-Third Vote”, Majority Vote, and Two-Thirds Vote

Original Approved and Signed.

---

Elizabeth Roy, Mayor

Original Approved and Signed.

---

Christopher Harris, Town Clerk

---

### **Appendix 1 to Rules of Procedure By-law # 8081-24**

Table for Determining “More Than One-Third Vote”, Majority Vote, and Two-Thirds Vote

**Note:** Reference to “More Than One-Third Vote” is applicable to specific circumstances noted in Part VI.1 of the Municipal Act, 2001, S.O. 2001, c. 25.

Number of Votes Cast	One-Third Vote	Majority Vote	Two-Thirds Vote
1	1	1	1
2	1	2	2
3	2	2	2
4	2	3	3
5	2	3	4
6	3	4	4
7	3	4	5
8	3	5	6
9	4	5	6
10	4	6	7
11	4	6	8
12	5	7	8
13	5	7	9
14	5	8	10
15	6	8	10

# Town of Whitby

## Staff Report

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



---

### Report Title: Proposed Clean Community By-law to replace the Property and Boulevard Maintenance By-law # 6937-15, as amended

---

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** LS 01-26

**Department(s) Responsible:**

Legal and Enforcement Services

**Submitted by:**

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

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

**For additional information, contact:**

Andre Gratton, Sr. Manager of Enforcement Services

---

#### 1. Recommendation:

1. That Report LS 01-26 is received for information.
2. That in accordance with Section 128 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, it is the opinion of Council that the disposal of garbage, refuse, waste or debris within Town-owned properties, as well as rights of way under the jurisdiction of the Regional Municipality of Durham or Province of Ontario, is, could become, or could cause, a public nuisance;
3. That a Clean Community By-law, substantially in accordance with Attachment #1 to Report LS 01-26, be brought forward for Council consideration on February 2, 2026.

#### 2. Highlights:

- The Town's Litter By-law #3163-92 was originally passed in 1992 and is outdated.

- The Towns Property and Boulevard Maintenance By-law #6937-15 (the “PBM By-law”) was passed in 2015 and has been amended on several occasions to address property maintenance issues in the community.
- Since the enactment of the PBM By-law, new challenges have arisen that were not previously accounted for.
- The proposed Clean Community By-law seeks to combines provisions from the Town’s PBM and Litter By-laws and provide for necessary updates.
- The proposed Clean Community By-law also contains new provisions to address chronically unkept properties through the implementation of Tiered Administrative Penalties and contains alternate enforcement options.

### 3. Background:

The Town’s PBM By-law was enacted in 2015 and has been amended on 3 occasions to address issues raised by staff and the community. The Town’s PBM By-law establishes general standards of exterior care for private property and adjacent municipal boulevards. In particular, the PBM By-law establishes maintenance standards for Town boulevards adjacent to residential and commercial properties, and includes requirements to maintain those sidewalks clear of snow, ice and slush to ensure that they are safe to travel over.

The PBM By-law is separate from the Town’s Property Standards By-law #6874-14, as amended. The Property Standards By-law operates under the authority of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, and is designed to address serious property standards matters related to public and building safety. The *Building Code Act, 1992* also requires extensive appeal requirements which make addressing certain property maintenance issues difficult.

The PBM By-law operates under the authority of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, and permits the Town to act more nimbly in addressing property maintenance issues. Issues like excessively long grass, debris on a property, or unauthorized construction in a Town boulevard are typically addressed through the PBM By-law.

Like other kinds of enforcement, Enforcement Staff typically try to work with a property owner at the outset of a complaint to address a violation before proceeding with a charge or administrative penalty. For example, when a long grass or weeds complaint is received, an Enforcement Officer will initially speak with the property owner and set up a timetable for cutting the grass on their property before issuing a charge or administrative penalty.

The Town’s Litter by-law was passed in 1992 and contains standard provisions to prohibit unauthorized dumping on private property or on property owned by the Town of Whitby or any local board thereof. This by-law has not been amended to date and is outdated.

## 4. Discussion:

**4.1 The goals of both the PBM and Litter By-law will remain the same, with updates to address specific challenges**

Staff have identified several challenges with the current provisions of the PBM and Litter By-laws that require clarification. Staff have also identified the opportunity to include the Litter By-law provisions with the PBM By-law provisions to reduce the total number of regulatory by-laws.

The proposed changes/new provisions are outlined in Tables 1.1 and 1.2 below and include comments for great explanation/context for the addition/deletions of provisions.

**Table 1.1 – Proposed Amendments to the current PBM By-law and Litter By-law to be incorporated into a new Clean Community By-law.**

Current Section	Proposed Section	Proposed amendment/comment
N/A	1.6 (new)	<p>“excessive outdoor hoarding” means the collection, accumulation, and storage of item in outdoors yards on a property, which includes but is not limited to, debris, refuse, items which would typically be stored indoors, excessive or haphazardly placed outdoor items, etc.</p> <p><b>Comments-</b> Staff recommend that the above be inserted to add clarity for acceptable storage and to minimize items stored in yards on a property.</p>
N/A	1.7 (new)	<p>“expense” means the cost of carrying out the work to be done, re-inspections fees as outlined by the Town of Whitby Fees and Charges By-law # 7720-17, as amended and an administrative charge as outlined in Section 7.8.</p> <p><b>Comments-</b> Staff recommend the above be added for clarity purposes to ensure residents are advised of all additional charges as per Council direction.</p>
1.12 (PBM)	1.15	<p>“inoperative motor vehicle” means a vehicle that is in a wrecked, dismantled, partially dismantled or abandoned condition such that it is prevented or prohibited from safe and immediate operation and includes motor vehicles that do not have current and valid licence plates attached to the</p>

		<p>vehicle unless such vehicles are covered by a fitted vehicle cover which is maintained in good condition.</p> <p><b>Comments-</b> Addition underlined above. Staff recommend that there should be some limitation on the total number of inoperative vehicles store on properties.</p>
N/A	1.27 (new)	<p>“Stagnant Water” means water that is confined, standing, without inflow or outflow, and not being actively treated and/or circulated.</p> <p><b>Comments-</b> Staff recommend the above definition be added combined with proposed section 4.10 to reduce stagnant water in Whitby.</p>
N/A	3.1, 3.2, 3.3 (new), 3.4 (new) and 3.5 (Litter)	<p>No person shall throw, place or deposit any garbage, refuse or debris on private property without authority from the owner or occupant of the private property.</p> <p>No person shall throw, place or deposit any garbage, refuse or debris on Town property, or the property of any local board thereof, except in such identified receptacles.</p> <p>Where available, all persons using a Town receptacle shall pre-sort any garbage, refuse or debris into recyclable, non-recyclable and organic waste.</p> <p>No person shall throw, place or deposit any garbage, refuse or debris in a receptacle within a Town property any household or commercial waste that is eligible for disposal through regular municipal/private waste collection on any Town property.</p> <p>No person shall throw, place or deposit dirt, filth, glass, handbills, paper or other rubbish or refuse or the carcass of any animal, on any highway or bridge under the jurisdiction of the Town.</p> <p><b>Comments</b></p> <p>Existing provision from current littering by-law moved into new By-law. Moving these provisions into the proposed CCB By-law will reduce total number of municipal by-laws.</p>

N/A	4.4	<p>Every owner or occupant of a property shall maintain the outdoor yards on a property free of excessive outdoor hoarding.</p> <p><b>Comments</b></p> <p>The current PBM provisions fail to restrict and prohibit outdoor storage of items, as a result staff are forced to remove items under the context of “Refuse and Debris” at times staff struggle with this determination and recommend that yards in Whitby should not have excessive storage of items which would typically be stored indoors away from the elements.</p>
N/A	4.7	<p>Notwithstanding Section 4.2, a vacant property shall maintain a three metre (3m) buffer of vegetation from the property lines of adjacent properties of no greater than fifteen centimetres (15 cm) in height. An Officer may determine which properties adjacent to the vacant property require the buffer area. <b>Comments</b></p> <p>This is a current standard practice and requirements of developers. This provision looks to codify the requirement within the By-law.</p>
N/A	4.10	<p>Every owner or occupant of a property shall maintain their free of stagnant water.</p> <p><b>Comments</b></p> <p>Provision to assist with deterring and prohibiting stagnant water on properties in Whitby. These are additionally a requirement of the Region of Durham Health Department for the prevention of Wets Nile Virus.</p>
	4.11	<p>Every owner of a property in a residential zone shall maintain the entire property free of inoperative motor vehicles, except within an enclosed, permanent garage structure permitted under the applicable zoning by-law.</p> <p><b>Comments</b></p> <p>This provision is to ensure that lawns and yards are not used to store inoperative (derelict) vehicles.</p>

	4.12	<p>4.12 Notwithstanding Section 4.11, an owner or occupant of a property in a residential zone as defined by the Town's Zoning By-law shall have no more than one (1) inoperative motor vehicle within the garage, driveway, or carport of the property, provided that such inoperative motor vehicle,</p> <ul style="list-style-type: none"> <li>a. If stored in a driveway or carport, is fitted with an appropriately fitting vehicle cover designed for the inoperative motor vehicle;</li> <li>b. Does not occupy a required parking space related to the use of the property (including those parking spaces required for any additional dwelling units within the property); and</li> <li>c. Does not interfere with the parking of operable motor vehicles on the property.</li> </ul> <p><b>Comment</b></p> <p>This section provides an exception for the storage of one inoperative motor vehicle in a driveway subject to the conditions outlined in this section being met.</p>
N/A	5.9	<p>Every owner of property shall ensure that the boulevard of a roadway is maintained as grass or other suitable material installed and/or approved by the Town.</p> <p><b>Comments</b></p> <p>This provision will assist in requesting private property owners to restore damage to TOW boulevard cause by private usage, i.e., parked vehicles. Ground cover or grass is required to prevent the erosion of soil within the boulevard.</p>
N/A	5.16	<p>Every owner/occupant shall maintain their rear yard boulevard free of long grass, weeds, etc., except where a rear yard is adjacent a Town road allowance, lane or private way that is not directly accessible from the private property, or is maintained by the Town of Whitby.</p> <p><b>Comments</b></p> <p>This provision will assist with outlining expectation of residential properties for maintenance of rear yard boulevards.</p>
N/A	6.1	<p>The Town may, without notice, remove snow or ice from any fire hydrant bordering that property, if the owner or</p>

		<p>occupier fails to do so within the timeframe required by Section 6.3.</p> <p><b>Comments</b></p> <p>The requirement to remove snow from a Fire hydrant is new provision/requirement to Whitby residents but is being made to improve and assist with fire suppression efforts. This is a common provision in all similar by-laws in the Region.</p>
N/A	6.2	<p>Every owner or occupier of property, not including an individual private residence, shall remove snow or ice from the walkways, pathways, driveways, lanes, parking areas within or adjacent to the property, and from the area within a 0.6 metre (2 foot) radius of the base of any fire hydrant on or within the boulevard adjacent to that property, all no later than twenty-four (24) hours after the accumulation of snow or ice.</p> <p><b>Comments</b></p> <p>This provision will assist with addressing snow removal complaints on private property in a better manner than the current applicable By-laws. This addition will also assist with Emergency Services efforts.</p>
N/A	7.1	<p>An Officer in dealing with the non-compliance of this By-law on a property may</p> <ol style="list-style-type: none"> <li>Issue one or more immediate Administrative Penalty(ies) for any contravention observed;</li> <li>Issue an Order as outlined section 7.3; or</li> <li>both.</li> </ol> <p><b>Comments</b></p> <p>This provision will assist with properties who have continuously contravene the by-law and provides clarity on what enforcement efforts Officer may utilize to gain voluntary compliance.</p>
N/A	7.13 and 7.14	<p>Every person who contravenes or fails to comply with a provision if this By-Law is guilty of an offence and is liable to the penalty as set out in Schedule "A" to this By-Law.</p> <p><b>Tiered and Escalating Penalties:</b> If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law for an offence, the person</p>

		<p>shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law.</p> <p><b>Comments</b></p> <p>These provisions have been added as per the direction of Council and recommendations contained in Report LS 04-24.</p>
N/A	8.2	<p>No person shall use or occupy or allow the use or occupancy of any property which does not comply with the provisions of this by-law.</p> <p><b>Comments</b></p> <p>This provision creates an immediate general offence that Officer can utilize for the issuance of a Penalty Notice.</p>
N/A	8.10	<p>No person shall improve the boulevard with the addition of hard or solid materials such as concrete, interlock or asphalt on boulevard.</p> <p><b>Comments</b></p> <p>These provisions have been added to create an offence for installing hard or solid materials to the boulevard.</p>

## Table 1.2 Provisions to be removed

4.6 (PBM)	N/A	<p>Every owner or occupant of a property may landscape or improve the adjacent boulevard with hard or solid materials such as interlocking stone, asphalt or concrete provided that the owner or occupant has first obtained written permission from the Commissioner of Public Works and that any hard or solid materials located within 0.3 metres of the edge of a sidewalk, footpath, curb or travelled portion of the road are level with the surrounding grade of the boulevard</p> <p><b>Comments</b></p> <p>Staff recommend that this section is removed due to numerous concerns which have arisen since the enactment of the PBM By-law. Town of Whitby Boulevards should remain un-altered to ensure access to public utilities after the original installation of asphalt access to private property. There should be no additional driveway widening, nor installation of interlock, stamped concrete or any other hard or solid materials. The above provision has also contributed to the damage and destruction of several Town owned boulevard trees and vegetation including sod/grass. The provision has also led to curb cuts completed without town permission or permits.</p> <p>Additionally, there is no current approval process outlined within the Town's PBM By-law in the approval process for obtaining approval by the Commissioner of Community Services.</p>
--------------	-----	---

## 5. Financial Considerations

N/A

## 6. Communication and Public Engagement:

The changes recommended by staff in Report LS 01-26 are being sought to improve enforcement and reduce time spent by staff attending properties with re-occurring issues. These are concerns which have been brought forward by Members of Council and the public alike. Other than the review and comment through the Committee of the Whole and Council process, no further public engagement is planned.

As is staff's practice for the enforcement of new regulations, first time offences will be given warnings to ensure that property owners and occupiers are aware of the new regulation.

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

Staff have discussed the recommendations contained in this Report with the Fire and Emergency Services Department, the Planning and Development Services Department and Operational Services Division of the Community Services Department.

**8. Strategic Priorities:**

This report generally advances Strategic Plan Pillar 1, Objective 1.1, which directs the Town to improve community health, safety, and well-being. This report also advances the Strategic Plan Pillar 4, Objective 4.4 by ensuring fiscal accountability and responsibly plan for growth. In particular, Action 4.4.1 directs the Town to deliver services that respond to community needs while balancing the impact to taxpayers.

**9. Attachments:**

Attachments # 1 - Proposed Clean Community By-law

## ATTACHMENT 1 TO REPORT LS 01-26



# Draft Town of Whitby By-law # XXXX-26

## Clean Community By-law

Being a By-law to require owners and occupiers of land to clean and clear land, maintain boulevards, clear snow and ice from sidewalks and roofs of buildings and to prohibit unauthorized dumping on private property or property of the Town of Whitby or any local board thereof

Whereas Section 11(2) paras. 4, 6 and 8 of the *Municipal Act, 2001* provide that a municipality may pass by-laws relating to Public assets acquired by the municipality, the health, safety and well-being of persons, and the protection of persons and property, including consumer protection;

Whereas Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may pass by-laws regulating highways under its jurisdiction;

And Whereas Section 122 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a local municipality may require the owners and occupants of buildings to remove snow and ice from the roofs of buildings and may regulate when and how the removal of snow shall be undertaken;

And Whereas Section 127 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a local municipality may require the owner and occupants of land to clean and clear the land or to clear refuse or debris from the land, not including buildings;

And Whereas pursuant to Section 128 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, Council has declared in Report LS 01-26 that the disposal of garbage, refuse, waste or debris within Town-owned properties, as well as within the rights of way under the jurisdiction of the Regional Municipality of Durham or Province of Ontario, is, could become, or could cause, a public nuisance which this by-law seeks to address;

And whereas, Sections 436 and 446 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provide that the municipality may enter onto private property to conduct inspections and undertake remedial actions;

And Whereas the Town of Whitby deems it necessary to regulate the cleaning and clearing of land, maintenance of boulevards, the clearing of snow and ice from sidewalks and roofs of buildings within the Town and to prohibit unauthorized dumping on private property or property of the Town of Whitby or any local board thereof.

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

## **1. Definitions**

- 1.1 "Agricultural purposes" means land zoned for agricultural uses under the Town's Zoning By-laws and used for cultivating soil, producing crops or for the raising of livestock as an "agricultural operation" as defined in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, c.1, as amended;
- 1.2 "Boulevard" means that part of a highway between the edge of the curb of the roadway and the property line of a municipal or provincial highway;
- 1.3 "Bridge" means a public bridge, and includes bridge forming a part of a highway or on, over or across which a highway passes;
- 1.4 "Clean and sanitary" means clean and sanitary in the opinion of an officer;
- 1.5 "Commissioner, Community Services" means the Commissioner of Community Services for the Town or their designate;
- 1.6 "Excessive outdoor hoarding" means the collection and storage of item in outdoors yards on a property which includes but is not limited to , debris, refuse, items which would typically be stored indoors, excessive or haphazardly placed outdoor items, etc.;
- 1.7 "Expense" means the cost of carrying out the work to be done, re-inspections fees as outlined by the Town of Whitby Fees and Charges By-law # 7720-17, as amended, and/or an administrative charge as outlined in Section 7.8;
- 1.8 "Fixture" means any structure or other fixture affixed or placed on the boulevard, including a utility box, newspaper vending box, bench, transit shelter, telephone box, telephone booth, transformer box or vault, hydro pole, streetlight, stoplight poles and street signs;
- 1.9 "Fixture owner" means the owner of a fixture;

- 1.10 “Graffiti” means one or more letters, symbols, numbers, etchings, inscriptions, pictorial representations or other markings that disfigure or deface a fixture howsoever made or otherwise affixed to a fixture;
- 1.11 “Ground Cover” means of ground cover grass, mulch, interlock or gravel.
- 1.12 “Hazardous condition” means a condition that is subject to the provisions of this by-law which exists on a property and is identified by an officer as posing an immediate threat to the safety or health of persons or animals and includes, but is not limited to, conditions identified by an officer as negatively impacting neighbouring properties.
- 1.13 “Highway” means a common and public highway, whether assumed or unassumed, and includes a bridge, trestle, viaduct, or other structure forming part of the highway which is under the jurisdiction of the Town;
- 1.14 “Injure” means any action which causes physical, biological or chemical damage;
- 1.15 “Inoperative motor vehicle” means a vehicle that is in a wrecked, dismantled, partially dismantled or abandoned condition such that it is prevented or prohibited from safe and immediate operation and includes motor vehicles that do not have current and valid licence plates attached to the vehicle.
- 1.16 “Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.
- 1.17 “Municipal property” means any land owned or occupied and operated by the Town;
- 1.18 “Naturalized property” means a property that is owned or occupied and operated by the Town of Whitby, Regional Municipality of Durham, the Provincial or Federal Government or Central Lake Ontario Conservation Authority that is left in a naturalized condition for the purposes of recreation, to protect the surrounding environment, or any woodlot as defined in the Town’s Tree Protection By-law;
- 1.19 “Occupant” means a lessee or occupant of property, but does not include an owner;
- 1.20 “Officer” means a municipal law enforcement officer appointed by the Council of the Town to administer and enforce the provisions of this by-law;
- 1.21 “Order” means an order issued by an officer pursuant to Section 7.2 of this by-law;

1.22 “Owner” includes the registered owner, owner in trust, a mortgagee in possession, the person for the time being who is managing or receiving the rent of the land or premises in connection with which the land is used whether on his account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property, and includes a person, firm, partnership, corporation, company, association, or organization of any kind and its principal(s);

1.23 “Person” includes a natural person, a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;

1.24 “Property” means any grounds, yard, parking lot, a vehicle, vacant land or other parcel of land not including any buildings;

1.25 “Rear yard boulevard” means a portion of a rear yard that is adjacent to Town, Regional road allowance or laneway.

1.26 “Shall” shall be construed as imperative;

1.27 “Sidewalk” means a Municipal or Regional sidewalk located on a boulevard;

1.28 “Stagnant Water” means water that is confined, standing, without inflow or outflow, and not being actively treated and/or circulated.

1.29 “Town” means The Corporation of the Town of Whitby or the geographic limits of the Town of Whitby as the context requires;

1.30 “Utility company” means a company which supplies water, electrical, gas, cable, internet or telephone services to a property; and

1.31 “Refuse or debris” means any article, thing, matter or effluent that appears to be waste material and includes but is not limited to the following types of material: grass clippings, tree cuttings, brush, tree branches, leaves, garden refuse, earth and fill, paper, cardboard, clothing, kitchen and table waste, animal or organic waste, cans, glass, plastic containers, dishes, refrigerators, freezers, stoves, clothes washers, dryers, dish washers, microwaves or other appliances, disused furniture, furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks, fencing materials, piping, tubing, conduits or cable, containers of any size, type or composition, rubble, broken concrete, bricks, broken asphalt, patio or sidewalk slabs, mechanical equipment, mechanical parts, accessories to mechanical equipment, paper products, lumber or wood products, chemical products, bones, feathers, hides, material resulting from, or as part of construction or

demolition projects, inoperative motor vehicles, vehicle parts and accessories, vehicle tires either mounted or unmounted on rims.

## **2. Interpretation**

- 2.1 The provisions of this by-law apply to the entire Town.
- 2.2 Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections, clauses and schedules in this by-law.
- 2.3 References in this by-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.
- 2.4 This by-law shall be read with all changes in gender or number as the context requires.
- 2.5 References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.6 The words “include”, “includes” or “including” are not to be read or interpreted as limiting the words, phrases or descriptions that precede it.
- 2.7 If a court of competent jurisdiction declares any section, or any part of any section of this by-law to be invalid or to be of no force or effect, it is the intention of the Town that every other provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.
- 2.8 This by-law and the provisions contained within are intended to be complementary to other by-laws passed by Council and in the event that any other applicable law requires a higher standard than the provisions contained in this by-law, the higher standard shall apply.

## **3. Littering General Provisions**

- 3.1 No person shall throw, place or deposit refuse or debris on private property without authority from the owner or occupant of such property.
- 3.2 No person shall throw, place or deposit any garbage, refuse or debris on Town property, or the property of any local board thereof, except in such identified receptacles.
- 3.3 Where available, all persons using a Town receptacle shall pre-sort any garbage, refuse or debris into recyclable, non-recyclable and organic waste.

- 3.4 No person shall throw, place or deposit any garbage, refuse or debris in a receptacle within a Town property any household or commercial waste that is eligible for disposal through regular municipal/private waste collection on any Town property.
- 3.5 No person shall throw, place or deposit dirt, filth, glass, handbills, paper or other rubbish or refuse or the carcass of any animal, on any highway or bridge under the jurisdiction of the Town.

#### **4. Property Maintenance**

- 4.1 Every owner or occupant of a property shall maintain their property free of excavations, trenches or ditches which present, or could present an unsafe condition.
- 4.2 Every owner or occupant of a property shall maintain their property free of long grass or weeds exceeding fifteen centimetres (15 cm) in height.
- 4.3 Every owner or occupant of a property shall maintain their property free of refuse or debris.
- 4.4 Every owner or occupant of a property shall maintain the property free of excessive outdoor hoarding.
- 4.5 Section 4.2 of this by-law does not apply to the owner or occupant of that portion of a property that is being used for agricultural purposes.
- 4.6 Section 4.2 of this by-law does not apply to the owner or occupant of a naturalized property. Naturalized properties are required to maintain a 3m setback from all neighbouring residential properties.
- 4.7 Notwithstanding Section 4.2, a vacant property shall maintain a three metre (3m) buffer of vegetation from the property lines of adjacent properties no greater than fifteen centimetres (15 cm) in height. An Officer may determine which properties adjacent to the vacant property require the buffer.
- 4.8 Section 4.3 of this by-law does not apply to an owner or occupant of a property that has refuse or debris on the premises of an amount and in proper containers suitable for collection at the next available waste collection date in accordance with the Town of Whitby Waste Management By-law.
- 4.9 Section 4.3 of this by-law does not apply to an owner or occupant of a property when the refuse or debris on the property is required and used for a lawful business purpose in accordance with the Town's Zoning By-laws and any other applicable legislation.

- 4.10 Every owner or occupant of a property shall maintain their free of stagnant water.
- 4.11 Every owner of a property in a residential zone shall maintain the entire property free of inoperative motor vehicles.
- 4.12 Notwithstanding Section 4.11, an owner or occupant of a property in a residential zone as defined by the Town's Zoning By-law shall have no more than one (1) inoperative motor vehicle within the garage, driveway or carport of the property, provided that such inoperative motor vehicle,
  - a. If stored in a driveway or carport, is fitted with an appropriately fitting vehicle cover designed for the inoperative motor vehicle;
  - b. Does not occupy a required parking space related to the use of the property (including those parking spaces required for any additional dwelling units within the property); and
  - c. Does not interfere with the parking of operable motor vehicles on the property.

## **5. Boulevard Maintenance**

- 5.1 No owner or occupant of a property shall install or place or permit the installation or placement of a fence, post, wall or rock on a boulevard.
- 5.2 No owner or occupant of a property shall install, place, plant or locate or permit the installation, placement, planting or locating of anything that is protruding, sharp or dangerous on a boulevard.
- 5.3 No owner or occupant shall install, place or locate or permit the installation, placement or locating of any electrical wiring or other electrical systems or any plumbing pipes or other plumbing systems on a boulevard.
- 5.4 Every owner or occupant of a property may landscape or improve the boulevard with hedges, shrubs, flowers or tree plantings provided that no hedge, shrub, flowers or tree plantings exceed 0.9 meters in height above the grade of the boulevard and that no hedge, shrub, flowers or tree plantings are installed or located within 2 meters of a curb or the edge of the travelled portion of a highway or within a 1 meter radius of a fire hydrant.
- 5.5 Every owner or occupant of a property shall maintain the boulevard free of excavations, trenches or ditches which present, or could present an unsafe condition.

- 5.6 Every fixture owner shall maintain their fixtures free from graffiti.
- 5.7 Every owner or occupant of a property in an area identified as residential, commercial or industrial pursuant to the Town's Zoning By-laws shall maintain the boulevard free of long grass or weeds exceeding fifteen (15) centimetres in height.
- 5.8 Every owner or occupant of a property shall maintain the boulevard free of refuse or debris.
- 5.9 Every owner of property shall ensure that the boulevard is maintained as grass or other suitable material installed and/or approved by the Town.
- 5.10 Section 5.1 of this by-law do not apply to the owner or occupant of a property when any fence, wall, landscape rock or tree planting has been planted, placed, installed or located on a boulevard by the Town or the Regional Municipality of Durham.
- 5.11 Section 5.5 of this by-law does not apply to the owner or occupant of a property when excavations, trenches or ditches on boulevards are caused by work undertaken by the Town, Regional Municipality of Durham or a utility company.
- 5.12 Section 5.8 of this by-law does not apply to the owner or occupant of a property that has refuse or debris on boulevards of an amount and in proper containers suitable for collections at the next available waste collection date in accordance with the Town of Whitby Waste Management By-law.
- 5.13 Nothing in Section 5 of this by-law shall be construed as preventing or limiting the creation and use of hard surface materials for bus stops, bus shelters or bus stop seating.
- 5.14 Nothing in Section 5 of this by-law shall be construed as preventing or limiting the placement of structures, electrical wiring or plumbing by the Town, the Regional Municipality of Durham, GO Transit, a utility company, Canada Post, or the placement of newspaper boxes which have been approved by the Commissioner of Community Services.
- 5.15 Unless a written agreement is in effect to the contrary, the Town shall not be held liable and no person shall have any claim against the Town for the removal or damage of any landscaping that are placed or installed on a boulevard or on municipal property in accordance with Sections 5.4 of this by-law.
- 5.16 Every owner/occupant shall maintain their rear yard boulevard free of long grass, weeds, etc., exceeding fifteen centimetres in height (15 cm), except where a rear yard is adjacent a Town road allowance, lane or private right

of way that is not directly accessible from the private property, or is maintained by the Town of Whitby.

## **6. Clearing of snow on private property and municipal sidewalks**

- 6.1 Every owner or occupant of property shall remove snow or ice, including a windrow, from any sidewalk and from any fire hydrant on or bordering their property, no later than twenty-four (24) hours after the accumulation of snow or ice.
- 6.2 Every owner or occupier of property, not including an individual private residence, shall remove snow or ice from the walkways, pathways, driveways, lanes, parking areas within or adjacent to the property, and from the area within a 0.6 metre (2 foot) radius of the base of any fire hydrant on or within the boulevard adjacent to that property, all no later than twenty four (24) hours after the accumulation of snow or ice.

## **7. Enforcement and Penalties**

- 7.1 An Officer in dealing with non-compliance of this By-law on a property may
  - a) Issue one or more immediate Administrative Penalty(ies) for any contravention observed;
  - b) Issue an Order as outlined section 7.3; or
  - c) both.
- 7.2 Pursuant to Section 436(1) of the Municipal Act, as amended, an officer may enter on any land at any reasonable time without a warrant to determine whether or not there is compliance with the provisions contained in this by-law or with a direction or order pursuant to this by-law.
- 7.3 Where an officer is satisfied that there has been a contravention of a provision of this by-law, the officer may issue an order requiring the owner or occupant of the property to do work to the property or boulevards to correct the contravention.
- 7.4 An order issued pursuant to Section 7.3 of this by-law shall set out reasonable particulars of the contravention, the general location of the contravention, the general nature of the work required to be done to correct the contravention and the date by which the work must be done.
- 7.5 An order issued pursuant to Section 7.3 of this by-law may be served by personal delivery to the owner or occupant, or by posting the order in a conspicuous place at the subject property, or by sending it by registered mail to the last known address of the owner or the address of the owner as

shown on the most recent assessment roll from the premises or by sending it by registered mail to the occupant at the last known address of the occupant.

- 7.6 Service of an order pursuant to Section 7.5 of this by-law shall be deemed to have been affected on the date that it is delivered personally, twenty-four hours after the order was posted, or three days after it was mailed as the case may be.
- 7.7 Pursuant to Section 446 of the Municipal Act, where an order has been issued under this By-law and compliance has not been achieved by the date specified in the order, the Town may cause the work set out in the order to be done.
- 7.8 The Town may recover the costs of doing any work undertaken pursuant to Section 7.7 of this by-law, together with an administration charge equal to twenty-five per cent (25%) of the total costs, from the owner or occupant by legal action or by adding the costs and administration charge to the tax roll and collecting them in the same manner as property taxes.
- 7.9 Notwithstanding Sections 7.3 to 7.6 (inclusive) of this by-law, an officer who finds a hazardous condition may enter onto any property to remove or control such hazardous condition or to limit the negative impact on neighbouring properties without the requirement of first sending an order, but an order shall be sent as soon as practical after the removal or control of the hazardous condition or after limiting the negative impact on neighbouring properties.
- 7.10 The Town may recover the costs of doing any work undertaken pursuant to Section 7.9 of this by-law, together with an administration charge equal to twenty-five percent (25%) of the total costs, from the owner or occupant by legal action or by adding the costs and administration charge to the tax roll and collecting them in the same manner as property taxes.
- 7.11 An order issued after the hazardous condition is remedied in accordance with Section 7.9 shall set out: (1) that the hazardous condition has been remedied; (b) the manner in which the hazardous condition was remedied; (c) any other contraventions of the by-law; and (d) any costs payable, and shall otherwise comply with the provisions of Sections 7.3 to 7.6 (inclusive).
- 7.12 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as set out in Section 61 of the *Provincial Offences Act R.S.O. 1990 c.P.33.*

## **Administrative Penalty System**

7.13 Every person who contravenes or fails to comply with a provision if this By-Law is guilty of an offence and is liable to the penalty as set out in Schedule "A" to this By-Law.

7.14 Tiered and Escalating Penalties: If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law for an offence, the person shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law.

## **8. Offences**

8.1 No person shall fail to comply with an order.

8.2 No person shall use or occupy or allow the use or occupancy of any property which does not comply with the provisions of this by-law.

8.3 No person shall injure or destroy, or permit, allow or direct a person to injure or destroy, a hedge, shrub, flower or tree planted by the Town on a boulevard or other municipal property.

8.4 No person shall mark, deface, wax or damage any curb, sidewalk or part of a highway.

8.5 No person shall leave or utilize any structure, including a basketball net, hockey net, skateboard ramp or other play structure in a manner that interferes with or obstructs safe passage on a highway or sidewalk.

- 8.6 No person shall shovel, plow or blow, or cause or permit to be shoveled, plowed or blown, any snow, slush, or ice onto or across a highway, a sidewalk or a pedestrian walkway without authorization.
- 8.7 No person shall place or deposit, or cause or permit to be placed or deposited, any leaves on the travelled portion of a highway.
- 8.8 No person shall place or deposit, or cause or permit to be placed or deposited, any grass or grass clippings on the travelled portion of a highway.
- 8.9 No person shall install or permit to be installed hard or solid material on a boulevard
- 8.10 No person shall prevent, hinder or interfere or attempt to prevent, hinder or interfere with an inspection or investigation undertaken by an officer.

## **9. Short Title**

- 9.1 This by-law may be cited as the “Clean Community By-law.”

## **10. Severability**

- 10.1 Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

## **11. Repeal of Existing By-law**

- 11.1 Any by-law which was in effect in the Town on the date of passage of this by-law which covers the same subject manner as this by-law shall remain in effect only for the purposes of the completion of any procedure that was commenced under that by-law.
- 11.2 By-law #6937-15 A by-law to require owners and occupiers of land to clean and clear land, maintain boulevards and clear snow and ice from sidewalks and roofs of buildings is repealed effective February 02, 2026.

## **12. Effective Date**

- 12.1 This by-law shall come into force and effect on the date it is passed.
- 12.2 By-law read and passed this 2nd day of February, 2026.

## Schedule “A” Administrative Penalties

Town of Whitby By-law # XXXX-26

Item	Short Form Wording	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
1.	Throw/Place/Deposit debris/refuse on Private Property/Town Property	3.1	\$350.00	\$500.00	\$750.00
2.	Throw/Place/Deposit debris/refuse on Town Property	3.2	\$350.00	\$500.00	\$750.00
3.	Throw, Place/Deposit any household or commercial garbage, refuse or debris in a receptacle within a Town property	3.4	\$350.00	\$500.00	\$750.00
4.	Throw/Place/Deposit dirt/filth/glass/handbills/paper/other rubbish/refuse/the carcass of any animal, on any highway/bridge under the jurisdiction of the Town.	3.5	\$350.00	\$500.00	\$750.00
5.	Fail to maintain property free of excavations, trenches or ditches	4.1	\$500.00	\$750.00	\$1000.00
6.	Fail to maintain property free of long grass or weeds exceeding 15 cm	4.2	\$355.00	\$500.00	\$750.00
7.	Fail to maintain property free of refuse or debris	4.3	\$355.00	\$500.00	\$750.00
8.	Every owner or occupant of a property shall maintain the property free of excessive outdoor hoarding.	4.4	\$500.00	\$750.00	\$1000.00
9.	Fail to maintain property free of stagnant water.	4.10	\$355.00	\$500.00	\$750.00
10.	Install or permit fence, post, wall or rock on boulevard	5.1	\$355.00	\$500.00	\$750.00
11.	Install or permit protruding, sharp or dangerous object on boulevard	5.2	\$500.00	\$750.00	\$1000.00
12.	Install or permit electrical system or plumbing system on boulevard	5.3	\$355.00	\$500.00	\$750.00
13.	Install or permit hedges, shrubs, flowers or trees exceeding 0.9 m in height on boulevard	5.4	\$355.00	\$500.00	\$750.00
14.	Install or permit hedges, shrubs, flowers or trees on boulevard within 2 m of the edge of a curb or highway	5.4	\$355.00	\$500.00	\$750.00
15.	Install or permit hedges, shrubs, flowers or trees on boulevard within 1 m of a fire hydrant	5.4	\$355.00	\$500.00	\$750.00

Item	Short Form Wording	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
16.	Allow hedges, shrubs, flowers or trees to encroach over a highway or sidewalk	5.5	\$355.00	\$500.00	\$750.00
17.	Fail to maintain boulevard free of excavations, trenches or ditches	5.6	\$355.00	\$500.00	\$750.00
18.	Fixture owner – fail to maintain fixture free from graffiti	5.7	\$355.00	\$500.00	\$750.00
19.	Fail to maintain boulevard property free of long grass or weeds exceeding 15 cm	5.8	\$355.00	\$500.00	\$750.00
20.	Fail to maintain boulevard free of refuse or debris	5.9	\$355.00	\$500.00	\$750.00
21.	Fail to maintain rear yard boulevard property free of long grass or weeds exceeding 15 cm	5.17	\$355.00	\$500.00	\$750.00
22.	Fail to remove snow or ice from sidewalk	6.1	\$355.00	\$500.00	\$750.00
23.	Fail to remove snow or ice from roof of building any fire hydrant bordering the property	6.3	\$355.00	\$500.00	\$750.00
24.	Injury or destroy hedge, shrub, flowers or tree on a boulevard or municipal property	7.2	\$500.00	\$750.00	\$1000.00
25.	Fail to comply with an Order	8.1	\$500.00	\$750.00	\$1000.00
26.	No person shall use or occupy, or allow the use or occupancy of any property which does not comply with the provisions of this by-law;	8.2	\$500.00	\$750.00	\$1000.00
27.	Mark, deface, wax or damage a curb, sidewalk or highway	8.3	\$355.00	\$500.00	\$750.00
28.	Leave or use a play structure or other structure in a manner that obstructs safe passage of a highway or sidewalk	8.4	\$355.00	\$500.00	\$750.00
29.	Shall shovel, plow or blow on a roadway	8.6	\$355.00	\$500.00	\$750.00
30.	Cause/permit to be shoveled, plowed or blown, across highway	8.6	\$355.00	\$500.00	\$750.00

31.	Place or deposit leaves on a highway	8.7	\$355.00	\$500.00	\$750.00
<b>Item</b>	<b>Short Form Wording</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
32.	Place or deposit grass clippings on a highway	8.8	\$355.00	\$500.00	\$750.00
33.	Install/Permit to be installed hard or solid material on boulevard	8.9	\$355.00	\$500.00	\$750.00
34.	Prevent/hinder/interfere or attempt to prevent/hinder/interfere with inspection/investigation	8.10	\$500.00	\$750.00	\$1000.00

# Town of Whitby

## Staff Report

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



### Report Title: Dryden Boulevard Speed Limit Signage

**Report to:** Committee of the Whole

**Date of meeting:** January 12, 2026

**Report Number:** CMS 01-26

**Department(s) Responsible:**

Community Services Department

**Submitted by:**

John Romano, Commissioner,  
Community Services

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

**For additional information, contact:**  
Paul Thistle, Director of Operations

#### 1. Recommendation:

1. That Staff Report CMS 01-26 be received for information.

#### 2. Highlights:

- Posted speed limit was 50 km/h instead of 60 km/h, as per the Town's Traffic By-law 8059-24.
- Correct signage (60 km/h) was installed on November 3, 2025.
- Comprehensive review of all Town-owned roadways confirmed compliance with the Traffic By-law.
- Two annual audits will be implemented to prevent future discrepancies.
- Durham Regional Police Service reported no challenges or ticketing inconsistencies related to the incorrectly posted speed limit.

#### 3. Background:

On November 3, staff became aware that the posted speed on Dryden Boulevard between Garden Street and Brock Street was incorrectly posted at 50 km/h rather than 60 km/h in alignment with Traffic By-law 8059-24.

Staff took immediate action to correct the signage and investigate how incorrect signage was posted. On November 3, staff were dispatched to install the correct 60 km signs. Staff also began reviewing the work order system which is used to track work requested, assigned and completed by staff in the Operations Division of Community Services.

Staff believe that the signs were incorrectly changed in June of 2023. After reviewing the work order system, a work order for Dryden Boulevard requesting the speed limit be in accordance with By-law 7993-23 was found, which changed the speed limit on Dryden Boulevard between Anderson Street and the Whitby Oshawa border. The work order was poorly written, lacking detail, and although the actual by-law document was provided, we believe staff also changed the speed limit from Brock Street to the Whitby/Oshawa border. Unfortunately, staff directed to complete the work are no longer working for the Town and cannot confirm this assumption. We believe that staff misread the information and incorrectly changed the signs that were not to be changed. While we can not confirm this happened, the theory is further supported in the retro-reflectivity photos, which confirms the signs were change between the summer of 2022 and the summer of 2023.

On November 5 and 6, staff investigated all 92 sections of Town owned roadways identified in Schedule P of the Traffic By-law and confirmed that the posted speed limits match those identified in the By-law. All sections do match apart from two roadway sections that are currently bagged and reduced with temporary signage due to ongoing construction.

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

As requested by Council, staff contacted Durham Regional Police Service who indicated the recently realized mis-posted speed limit did not result in any enforcement challenges or ticketing inconsistencies, nor were any safety concerns or reported incidents related to the mis-posted speed limit.

Moving forward there will be two audits completed annually. The first will be completed as a part of the annual retro-reflectivity audit, where staff will compare signs to the Traffic By-law. The second audit will be completed through Road Patrol staff to ensure that posted speed limits align with the By-law.

The final action to ensure accuracy of posted signs will be to have a supervisory staff member sign off on the accuracy of the completed work when any road signage is installed. The new signage will be photographed and added to GeoCortex to provide a permanent record.

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

There are no financial implications related to this report. The signs were replaced within the approved operating budget.

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

N/A.

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

Operations Division and Traffic Section worked together in the development of this report and Durham Regional Police Services were in contact for their input.

**8. Strategic Priorities:**

This initiative supports Pillar 1 – Whitby’s Neighbourhoods: Safe, Healthy, and Inclusive by ensuring accurate traffic signage for public safety, and Pillar 3 – Whitby’s Economy: Innovative and Competitive by maintaining efficient operational practices.

**9. Attachments:**

N/A



## Committee of the Whole Minutes

January 12, 2026, 7:00 p.m.

Council Chambers

Whitby Town Hall

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

Regrets: Councillor Bozinovski

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Deputy Chief Administrative Officer  
R. Law, Sr. Manager, Development Finance, Investments and Real Estate/Deputy Treasurer  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Supervisor, Legislative Services  
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

---

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

3. Declarations of Conflict of Interest

Councillor Lundquist declared a conflict of interest regarding Item 6.5.1, Legislative Changes to the OMERS Act (Bill 68), noting her employment with Unifor, which represents members of the OMERS pension fund. Councillor Lundquist did not take part in the discussion or voting regarding this item.

4. Consent Agenda

5. Planning and Development

**Councillor Mulcahy assumed the Chair.**

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Lisa Coles and Ben Holthof representing LHC Heritage Planning and Archaeology Inc. (Virtual Attendance)

Re: PDP 01-26, Planning and Development (Planning Services) Department Report

Removal of 814 Brock Street North from the Municipal Heritage Register

**Refer to Item 5.4.1, PDP 01-26**

Lisa Coles and Ben Holthof, representing LHC Heritage Planning and Archaeology Inc., were in attendance, however they did not provide a delegation due to Item 5.4.1, Report PDP 01-26, being approved during the consent agenda portion of the meeting.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDP 01-26, Planning and Development (Planning Services) Department Report

Re: Removal of 814 Brock Street North from the Municipal Heritage Register

Recommendation:

Moved by Councillor Mulcahy

1. That the property municipally known as 814 Brock Street North be removed from the Town's Municipal Heritage Register; and,
2. That a full Heritage Documentation Report be prepared by the applicant at their expense prior to demolition and submitted to the Planning and Development Department, to be deposited at the Archives.

**Carried**

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

There was no new and unfinished business.

**6. General Government**

**Councillor Lundquist assumed the Chair.**

**6.1 Presentations**

There were no presentations.

**6.2 Delegations**

**6.2.1 Melissa Heckbert, Resident (In-Person Attendance)**

Re: Requesting the Province to Remove the Education Portion of the Property Tax Bill

**Refer to Item 6.5.3, Requesting the Province to Remove the Education Portion of the Property Tax Bill**

Melissa Heckbert, Resident, provided comments regarding the proposed motion requesting the Province to remove the education portion of the tax bill. Ms. Heckbert expressed her support for the proposed motion.

**6.2.2 Anastasia Brown, Resident (In-Person Attendance)**

Re: Requesting Province to Removed the Education Portion of the Property Tax Bill

**Refer to Item 6.5.3, Requesting the Province to Remove the Education Portion of the Property Tax Bill**

Anastasia Brown, Resident, provided comments regarding the proposed motion requesting the Province to remove the education portion of the tax bill. Ms. Brown expressed her support for the proposed motion.

6.3 Correspondence

There was no correspondence.

6.4 Staff Reports

6.4.1 CAO 01-26, Office of the Chief Administrative Officer Report

Re: Grant Summary 2025

Recommendation:

Moved by Mayor Roy

That Report CAO 01-26 be received for information.

**Carried**

6.4.2 CAO 02-26, Office of the Chief Administrative Officer Report

Re: 2025 Economic Development Annual Report

Recommendation:

Moved by Mayor Roy

That Report CAO 02-26 be received for information.

**Carried**

6.4.3 CAO 03-26, Office of the Chief Administrative Officer Report

Re: 2026 Intelligent Cities Action Plan

Recommendation:

Moved by Councillor Shahid

1. That Report CAO 03-26 be received for information; and,
2. That the 2026 Intelligent Cities Action Plan be endorsed by Council.

**Carried**

6.4.4 CAO 04-26, Office of the Chief Administrative Officer Report

Re: Community Strategic Plan – 2025 Progress Report

Recommendation:

Moved by Mayor Roy

That Report CAO 04-26 related to the 2025 progress of the Community Strategic Plan be received for information.

**Carried**

6.4.5 CLK 02-26, Office of the Town Clerk Report

Re: Enhancing Governance and Procedural Fairness for Notice of Motion (Response to Resolution # 254-25)

Recommendation:

Moved by Councillor Leahy

That the Clerk be directed to bring forward a by-law to amend the Procedure Bylaw to adopt the revisions as shown in Attachment 1 to Report CLK 02-26.

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

Recommendation:

Moved by Councillor Leahy

That the main motion be amended as follows:

That the Clerk be directed to bring forward a by-law to amend the Procedure Bylaw to adopt the revisions as shown in Attachment 1 to Report CLK 02-26, save and except that Council continue to be able to waive the rules of procedure to permit delegations on late motions.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy		X	

Councillor Cardwell		X	
Councillor Leahy		X	
Councillor Lee		X	
Councillor Lundquist		X	
Councillor Mulcahy		X	
Councillor Shahid		X	
Councillor Yamada		X	
<b>Results</b>	<b>2</b>	<b>6</b>	<b>0</b>

**Motion Lost on a Recorded Vote (2 to 6)**

That the main motion be amended as follows:

Recommendation:

Moved by Councillor Yamada

That the Clerk be directed to bring forward a by-law to amend the Procedure Bylaw to adopt the revisions as shown in Attachment 1 to Report CLK 02-26, save and except that delegates be permitted to speak to late motions submitted before 8:00 a.m. on the day of the meeting as of right.

	For	Against	Conflict
Mayor Roy		X	
Councillor Cardwell		X	
Councillor Leahy	X		
Councillor Lee		X	
Councillor Lundquist		X	
Councillor Mulcahy		X	
Councillor Shahid		X	

Councillor Yamada	X		
<b>Results</b>	<b>2</b>	<b>6</b>	<b>0</b>

**Motion Lost on a Recorded Vote (2 to 6)**

The main motion was then carried as follows:

Recommendation:

Moved by Councillor Leahy

That the Clerk be directed to bring forward a by-law to amend the Procedure Bylaw to adopt the revisions as shown in Attachment 1 to Report CLK 02-26.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Cardwell	X		
Councillor Leahy		X	
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada		X	
<b>Results</b>	<b>6</b>	<b>2</b>	<b>0</b>

**Carried on a Recorded Vote (6 to 2)**

**6.4.6 LS 01-26, Legal and Enforcement Services Department Report**

Re: Proposed Clean Community By-law to replace the Property and Boulevard Maintenance By-law # 6937-15, as amended

Recommendation:

Moved by Councillor Shahid

1. That Report LS 01-26 is received for information;
2. That in accordance with Section 128 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, it is the opinion of Council that the disposal of garbage, refuse, waste or debris within Town-owned properties, as well as rights of way under the jurisdiction of the Regional Municipality of Durham or Province of Ontario, is, could become, or could cause, a public nuisance; and,
3. That a Clean Community By-law, substantially in accordance with Attachment #1 to Report LS 01-26, be brought forward for Council consideration on February 2, 2026.

**Carried**

#### 6.4.7 CMS 01-26, Community Services Department Report

Re: Dryden Boulevard Speed Limit Signage

Recommendation:

Moved by Councillor Lundquist

That Staff Report CMS 01-26 be received for information.

**Carried**

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

Recommendation:

Moved by Councillor Shahid

That the Committee take a five minute recess.

**Carried**

The Committee recessed at 9:32 p.m. and reconvened at 9:38 p.m.

##### 6.5.1 Legislative Changes to the OMERS Act (Bill 68)

Having previously declared a conflict of interest, Councillor Lundquist did not participate in the discussion or vote regarding this matter and vacated the Chair.

Councillor Shahid assumed the Chair.

Councillor Mulcahy introduced a motion regarding legislated changes to the Ontario Municipal Employees Retirement System (OMERS) Act contained in Bill 68.

Recommendation:

Moved by Councillor Mulcahy

Whereas the Ontario Municipal Employees Retirement System (OMERS) Pension Fund serves over 1,000 employers and over half a million employees and retirees from diverse groups including: municipal governments, school boards, libraries, police and fire departments, children's aid societies, and electricity distribution companies; and,

Whereas the long-standing jointly-sponsored governance model with two corporate boards has provided stability, accountability, and fairness for both plan members and employers for more than two decades; and,

Whereas the Government of Ontario has passed legislative changes to OMERS' governance structure through Bill 68; and,

Whereas these changes would replace the current OMERS Sponsors Corporation with a new Sponsors Council that would lose its corporate status and independent resources; and,

Whereas the proposed model could allow pension decisions affecting municipal employers and employees to be made without meaningful municipal oversight, increasing financial risk for municipalities and local taxpayers; and,

Whereas municipalities are already under significant fiscal strain and cannot absorb additional pension costs without consequences for property taxes or local services.

Now Therefore be it Resolved:

1. That the Town of Whitby does not support the legislative changes to the OMERS Act contained in Bill 68 and requests that the Government of Ontario reconsider the advisability of proceeding with these changes; and,

2. That the Town of Whitby Council supports the Association of Municipalities of Ontario (AMO) in calling on the Government of Ontario to:
  - a. Ensure Sponsors retain full control without restrictions over their appointments to the new Sponsors Council and Administration Corporation;
  - b. Guarantee the Sponsors Council's independence from the plan administrator and access to resources needed to perform its duties; and,
  - c. Limit the Minister's regulation-making authority over plan design and the Sponsors Council's internal affairs.
3. That this resolution be circulated to:
  - a. The Honourable Rob Flack, Minister of Housing and Municipal Affairs;
  - b. The Honourable Peter Bethlenfalvy, Minister of Finance;
  - c. Lorne Coe, MPP; and,
  - d. The Association of Municipalities of Ontario (AMO).

**Carried**

Councillor Lundquist resumed the Chair.

**6.5.2 Remove the GST/HST from all New Homes Purchased as Primary Residences in Ontario**

Councillor Mulcahy introduced a motion requesting the removal of the GST/HST from all newly built or substantially renovated homes purchased from the builder as primary residences in Ontario.

Recommendation:

Moved by Councillor Mulcahy

Whereas housing affordability is one of the most pressing issues facing Ontario families; and,

Whereas the current HST rate on new homes in Ontario is 13%, which adds tens of thousands of dollars to the cost of a typical home; and,

Whereas existing federal and provincial HST rebates on new homes purchased from the builder are limited by purchase-price thresholds, with most new homes in Ontario priced above the level required to qualify for meaningful relief, thereby limiting their effectiveness in improving overall housing affordability; and,

Whereas the federal and provincial governments have proposed new GST/HST rebates only for first-time homebuyers purchasing from the builder a newly built or substantially renovated home; and,

Whereas according to research conducted by the Ontario Homebuilders' Association, first-time home buyers currently represent approximately 5% of the new home market; and,

Whereas the Ontario Homebuilders' Association estimates that a full HST exemption would stimulate the construction of an additional 53,000 new homes, on top of the roughly 80,000 homes already expected to be available for sale by 2026 — bringing the total to approximately 132,000 units.

Now Therefore be it resolved:

1. That the Council of the Town of Whitby calls on the Government of Canada and the Government of Ontario to remove the GST/HST from all newly built or substantially renovated homes purchased from the builder as primary residences in Ontario; and,
2. That this resolution be circulated to the Prime Minister of Canada, Minister of Finance and the Minister of Housing, Infrastructure and Communities, and to the Premier of Ontario, the Ontario Minister of Finance, the Ontario Minister of Municipal Affairs and Housing, our local MP and MPP, the Association of Municipalities of Ontario, and to all municipalities in Ontario.

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

Recommendation:

Moved by Councillor Yamada

That the main motion be amended by including the following as Item 2:

2. That the cost of the GST/HST tax cut on new homes not be funded through additional debt; and,

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy		X	
Councillor Cardwell		X	
Councillor Leahy	X		
Councillor Lee		X	
Councillor Lundquist		X	
Councillor Mulcahy		X	
Councillor Shahid		X	
Councillor Yamada	X		
<b>Results</b>	<b>2</b>	<b>6</b>	<b>0</b>

#### **Motion Lost on a Recorded Vote (2 to 6)**

The main motion was then carried as follows:

Recommendation:

Moved by Councillor Mulcahy

Whereas housing affordability is one of the most pressing issues facing Ontario families; and,

Whereas the current HST rate on new homes in Ontario is 13%, which adds tens of thousands of dollars to the cost of a typical home; and,

Whereas existing federal and provincial HST rebates on new homes purchased from the builder are limited by purchase-price thresholds, with most new homes in Ontario priced above the level required to qualify for meaningful relief, thereby limiting their effectiveness in improving overall housing affordability; and,

Whereas the federal and provincial governments have proposed new GST/HST rebates only for first-time homebuyers purchasing from the builder a newly built or substantially renovated home; and,

Whereas according to research conducted by the Ontario Homebuilders' Association, first-time home buyers currently represent approximately 5% of the new home market; and,

Whereas the Ontario Homebuilders' Association estimates that a full HST exemption would stimulate the construction of an additional 53,000 new homes, on top of the roughly 80,000 homes already expected to be available for sale by 2026 — bringing the total to approximately 132,000 units.

Now Therefore be it resolved:

1. That the Council of the Town of Whitby calls on the Government of Canada and the Government of Ontario to remove the GST/HST from all newly built or substantially renovated homes purchased from the builder as primary residences in Ontario; and,
2. That this resolution be circulated to the Prime Minister of Canada, Minister of Finance and the Minister of Housing, Infrastructure and Communities, and to the Premier of Ontario, the Ontario Minister of Finance, the Ontario Minister of Municipal Affairs and Housing, our local MP and MPP, the Association of Municipalities of Ontario, and to all municipalities in Ontario.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		

Councillor Yamada	X		
<b>Results</b>	<b>8</b>	<b>0</b>	<b>0</b>

**Carried Unanimously on a Recorded Vote (8 to 0)**

**6.5.3 Requesting the Province to Remove the Education Portion of the Property Tax Bill**

Councillor Leahy introduced a motion requesting the province to remove the education portion of the municipal property tax bill.

Recommendation:

Moved by Councillor Leahy

Whereas property taxes in Ontario include an education levy collected by municipalities on behalf of the Province, which represents approximately eleven per cent (11%) of the total Town of Whitby property tax bill for residential taxpayers; and,

Whereas municipalities have no control over education tax rates, education spending priorities, or education governance, despite being responsible for the collection of the education portion of the property tax; and,

Whereas the Province of Ontario exercises exclusive constitutional authority over education, including curriculum, funding formulas, and school board governance; and,

Whereas the election of school board trustees through the municipal election process is currently being debated as part of the governance model for school boards by the provincial Minister of Education; and,

Whereas removing the education portion of the property tax would provide immediate and meaningful property tax relief to Whitby and all Ontario residents, at a time of significant affordability pressures; and,

Whereas a governance model that excludes elected trustees would mean that property taxpayers would be receiving taxation without representation, which is a basic principle expressed in the Canadian Constitution; and,

Whereas the principle of "no taxation without representation" is a fundamental constitutional principle in Canadian law, explicitly recognized and codified by sections 53 and 90 of the Constitution Act, 1867;

Now Therefore be it Resolved:

1. That the Town of Whitby Council formally request that the Government of Ontario remove the education portion of the property tax assessment from municipal tax bills across the Province of Ontario; and,
2. That this request be conditional upon the Minister of Education eliminating the requirement for school board trustees to be elected through the municipal election process, and transitioning to a provincially administered model of education governance and funding; and,
3. That the Province be urged to assume full responsibility for the funding, collection, and administration of education costs, thereby relieving municipalities of this responsibility; and,
4. That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Education, the Minister of Municipal Affairs and Housing, the local Members of Provincial Parliament in Durham Region, the Association of Municipalities of Ontario (AMO), and all Ontario municipalities for their consideration and support.

### **See following motions**

Recommendation:

Moved by Councillor Cardwell

That the motion regarding requesting the Province to remove the education portion of the property tax bill be tabled.

### **Motion Lost**

The main motion was then before Committee as follows:

Recommendation:

Moved by Councillor Leahy

Whereas property taxes in Ontario include an education levy collected by municipalities on behalf of the Province, which represents approximately eleven per cent (11%) of the total Town of Whitby property tax bill for residential taxpayers; and,

Whereas municipalities have no control over education tax rates, education spending priorities, or education governance, despite being responsible for the collection of the education portion of the property tax; and,

Whereas the Province of Ontario exercises exclusive constitutional authority over education, including curriculum, funding formulas, and school board governance; and,

Whereas the election of school board trustees through the municipal election process is currently being debated as part of the governance model for school boards by the provincial Minister of Education; and,

Whereas removing the education portion of the property tax would provide immediate and meaningful property tax relief to Whitby and all Ontario residents, at a time of significant affordability pressures; and,

Whereas a governance model that excludes elected trustees would mean that property taxpayers would be receiving taxation without representation, which is a basic principle expressed in the Canadian Constitution; and,

Whereas the principle of "no taxation without representation" is a fundamental constitutional principle in Canadian law, explicitly recognized and codified by sections 53 and 90 of the Constitution Act, 1867;

Now Therefore be it Resolved:

1. That the Town of Whitby Council formally request that the Government of Ontario remove the education portion of the property tax assessment from municipal tax bills across the Province of Ontario; and,
2. That this request be conditional upon the Minister of Education eliminating the requirement for school board

trustees to be elected through the municipal election process, and transitioning to a provincially administered model of education governance and funding; and,

3. That the Province be urged to assume full responsibility for the funding, collection, and administration of education costs, thereby relieving municipalities of this responsibility; and,
4. That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Education, the Minister of Municipal Affairs and Housing, the local Members of Provincial Parliament in Durham Region, the Association of Municipalities of Ontario (AMO), and all Ontario municipalities for their consideration and support.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy		X	
Councillor Cardwell		X	
Councillor Leahy	X		
Councillor Lee		X	
Councillor Lundquist		X	
Councillor Mulcahy		X	
Councillor Shahid		X	
Councillor Yamada	X		
<b>Results</b>	<b>2</b>	<b>6</b>	<b>0</b>

#### **Motion Lost on a Recorded Vote (2 to 6)**

#### **7. Adjournment**

Recommendation:

Moved by Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:55 p.m.



# **Town of Whitby**

## **By-law # 8254-26**

### **Amendment to Procedure By-law # 8081-24**

Being a By-law to amend Procedure By-law # 8081-24, as amended.

Whereas section 238(2) of the Municipal Act, 2001, S.O. 2001, c. 25, provides that every municipality shall pass a procedural by-law for governing the calling, place and proceedings of meetings; and,

Whereas the Council of The Corporation of the Town of Whitby considered Report CLK 02-26 regarding Enhancing Governance and Procedural Fairness for Notice of Motion (Response to Resolution # 254-25) at the Regular Council meeting on February 2, 2026; and,

Whereas Council deems it necessary to amend Procedure By-law # 8081-24, as amended.

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

#### **1. General**

- 1.1. That subsection 3.2. of Procedure By-law # 8081-24, as amended, be repealed and replaced with the following:
  - 3.2. The Rules of Procedure may be suspended by a Two-Thirds Vote, with the exception of the following:
    - 3.2.1. Section 11.18 (Delegations to Integrity Commissioner Reports and delegations to late notices of motion);
    - 3.2.2. Section 11.39 (Leave to introduce motions not provided to the Clerk on or before 8:00 a.m. on the day of the meeting);
    - 3.2.3. Section 11.47 (Adjournment); and,
    - 3.2.4. Any rule which is required to be followed by law.
- 1.2. That subsection 5.12. be repealed and replaced with the following:
  - 5.12. No member of the public shall:
    - 5.12.1 display signs, banners, emblems, or flags, except by permission of the Chair;
    - 5.12.2 make use of cameras or recording devices in a manner that is disruptive to the proceedings, creates a hazard, obstructs the view of others, or may be reasonably perceived as an attempt to intimidate, harass, or impede any person's participation in the Meeting;

- 5.12.3 come onto the dais during a Meeting of Council or Committee without the permission of the Mayor;
- 5.12.4 make detrimental comments, or speak ill of, or malign the integrity of staff, members of the public, or Council and Committee;
- 5.12.5 use offensive, abusive, or demeaning language, or make gestures that are intimidating or intended to undermine the orderly conduct of the Meeting;
- 5.12.6 make any statement or engage in any behaviour that may be reasonably perceived as a threat of violence or retaliation against staff, Council, or members of the public; or,
- 5.12.7 consume food or drink, other than water, in a room in which a Meeting is taking place.

1.3. That subsection 6.1.7. be repealed and replaced with the following:

- 6.1.7. to enforce on all occasions the order and decorum among the Members and the public;

1.4. That subsection 11.18. be repealed and replaced with the following:

11.18. Notwithstanding the provisions of Section 11.13 and Section 11.17, delegates shall not be permitted to address items pertaining to:

- 11.18.1. An Integrity Commissioner report regarding a Member of Council; and,
- 11.18.2. Notices of motion that do not meet the submission timelines as set out in Section 11.33 (including those requiring a Two-Thirds Majority under Section 11.37).

**Note:** in accordance with Section 3 of this By-law, Council may not suspend the rules of procedure to hear any delegation that is prohibited under Section 11.18.

1.5. That subsections 11.33. and 11.34. be repealed and replaced with the following:

11.33. A Member desiring to introduce a Motion at a Meeting regarding a matter that would not otherwise be considered by the Council at such Meeting, shall notify the Clerk of the topic of the proposed motion by noon on the day that is 10 days in advance of the meeting in order that the Clerk may share the topic of the motion with Members. The Member shall then deliver a written copy of the Motion, with a confirmed mover and seconder, to the Clerk not later than noon on the

day that is 7 days before the regular Meeting of Council at which notice of the Motion is to be given.

- 11.34. The Clerk, upon receipt of a notice of Motion submitted in accordance with the timelines set out in Section 11.33, shall print the Motion in full in the agenda for the next regular Meeting of the Council.
- 1.6. That subsections 11.37 and 11.38. be repealed and replaced with the following:
  - 11.37 A Member may introduce a Motion under New and Unfinished Business regarding an urgent matter that could not be presented at a Meeting of Council or a Meeting of Committee in accordance with Section 11.33, provided that:
    - 11.37.1 A written copy is delivered to the Clerk no later than 8:00 a.m. on the day of the meeting; and
    - 11.37.2 A Two-Thirds Majority of the Members present consent to its introduction.
  - 11.38 Prior to introducing a Motion under Section 11.37, a Member may provide clarity on the subject.
- 1.7. That the following be inserted as subsection 11.39. and that the remaining subsections in Section 11 of the by-law be renumbered accordingly:
  - 11.38 Notwithstanding the provisions of Section 11.37, no motion shall be introduced under New and Unfinished Business unless the written copy was provided to the Clerk by the 8:00 a.m. deadline.

**Note:** in accordance with Section 3 of this By-law, Council cannot suspend the rules of procedure to consider any motion that fails to meet any of the requirements of Section 11.37.

## 2. Effective Date

- 2.1 The provisions of this by-law shall come into full force and effect on the final passing of the by-law.

By-law read and passed this 2nd day of February, 2026.

---

Elizabeth Roy, Mayor

---

Christopher Harris, Town Clerk



# **Town of Whitby**

## **By-law # 8255-26**

### **Part Lot Control By-law**

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2014-04) as not being subject of Part Lot Control.

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

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

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

#### **1. General**

- 1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:
  - (a) Lot 19, Plan 40M-2766, being all of PIN 26570-2589 (LT) for the purpose of creating two (2) lots for residential development, subject to easements, as follows:
    - i. Part 1 on Reference Plan 40R-33157; and
    - ii. Part 2 on Reference Plan 40R-33157.
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### **2. Effective Date**

- 2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending February 2, 2028.

By-law read and passed this 2nd day of February, 2026.

---

Elizabeth Roy, Mayor

---

Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 8256-26

### Amendment to Fees and Charges By-law # 7220-17

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

Whereas the Council of The Corporation of the Town of Whitby considered Report LS-04-25 regarding Business Licensing Proposed Amendments - Lodging House and New Proposed Boarding House provisions at the Regular Council meeting on December 15, 2025; and,

Whereas Council deems it necessary to amend the Fees and Charges By-law to amend Schedule B, Business Licence Fees in accordance with the recommendations contained in Report LS 04-25.

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

#### 1. General

- 1.1. That the following new fees be added to Schedule B, Business Licence Fees
  - Category: Other Licences

Category: Other Licences					
Fee No.	Fee Title	Fee Basis	HST	2026 Fee	2026 Effective date
BYL-35	Boarding House Licence	Per Licence	No	\$525.00	08-Sep
BYL-36	Boarding House Renewal	Per Licence	No	\$367.50	08-Sep
BYL-37	Boarding House Licence - Violation	Per Licence	No	\$1,050.00	08-Sep
BYL-38	Updated Boarding House Licence	Per Document	No	\$15.75	08-Sep
BYL-39	Replacement Licence	Per Document	No	\$15.75	08-Sep

#### 2. Effective Date

The provisions of this By-law shall come into force and take effect on February 2, 2026.

By-law read and passed this 2nd day of February, 2026.

---

Elizabeth Roy, Mayor

---

Christopher Harris, Town Clerk



# **Town of Whitby**

## **By-law # 8257-26**

### **Amendment to Business Licensing By-law # 5545-04**

Being a By-law to amend Business Licensing By-law # 5545-04, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report LS 04-25 and Memorandum LS-M-11-2025, regarding proposed amendments to the Business Licensing By-law # 5545-04, as amended at the Council meeting on December 15, 2025; and,

Whereas Council deems it necessary to amend the Business Licensing By-law to amend the General provisions, replace Schedule 8, and insert Schedule 12 and Schedule "A" for Administrative Penalties in accordance with the recommendations contained in Report LS 04-25 and Memorandum LS-M-11-2025.

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

#### **1. General**

- 1.1. That Subsection 1. j) of the Definitions to the Business Licensing By-law # 5545-04, as amended, be repealed and replaced with the following;
  - 1 j) "lodging house" means any house or other building or a portion of it that does not exceed 3 storeys, and the area does not exceed 600m<sup>2</sup> in which five (5) to ten (10) residents are lodged for hire but does not include a hotel, hospital, nursing home, home for the young or the aged or institution if it is licensed, approved or supervised under any act other than the Municipal Act, 2001, S.O. 2001, c. 25, as amended, or any successor legislation in substitution thereof.
- 1.2. That the heading for Section 11., Penalties to the Business Licensing By-law # 5545-04, as amended, be renamed as Penalties and Offences.
- 1.3. That the existing Section 11. provision of the Business Licensing By-law # 5545-04, as amended, be renumbered as Section 11.(1).
- 1.4. That the following be inserted as Section 11.(2) of the Business Licensing By-law # 5545-04, as amended;

11. (2) Administrative Penalty System

- (a) Every person who contravenes or fails to comply with a provision of this By-law is guilty of an offence and is liable to the penalty as set out in Schedule "A" to this By-law.
- (b) Tiered and Escalating Penalties: If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law

By-law Name: Amendment to Business Licensing By-law # 5545-04  
By-law # 8257-26

for an offence, the person shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law.

- 1.5. That the following be inserted as Sections 11.(3) and 11.(4) of the Business Licensing By-law # 5545-04, as amended;
  11. (3) The making of a false or intentionally misleading recital of fact, statement or representation in any agreement, statutory declaration or application form required by the by-law shall be deemed to be a contravention of the provisions of the by-law.
  11. (4) Every person shall comply with the provisions of this by-law applicable to him/her whether or not he/she is licensed under this By-law.
- 1.6. That Schedule "A", Business Licensing Administrative Penalties be inserted to the Business Licensing By-law # 5545-04, as amended, as described in Appendix # 1 hereto attached.
- 1.7. That Schedule "8" Lodging House Provisions (Relating to Lodging Houses) of the Business Licensing By-law # 5545-04, as amended, be repealed and replaced with Appendix # 2 hereto attached.
- 1.8. That Schedule "12" Boarding House Provisions be inserted to the Business Licensing By-law # 5545-04, as amended, as described in Appendix # 3 hereto attached.

## **2. Effective Date**

- 2.1. Items 1.1. to 1.7. of this by-law shall come into force and effect on the date of its passing.

2.2. Item 1.8. of this by-law shall come into force and effect on September 8, 2026.

By-law read and passed this 2nd day of February, 2026.

## **Appendices**

### **Appendix 1**

Schedule "A" - Business Licensing Administrative Penalties

### **Appendix 2**

Schedule "8" – Lodging House Provisions

### **Appendix 3**

Schedule "12" – Boarding House Provisions

---

Elizabeth Roy, Mayor

---

Christopher Harris, Town Clerk



## **Schedule “A” Business Licensing Administrative Penalties**

**Town of Whitby By-law # 5545-04, as amended**

<b>Schedule “8” Lodging House Penalties</b>					
	<b>Description</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
1.	Establish/operate/maintain/keep a Lodging house or any part thereof without a licence	2.	\$500.00	\$750.00	\$1000.00
2.	Occupy bedroom with more than permitted residents	3. (1)(b)	\$205.00	\$350.00	\$450.00
3.	Allow cooking facilities in any bedroom	3. (1)(f)	\$205.00	\$350.00	\$450.00
4.	Fail to provide required dining room floor space	3. (2)	\$205.00	\$350.00	\$450.00
5.	Fail to provide suitable sitting room	3. (3)	\$205.00	\$350.00	\$450.00
6.	Fail to provide suitable outdoor sitting area	3. (4)	\$205.00	\$350.00	\$450.00
7.	Fail to provide first aid equipment	3. (5)	\$205.00	\$350.00	\$450.00
8.	Fail to maintain adequate and suitable heat	3. (7)	\$500.00	\$750.00	\$1000.00
9.	Fail to provide functioning telephone	3. (10)	\$205.00	\$350.00	\$450.00

<b>Schedule “8” Lodging House Penalties continued</b>					
	<b>Description</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
10.	Fail to maintain required records	4 (1), (2)	\$205.00	\$350.00	\$450.00
11.	Fail to post emergency telephone numbers in conspicuous place	4. (3)	\$205.00	\$350.00	\$450.00
12.	Fail to provide required meals	6. (1)	\$205.00	\$350.00	\$450.00
13.	Fail to post menu in dinning room	6. (2)	\$205.00	\$350.00	\$450.00
14.	Fail to have staff on duty with First Aid Certificate	7 (a)	\$205.00	\$350.00	\$450.00
15.	Fail to have sufficient duty on staff	7 (b)	\$205.00	\$350.00	\$450.00
16.	Fail to ensure/provide acceptable refuse disposal	8. (a), (b), (c), (d)	\$205.00	\$350.00	\$450.00
17.	Fail to maintain/provide service contract	9. (a)	\$205.00	\$350.00	\$450.00
18.	Fail to maintain/provide financial records	9. (b)	\$205.00	\$350.00	\$450.00
19.	Fail to maintain/provide medical records	9. (c)	\$205.00	\$350.00	\$450.00
20.	Fail to control and administration of medications	9. (d)	\$500.00	\$750.00	\$1000.00
21.	Fail to provide activity programs	9. (h), (i), (j), (k)	\$205.00	\$350.00	\$450.00
22.	Keep/harbour/receive more than ten residents	10. (1)	\$500.00	\$750.00	\$1000.00
23.	Fail to provide minimum required space per resident	10. (2)	\$500.00	\$750.00	\$1000.00

<b>Schedule “12” Boarding House Penalties</b>					
<b>Item</b>	<b>Description</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
24.	Own/use/operate/maintain/be keeper of/rent a boarding house or any part thereof without a licence	2.1	\$500.00	\$750.00	\$1000.00
25.	Own/use/operate/maintain/be keeper of/rent a boarding house or any part thereof in nonconformity with terms provisions of licence	2.2	\$205.00	\$350.00	\$450.00
26.	Own/use/operate/maintain/be keeper of/rent or permit to be used/operated/maintained, rented a boarding house or any part thereof in nonconformity with the provisions of the by-law.	2.4	\$205.00	\$350.00	\$450.00
27.	Fail to maintain adequate and suitable heat	3.2	\$500.00	\$750.00	\$1000.00
28.	Use/permit the use of appliance which may create a fire hazard	3.3	\$205.00	\$350.00	\$450.00
29.	Occupy/permit the use of prohibited area for sleeping purposes	3.4	\$205.00	\$350.00	\$450.00
30.	Permit boarding unit to be occupied by more than one boarder	3.6	\$500.00	\$750.00	\$1000.00
31.	Fail to provide minimum of 7m <sup>2</sup> (75 sq ft) per person	3.7	\$500.00	\$750.00	\$1000.00
32.	Fail to provide functioning telephone	3.9	\$205.00	\$350.00	\$450.00
33.	Fail to provide list of local emergency numbers	3.9	\$205.00	\$350.00	\$450.00

<b>Schedule “12” Boarding House Penalties</b>					
<b>Item</b>	<b>Description</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
34.	Prepare/permit to be prepared food in prohibited area	3.10	\$205.00	\$350.00	\$450.00
35.	Store garbage in unacceptable receptacle	3.11	\$205.00	\$350.00	\$450.00
36.	Fail to post licence in prominent location	3.13	\$205.00	\$350.00	\$450.00
37.	Fail to provide records forthwith after request	3.14	\$205.00	\$350.00	\$450.00
38.	Permit more than one Boarding House per property	3.18	\$350.00	\$500.00	\$1000.00
39.	Fail to provide refrigerator/stove/sink to boarders	3.19	\$350.00	\$500.00	\$1000.00

## **Schedule “8” Lodging House Provisions**

### **To By-law No. 5545-04**

Whereas the Council of the Corporation of the Town of Whitby considers it desirable to licence and impose conditions on lodging houses for the purposes of health and safety and consumer protection;

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

1. In this Schedule,
  - (a) “home for special care” means a home for the care of persons requiring nursing, residential or sheltered care.
  - (b) “lodged for hire” means where lodging is provided on a temporary or permanent basis in return for renumeration or the provision of services or both.
  - (c) “personal care” means care, supervision and assistance to persons based on physical or cognitive limitations who require assistance evacuating.

### **Lodging House Licence**

2. No person shall establish, operate, maintain or keep a lodging house within the corporate limits of the Town of Whitby except under the authority of a licence issued under this by-law.
3. Every keeper of a lodging house shall provide accommodation and furnishing in and about the house in accordance with the following standards:
  - (1) Bedroom
    - (a) Every bedroom shall comply with the Building Code Act, 1992, and regulations made thereunder as may be amended from time to time and any successor legislation in substitution thereof;

- (b) Not more than four unrelated residents shall occupy any one bedroom;
- (c) Every bedroom shall be furnished with a bed, chair, closet and chest of drawers for each unrelated resident occupying the bedroom;
- (d) No bed shall be closer than 75 centimetres (30 inches) to any other bed and bunkbeds and cots shall not be permitted;
- (e) There shall be an adequate supply of clean linen and blankets for each bed. Bedsheets shall be changed at least once a week or with such greater frequency as may be necessary. The keeper shall maintain a log which demonstrates compliance with the aforementioned; and,
- (f) No cooking facilities shall be permitted in any bedroom.

(2) Dining Room

Every lodging house in which meals are provided shall contain a dining room which shall be separate from other rooms in the house and shall contain at least .95 square metres (10.2 square feet) of floor space for each resident to a maximum of 50% of the total number of permitted residents. Every dining room shall be capable of accommodating at one sitting at least 50% of the permitted residents of the house.

(3) Sitting Room

An indoor sitting room shall be provided in addition to bedroom space and dining room space.

(4) Outdoor Sitting Area

An outdoor sitting area shall be provided, and such area shall be clean, accessible and partially shaded and contain seating adequate to accommodate at least 50% of the residents at any one time.

(5) First Aid Equipment

At least one first aid kit approved by the Medical Officer of Health shall be provided in every lodging house.

(6) Washing, Bathing and Toilet Facilities

Washing, bathing and toilet facilities shall comply with the Building Code Act, 1992, and regulations made thereunder as may be amended from time to time and any successor legislation in substitution thereof.

Each washroom shall be supplied with an adequate supply of common toiletries including toilet paper, hand soap, and paper or cloth towels. A waste basket shall be provided in each washroom. Each waste basket shall be emptied and cleaned as often as necessary for it to be maintained in a clean and sanitary condition.

(7) Heating

Every lodging house shall be provided with a heating system capable of maintaining a room temperature of 21 degrees Celsius at .9 metres (3 feet) above floor level and .9 metres (3 feet) from the exterior walls in all habitable rooms, bathrooms and toilet rooms when the temperature outside the lodging house is -21 degrees Celsius. A minimum temperature of 21 degrees Celsius shall be maintained in all habitable rooms, bathrooms and toilet rooms between the 1st day of October and the 31st day of May in each calendar year and a minimum temperature of 20 degrees Celsius shall be maintained in all such rooms at all other times of the year.

(8) Illumination

Every keeper of a lodging house shall provide and maintain illumination in accordance with the provisions of the Building Code Act, 1992, and regulations made thereunder as may be amended from time to time and any successor legislation in substitution thereof.

(9) Fire Safety

- (a) Every keeper of a lodging house shall ensure that the lodging house and equipment contained in the house comply with the Fire Protection and Prevention Act, 1997 and regulations made thereunder as may be amended from time to time and any successor legislation in substitution thereof.
- (b) Every keeper of a lodging house shall undergo an annual inspection in conjunction with Processing and Issuance Section 4 (1) (c) of this By-law.

(10) Telephone

Every keeper of a lodging house shall provide a telephone which is accessible at all times to residents for emergency use.

**Records**

- 4. (1) Every keeper of a lodging house shall keep and maintain in the house written records with respect to each resident showing,
  - (a) the resident's full name;
  - (b) the last place of residence of the resident; and,
  - (c) the date the resident took up residence at the lodging house.
- (2) Where a resident stays in a lodging house for more than seven days, the keeper of the lodging house shall also keep a record showing,
  - (a) the name, address and telephone number of next of kin or, where there is no next of kin, the name, address and telephone number of a close family or personal friend;
  - (b) the resident's Ontario Health Insurance Plan Number; and,
  - (c) the date the resident left the lodging house, if applicable, and the new address of the former resident.

(3) Every keeper of a lodging house shall post in a conspicuous place in the house a list of emergency telephone numbers.

### **Health and Hygiene**

5. Every keeper of a lodging house shall,

- (a) ensure that each room is tidy and is kept in a manner that would not attract pests or vermin;
- (b) ensure that each room is maintained in a manner that does not permit odours to travel beyond that room;
- (c) ensure sufficient facilities are available and functioning to permit residents to maintain their personal hygiene;
- (d) ensure the cleaning and disinfection of all rooms, equipment, etc., are carried out in accordance with the provisions of the Health Protection and Promotion Act and regulations made thereunder as may be amended from time to time and any successor legislation in substitution thereof; and
- (e) Maintain a log/cleaning records to demonstrate compliance with subsection b) which are available forthwith to a Municipal Law Enforcement Officer for inspection.

### **Nutrition**

6. (1) Every keeper of a lodging house offering board shall provide each resident of the house with at least three meals per day which conform to the Canada Food Guide.

(2) Every keeper of a lodging house in which meals are provided shall post in the dining room a menu of meals for the seven days following the date of posting. Every such menu shall bear the date of posting and the mealtimes. Menus shall be kept for six months following the date of posting.

(3) The provisions of Subsection 6(1) of this Schedule are of general application and shall be modified by the lodging housekeeper in individual cases when so instructed in writing by a physician.

### **Staff**

7. Every keeper of a lodging house shall,

- (a) have at least one person with a current first aid certificate on duty in the lodging house at all times; and,
- (b) have sufficient staff on duty in the house at all times to provide adequate care and nutrition for the residents and to ensure the safety of the residents in emergencies and to maintain the house in a clean and sanitary condition.

### **Refuse Disposal**

8. Every keeper of a lodging house shall ensure rubbish and garbage are stored in receptacles which are,

- (a) insect and rodent proof;
- (b) watertight;
- (c) provided with a tight-fitting cover;
- (d) washed as frequently as necessary to maintain an odour free condition; and
- (e) kept on a portion of the property that is screened from public.

### **Care**

9. Every keeper of a lodging house in which care is provided to the residents shall,

### Service Contract

- (a) enter into a written service contract with each resident, in a form approved by the Medical Officer of Health, which contract shall contain provisions respecting,
  - (i) the services the keeper provides to the residents;
  - (ii) the rates for accommodation and services; and,
  - (iii) admission and discharge requirements.

### Financial Records

- (b) where the keeper provides financial services to a resident, keep a financial record which shall include,
  - (i) all sums received from or on behalf of the resident and the dates on which the monies were received;
  - (ii) all sums given to the resident by the keeper and the dates on which the monies were given; and,
  - (iii) itemized receipts and invoices for each expenditure made on and such keeper shall provide the resident with a copy of his/her financial record monthly.

### Medical Records

- (c) where the keeper provides medical services to a resident, keep a medical record which shall include,
  - (i) the examination and medical history, to be made and taken on admission to the lodging house and at least annually thereafter, by a duly qualified medical practitioner;
  - (ii) the name, address and telephone number of the resident's personal physician;

- (iii) all accidents and illnesses happening to or suffered by a resident while living in the lodging house together with the treatment prescribed and administered; and,
- (iv) with respect to prescription drugs dispensed by the keeper, the name and address of the prescribing doctor and the times and dates when the drug was administered to the resident.

(d) exercise control of storage and administration of medications and without limiting the generality of this Clause shall,

- (i) keep all prescription drugs in one or more locked drug cabinets;
- (ii) ensure that prescription drugs are made available only to those residents for whom they have been prescribed, as directed by a physician; and,
- (iii) ensure that all drug cabinets contain a detailed list of contents which is kept up to date on a daily basis and is available for inspection on request;

(e) provide access to local home care programs to residents requiring minimal, short- term bed care;

(f) where a resident's condition deteriorates, or where a resident requires continuing care, ensure, where appropriate, such resident is transferred to a facility where his/her care needs can be accommodated;

(g) ensure that all personnel working in the lodging house are tuberculin tested and/or chest x-rayed at the commencement of employment and thereafter at least once every two years.

#### Activity Programs

- (h) make newspapers, magazines, books, a radio, a television set, stimulating games and playing cards available to the residents;
- (i) encourage in the residents an interest in crafts, community recreation and activities;

- (j) arrange for residents to participate in appropriate community recreation, activity, and training programs; and,
- (k) refer residents to appropriate persons or agencies for such guidance, information and counselling as may be required.

### **Lodging House Capacity**

10. (1) No keeper of a lodging house shall harbour, receive or lodge more than ten (10) residents in a lodging house.

(2) Every keeper of a lodging house shall provide a minimum of 9.29 square metres (100 square feet) of habitable floor space in the lodging house for each resident.

### **Exceptions**

11. (1) The provisions of this by-law shall not apply to a lodging house in which less than five (5) residents are harboured, received or lodged.

(2) Despite the provisions of Subsection 10(1) of this Schedule,

- (a) a maximum of seventeen (17) residents shall be permitted at the lodging house located at 206 Byron Street South; and,
- (b) a maximum of twenty (20) residents shall be permitted at the lodging house located at 425 Dundas Street East,

provided the lodging house complies in all other respects with the provisions of this by-law governing lodging houses and it continues, without interruption, to be used as a lodging house.

(3) For the property located at 417 Byron Street North, despite Section 10 (1) and 10 (2) of this Schedule,

- (a) The total number of residents permitted at the lodging house shall not at any time exceed seventeen (17) residents;

- (b) One (1) staff person shall be on site twenty-four (24) hours per day and seven (7) days per week;
- (c) The owner of the property shall provide to the Manager of Enforcement Services, or designate, a letter indicating the number of residents living on the site as part of its annual business licence renewal and at any time requested by an Officer, demonstrating compliance with Section 7. (a) & (b) of Schedule 8 of Business Licensing By-law # 5545-04 and these conditions;
- (d) The Owner shall maintain insurance related to the lodging house with a minimum liability of five (5) million dollars, and shall provide the Town with a Certificate of Insurance naming the Town as additional insured, on the Town's standard certificate and to the satisfaction of the Commissioner of Financial Services/Treasurer, or designate;
- (e) The keeper of the lodging house shall provide and maintain emergency contact information for all employees to the Manager of Enforcement Services, or designate;
- (f) The owner shall comply with Inspection Order Number: 23-100782-FP and all associated conditions of the Fire Protection and Prevention Act, 1997; and,
- (g) The owner shall provide the Town's Building Services Division with updated drawings of the structure of 417 Byron Street North, shall apply for a building permit if deemed necessary by the Chief Building Official, and undertake to complete any work related to the building permit within twelve (12) months of the date this exemption is approved by Council.

**Schedule "12" Boarding House Provisions  
To By-Law No. 5545-04**

**1. Definitions**

1.1 In this By-law,

- (a) "Adequate and suitable heat" means a minimum air temperature, in the part of the accommodation, which is normally heated, at least 20 degrees Celsius. Portable heaters may not be utilized to achieve adequate and suitable heat;
- (b) "Building" means a structure occupying an area greater than 10 square metres, except a shed accessory to a dwelling occupying an area equal to or greater than 15 square metres, consisting of any combination of walls, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems used for shelter, accommodation or enclosure of persons, animals, goods or equipment.
- (c) "Boarder" means an individual, other than an owner, who resides in a boarding house.
- (d) "Boarding House" means a dwelling or part of a dwelling, containing between four (4) to ten (10) boarding units, licensed by the Town where the owner or lessee supplies for compensation, with or without meals, lodging to a boarder or boarders as the principal use, and may include one dwelling unit for the owner or caretaker but shall not include a hotel, a motel, a bed and breakfast establishment, an additional dwelling unit or any other residential use.
- (e) "Boarding Unit" means a room within a Boarding House that contains sleeping accommodation and may contain washroom facilities.
- (f) "Certified Technician" means a person who has met all the requirements set out in Division C, Article 1.2.2.2. of the Fire Code, O.Reg 213/07, for the purpose of performing tests, alterations, repairs of a smoke alarm.
- (g) "Dwelling" means a building containing one or more dwelling units.
- (h) "Dwelling Unit" means one or more rooms, designed, or intended for use by a person or persons, in which cooking and sanitary facilities are provided.
- (i) "Gross Floor Area (GFA)" means the aggregate of the floor area measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, excluding any porches, verandas, sunrooms (unless habitable in all seasons of the year), unfinished basement, garage, or mechanical penthouse.
- (j) "Kitchen" means a room appropriate for cooking and food preparation for human consumption.
- (k) "Licence" means an authorization under this By-law to carry on the trade, calling, business or occupation specified herein, and licensee means the person to whom a licence has been issued.
- (l) "Licensing Officer" means a Municipal Law Enforcement Officer.

- (m) "Owner" includes the registered owner, owner in trust, a mortgagee in possession, the person for the time being who is managing or receiving the rent of the land or premises in connection with which the land is used whether on his account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property, and includes a person, firm, partnership, corporation, company, association, or organization of any kind and its principal(s);
- (n) "Person" means a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession.
- (o) "Property" means the lot on which a boarding house sits.
- (p) "Reasonable Time" means between the hours of 8 a.m. and 8 p.m. on the same day.
- (q) "Recreation Room" means a room contained in a boarding house and maintained for the purpose of passive enjoyment of the boarders, and includes, but is not limited to a games room, TV room, living room.
- (r) "Washroom" means that part of a building containing at least one toilet, at least one washbasin and at least one bathtub or shower.

## **2. General**

- 2.1 No person shall own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a boarding house, or any part thereof, as a business without first obtaining a licence therefore under the provisions of this By-law, and paying the licence fee in accordance with the Fees and Charges By-law.
- 2.2 Where a licence has been issued under this By-law for the use, operation or maintenance of a boarding house, no person or owner shall use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, kept, rented or offered for rent that boarding house, or any part thereof, except in conformity with the terms and provisions of the licence and this By-law, including any conditions imposed on the licence.
- 2.3 No person or owner shall own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a boarding house, or any part thereof, except in compliance with the Town's Zoning By-law, as amended, the Town's Traffic By-law as amended, the Fire Protection and Prevention Act 1997 S.O. 1997, as amended and regulations thereto, the Building Code Act, 1992, S.O. 1992, c.23, as amended.
- 2.4 No person or owner shall knowingly or not knowingly, own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a boarding house, or any part thereof, except in compliance with the provisions of this By-law.

## **3. Boarding House Regulations/ Prohibition/Provisions**

- 3.1 No person or owner shall own, use, operate, maintain, be keeper of, rent, offer for rent, or permit to be used, operated, maintained, rented, or offered for rent a boarding house, or any part thereof except in compliance with the Town's Property Standards By-law. The Property Standards By-law dictates standards such as, ensuring the boarding house is;

- a) kept free from dampness and moisture;
- b) kept free from pest infestation;
- c) maintained in a clean and sanitary condition and provided appliances and fixtures are kept in working order.

3.2 Every boarding house shall be provided with adequate and suitable heat between the 15th day of September and the 31st day of May in each calendar year and a minimum temperature of 20 degrees Celsius shall be maintained in all such rooms at all other times of the year.

3.3 No person or owner shall use or permit the use of an appliance in a boarding unit that may create a fire hazard.

3.4 No person or owner shall occupy or permit the occupancy of, for sleeping purposes, any unfinished basement or any space used or designed to be used as a lobby, hallway, closet, washroom, laundry room, stairway, or kitchen.

3.5 Every boarding unit shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space that admits natural light.

3.6 Boarding units shall only be occupied by one boarder maximum.

3.7 Boarding units shall provide a minimum of 7 square metres (75 sq ft) per person.

3.8 Every corridor, passageway, doorway, stairway, washroom, kitchen, recreation room and storage rooms or other room used or designed to be used in common by boarders in a boarding house shall be provided with adequate light. Common areas will not be locked and will be accessible to boarders.

3.9 A functioning telephone shall be provided in the boarding house that is accessible to all boarders at all times for emergency use and the licensee shall post a list of local emergency numbers in close proximity to the telephone.

3.10 No person shall prepare, and no person or owner shall permit the preparation or cooking of food for human consumption in any area other than a kitchen.

3.11 Every person and owner shall ensure that all garbage that accumulates on the property of the boarding house, in anticipation of disposal, is stored in receptacles which are;

- (a) insect and rodent proof;
- (b) watertight;
- (c) provided with a tight fitting cover;
- (d) maintained in a clean condition;
- (e) washed as frequently as necessary to maintain an odour free condition; and,
- (f) kept on a portion of the property that is screened from public view.

3.12 Every person and owner shall ensure that all garbage and waste generated on the property is prepared and disposed of in accordance with the Town's Waste Collection By-law and policies. If the boarding house generates more waste than is collected, as dictated by their policies, waste and refuse shall be promptly removed and disposed of legally.

- 3.13 Where a licence is issued under this By-law, it shall be displayed in a prominent location inside the main entrance of the boarding house together with a list of any conditions imposed upon the licence.
- 3.14 The following written records shall be kept for each boarder and these records shall be made available for inspection forthwith, at the request of a Municipal Law Enforcement Officer:
  - a) the full name of the boarder;
  - b) the name, address, and telephone number of the next of kin, or where there is no next of kin, the number of someone to contact in the event of an emergency; and
  - c) the make, model, and licence plate of any vehicle owned or operated by a boarder.
- 3.15 All of the records referred to in Subsection 3.14 are the property of the boarder and, where the boarder no longer resides in the boarding house, shall be returned to the boarder, forthwith, upon demand.
- 3.16 Every licence issued under this By-law is subject to the following conditions:
  - (a) that the maximum number of boarding units as provided for in the licence is not exceeded;
  - (b) that all Federal and Provincial laws and Town By-laws, including this By-law, are complied with prior to and subsequent to licence issuance; and
  - (c) that no construction, renovation, alteration, or addition is carried out on the subject property except in compliance with all laws and upon the issuance of all applicable permits.
- 3.17 The Town may impose any special conditions deemed appropriate by the Commissioner of Legal and Enforcement Services to a licence, at any time during the term of the licence, to increase public safety or to minimize public nuisances.
- 3.18 No more than one (1) boarding house is permitted per property.
- 3.19 Each boarding house will be equipped with a kitchen that contains a minimum of a refrigerator, a stove, and a sink, for use by boarders.
- 3.20 Every owner shall ensure that the property containing the boarding house complies with the minimum parking requirements of the Zoning By-law. If the Zoning By-law requires additional parking spaces due to additional uses of the property, the owner shall ensure all required parking spaces are provided.
- 3.21 Every owner shall ensure the size and location of the parking spaces comply with the Town's Zoning By-law, as amended.

#### **4. Design Of Premises**

- 4.1 No person shall maintain, rent or offer for rent, or permit the maintenance, renting or offering for rent, of boarding units in a boarding house, or any part thereof, in excess of the maximum number of boarding units permitted in the following table based on the gross floor area of the boarding house:

Gross Floor Area of Boarding House	Maximum Number of Boarding units Permitted
140.1 -186 m <sup>2</sup>	4
186.1 -233 m <sup>2</sup>	5
233.1 - 326 m <sup>2</sup>	6
326.1 -465 m <sup>2</sup>	8
465-600 m <sup>2</sup>	10

4.2 Every boarding house shall be equipped with no less than one (1) washroom, for use by boarders, for every three (3) boarders. Washrooms shall be supplied with an adequate supply of common toiletries including toilet paper, hand soap, and paper or cloth towels. A waste basket shall be provided in each washroom. Each waste basket shall be emptied and cleaned as often as necessary for it to be maintained in a clean and sanitary condition.

## **5. Inspections**

5.1 Upon receipt of an application for a licence or licence renewal, inspections of the boarding house will occur at the location named in the application to determine whether such boarding house complies with this By-law, and all other applicable legislation.

5.2 The signature of the registered owner and applicant (if different from the registered owner) on the application form shall be deemed as permission for authorized persons to enter the subject property (and buildings) named in the application at any reasonable time to carry out any inspections.

5.3 Every boarding house shall be subject to an annual Fire Services and Property Standards Inspection. Whitby Fire and Emergency Services require an annual inspection certificate from a Certified Technician verifying that;

- (a) the smoke alarms have been serviced within the preceding year;
- (b) the smoke alarms are in working order;
- (c) the fire extinguishers have been serviced within the preceding year;
- (d) the fire extinguishers are in working order.
- (e) the mailing address for the corporation; and
- (f) a certificate of status issued by the Provincial or Federal Government, indicating that the corporation is active.

5.4 Every owner shall notify the Town of Whitby Fire and Emergency Services immediately should the number of boarders exceed five (5).



# **Town of Whitby**

## **By-law # 8258-26**

### **Heritage Designation of the Graydon Goodfellow House as being of Cultural Heritage Value and Interest**

Being a By-law to designate the Graydon Goodfellow House on the property municipally known as 618 Athol Street, Whitby, Ontario and legally described as Part of Lot 23 and Part of Lot 24, 6<sup>th</sup> Double Range, Plan H-50031, Town of Whitby, Regional Municipality of Durham as being of Cultural Heritage Value and Interest.

Whereas in accordance with the provisions of Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended, the Council of The Corporation of the Town of Whitby considers it desirable to designate the Graydon Goodfellow House on the property hereinafter described to be of Cultural Heritage Value and Interest;

And whereas the Council of the said Corporation has caused to be served on the owners of the property municipally known as 618 Athol Street, Whitby, Ontario, and upon the Ontario Heritage Trust, Notice of Intention to Designate the Graydon Goodfellow House and the associated property at the aforesaid address to be of Cultural Heritage Value and Interest and has caused such notice to be published in accordance with the Town's Public Notice Policy;

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

#### **1. General**

- 1.1. The property and building known as the Graydon Goodfellow House, municipally known as 618 Athol Street, and legally described as Part of Lot 23 and Part of Lot 24, 6<sup>th</sup> Double Range, Plan H-50031, on the west side of Athol Street, at the northwest corner of Athol Street and Trent Street East and more particularly described in Schedule 'A' attached to and forming part of this by-law is hereby designated as a property of Cultural Heritage Value and Interest in the Town of Whitby, under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended.
- 1.2. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building provided that any changes shall be in keeping with the current character of the building and shall be carried out in accordance with the applicable Heritage Permit processes at the Town of Whitby.

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

- 2.1. Schedule 'A' and 'B', attached hereto, form part of By-law 8258-26.
- 2.2. Schedule 'A' – Legal Description.

2.3. Schedule 'B' – Statement of Cultural Heritage Value and Interest for the Graydon Goodfellow House, 618 Athol Street.

### **3. Effective Date**

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

By-law read and passed this 2nd day of February, 2026.

---

Elizabeth Roy, Mayor

---

Christopher Harris, Town Clerk

**SCHEDULE "A"**  
**TO**  
**BY-LAW NO. 8258-26**

**LEGAL DESCRIPTION**

Part of Lot 23 and Part of Lot 24, 6<sup>th</sup> Double Range, Plan H-50031,  
Town of Whitby, Regional Municipality of Durham, being all of PIN 26504-0093(LT)

**SCHEDULE 'B'**  
**TO**  
**BY-LAW NO. 8258-26**

**DESCRIPTION OF PROPERTY – 618 Athol Street**

The property and building known as the Graydon Goodfellow House, municipally known as 618 Athol Street in Whitby, is generally located on the west side of Athol Street, at the northwest corner of Athol Street and Trent Street East, and legally described as Part of Lot 23 and Part of Lot 24, 6<sup>th</sup> Double Range, Plan H-50031, Town of Whitby, Regional Municipality of Durham, and more particularly described in Schedule 'A' attached hereto.

**STATEMENT OF CULTURAL HERITAGE VALUE AND INTEREST**

The Graydon Goodfellow House (the house) at 618 Athol Street has design value or physical value because it demonstrates a combination of design characteristics common of the Tudor Revival architectural style. It is the only house in the Town of Whitby that exhibits Tudor Revival design influences to a high degree and is therefore a rare example of the style. Tudor Revival influences present on the house include its boxy massing; brick walls; steeply pitched gable roof with plain vergeboard; dormers with false half timbering; large chimneys; narrow casement windows, with several being arranged in banks; and bay windows. The house also demonstrates features consistent with the Arts and Crafts and Edwardian Classicism architectural styles. The combination of these stylistic influences make the house a unique building.

The house also has design value or physical value because it displays a high degree of craftsmanship consistent with the Arts and Crafts architectural style. The quality of craftsmanship is evident in the house's external materials including brick, stone/concrete, and wood. The application of these materials display workmanship at a greater than normal quality. The quality of craftsmanship also extends to alterations that have been made to the house including the northwest (garage) wing addition composed of brick, the southeast wing addition clad in false half timbering, and the dormers with false half timbering. The additions carefully match and demonstrate architectural influences from the Tudor Revival architectural style consistent with the oldest part of the building.

618 Athol Street has historical value or associative value because it is directly associated with Graydon Goodfellow. The house was built for Goodfellow and Olive Florence Wilkins as a wedding present in 1914. Goodfellow was deeply involved in business, political, educational, and social affairs in the community. He was an important figure in Whitby's printing and publishing sector and held high ranking positions at 'C.A. Goodfellow and Son' who published the 'Whitby Gazette and Chronicle', Mundy Printing Company Limited, and Oshawa Times Limited. Goodfellow was also a member of Whitby Town Council (1917); Worshipful Master and District Deputy Grand Master in the Masonic Order; chairman for the Board of Education; board

By-law Name: Designation of Graydon Goodfellow House as being of Cultural Heritage Value and Interest

By-law # 8258-26

Page 4 of 6

member for the Ontario Ladies' College; president of the Rotary Club; member of the Whitby Boy Scout Association; Director of the Printing Trades Division of the Industrial Accident Prevention Association for Central Ontario; and was associated with the development of the Whitby Citizens' Band.

The Property is also directly associated with Charles Leslie McFarlane. McFarlane was a prominent author of books, short stories, novelettes, and serials in magazines. He wrote manuscripts for several early books in the 'Hardy Boys' series, including 'A Figure in Hiding', which he wrote while living at 618 Athol Street.

## **DESCRIPTION OF HERITAGE ATTRIBUTES**

Heritage attributes that convey the Property's design value or physical value as a rare and unique building with influences from the Tudor Revival architectural style in the Town of Whitby (criterion 1 of O. Reg. 9/06) include:

- The house's form and massing, including the main house's two-and-a-half storey height and boxy form;
- The house's red common bond brick, where every fourth brick course is composed of alternately laid stretcher and header bricks;
- The house's steeply pitched, bellcast gable roof with exposed rafters on its northeast and southwest elevations and return eaves and plain vergeboard on its northwest and southeast elevations;
- The house's dormers, including broken eave dormers and upper half storey dormers on the building's northeast and southwest elevations, and their false half timbering composed of painted boards, wood brackets, and roof profiles;
- The house's two chimneys that partially extrude from its exterior walls on its northwest and southeast elevations including their stretcher bond brick composition, single stack massing and shape, shallow corbels, and stone/concrete caps.
- The house's narrow casement windows on all elevations including their wood detailing inside and/or outside of their structural openings, wood or stone/concrete headers, stone/concrete lug sills, and glazing patterns;
- The house's bay windows on the outermost bays of the first storey of the house's northeast elevation and the eastmost first storey window on the house's northwest elevation including their wood detailing inside and outside of their structural openings, corbelled wood headers, stone/concrete lug sills, and glazing patterns; and,
- The house's bay window on its southwest elevation, including its wood trim.

Heritage attributes that convey the Property's design value or physical value as a building that displays a high degree of craftsmanship (criterion 2 of O. Reg. 9/06) include:

- The main house's smooth, finely jointed brick structure composed of red common bond brick, where every fourth brick course is composed of alternately laid stretcher and header bricks;

By-law Name: Designation of Graydon Goodfellow House as being of Cultural Heritage Value and Interest

By-law # 8258-26

Page 5 of 6

- The northwest (garage) wing addition's smooth, finely jointed brick structure composed of red common bond brick, window voussoir (southwest elevation), and door voussoir (southeast elevation);
- The fit and finish of the southeast wing addition's false half timbering composed of painted boards; and,
- The fit and finish of the dormers in the house's upper half storey, including their false half timbering composed of painted boards, wood brackets, and roof profiles.

Heritage attributes that convey the Property's historical value or associative value pertaining to its direct association with Graydon Goodfellow (criterion 4 of O. Reg. 9/06) include:

- The Property is directly associated with Graydon Goodfellow.
- The house was built for Goodfellow and Olive Florence Wilkins as a wedding present in 1914.
- Goodfellow was deeply involved in business, political, educational, and social affairs in the community.
- Goodfellow was an important figure in Whitby's printing and publishing sector and held high ranking positions at 'C.A. Goodfellow and Son' who published the 'Whitby Gazette and Chronicle', Mundy Printing Company Limited, and Oshawa Times Limited.
- Goodfellow was also a member of Whitby Town Council (1917); Worshipful Master and District Deputy Grand Master in the Masonic Order; chairman for the Board of Education; board member for the Ontario Ladies' College; president of the Rotary Club; member of the Whitby Boy Scout Association; Director of the Printing Trades Division of the Industrial Accident Prevention Association for Central Ontario; and, was associated with the development of the Whitby Citizens' Band.
- The Property is also directly associated with Charles Leslie McFarlane. McFarlane was a prominent author of books, short stories, novelettes, and serials in magazines. He wrote manuscripts for several early books in the 'Hardy Boys' series, including 'A Figure in Hiding', which he wrote while living at 618 Athol Street.

The Property's heritage attributes do not include:

- Any of the house's interior features;
- The Property's driveways and footpaths; and,
- Landscaping, including all gardens.