

# Memorandum to Council

Legal and Enforcement Services

Enforcement Services Division



**To:** Mayor and Members of Council  
**CC:** Francesco Santaguida, Commissioner of  
Legal and Enforcement Services/Town  
Solicitor  
Marc Bonin, Chief Fire Prevention Officer

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

**From:** Alison Albrecht, Supervisor of Parking  
Services  
**Date:** June 19, 2023  
**File #:** N/A  
**Subject:** Administrative Amendments to the Fire  
Route By-law # 4084-97

Please be advised that Staff have identified that Fire Route By-law # 4084-97, being a by-law to designate certain private roadways as fire routes and to prohibit parking thereon, requires administrative amendments to remove outdated definitions and references. This change is required for prosecution, procedural and administrative purposes.

A more fulsome update of By-law # 4084-97 is expected in the future; however, in the meantime, staff recommend removing several outdated definitions. The definitions to be removed in Section 1(2) of the by-law are attached as Attachment 1 to this memorandum.

**Attachment 1: Definitions to be removed from Section 1(2) of By-law # 4084- 97**

- (d) "camp" means a summer camp as defined under the regulations made under the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, as amended from time to time, or a camp operated by a charitable corporation approved under the Charitable Institutions Act, R.S.O. 1990, c. C.9, as amended from time to time;
- (g) "children's residence" means an institution as defined in the Child, Youth and Family Services Act, 2017, S.O. 2017 c. 14, Sched. 1, as amended from time to time;
- (h) "commercial building" means a building or structure, or part thereof, used or intended to be used for the purpose of selling any product or service;
- (i) "day nursery" means a day nursery as defined in the Day Nurseries Act, R.S.O. 1990, c. D.2, as amended from time to time;
- (j) "designated building" means an apartment building, assembly hall, children's residence, commercial building, day nursery, elderly persons centre, group housing, home for the aged, home for retarded persons, home for special care, hospital, hotel, industrial building, licensed establishment, lodging house, motel, municipal facility, nursing home, rest home, retirement house, sanitarium, school, seminary, theatre, and any other structure which is used for the accommodation of the public or for the gathering or assembling of people;
- (k) "elderly persons centre" means a centre as defined in the Elderly Persons Centres Act, R.S.O. 1990, c. E.4, as amended from time to time;
- (o) "group housing" means a building or group of buildings consisting of six or more dwelling units, the access to which building or buildings is by means of a common private roadway;
- (p) "homes for the aged" means a home as defined in and regulated under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c. H.13, as amended from time to time;
- (q) "home for retarded persons" means a home for retarded persons as defined in the Homes for Retarded Persons Act, R.S.O. 1990, c. H.11, as amended from time to time;
- (s) "hospital" means a private hospital as defined in the Private Hospitals Act, R.S.O. 1990, c. P.24, as amended from time to time, or a hospital as defined in the Public Hospitals Act, R.S.O. 1990, c. P.40, as amended from time to time;
- (t) "hotel" means a hotel as defined in the Hotel Fire Safety Act, R.S.O. 1990, c. H.16, as amended from time to time;

- (u) "industrial building" means a building or structure, or part thereof, used or intended to be used for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing, or adapting for sale any goods, substance, article or thing and shall include the storage of building and construction equipment or materials;
- (v) "licensed establishment" means any establishment required to be licensed under the regulations made under the Liquor Licence Act, R.S.O. 1990, c. L.19, as amended from time to time;
- (w) "lodging house" shall have the same meaning as an apartment building as defined in Clause 1(2)(a) of this by-law;
- (x) "motel" means a tourist establishment as defined in the Tourism Act, R.S.O. 1990, c. T.16, as amended from time to time;
- (z) "municipal facilities" means a library, arena, school, swimming pool, community hall, skating rink, marina, pavilion, administration building or other buildings owned or controlled by the Corporation of the Town of Whitby, the Corporation of the Regional Municipality of Durham, the Central Lake Ontario Conservation Authority, the Whitby Hydro-Electric Commission, the Durham Board of Education, or, the Durham Region Roman Catholic Separate School Board;
- (aa) "nursing home" means a nursing home as defined in the Nursing Homes Act, R.S.O. 1990, c. N.7, as amended from time to time;
- (bb) "occupant" has the meaning ascribed thereto in Clause 210(131)(g)(ii) of the Municipal Act, R.S.O. 1990, c. M.45, as amended from time to time;
- (cc) "owner" for the purpose of Section 3 hereof has the meaning ascribed thereto in Clause 210(131)(g)(i) of the Municipal Act, R.S.O. 1990, c. M.45, as amended from time to time;
- (ee) "rest home" means a home as defined and regulated under the Homes for the Aged and Rest Homes Act; R.S.O. 1990, c. H.13, as amended from time to time;
- (gg) "tourist establishment" means a tourist establishment as defined in the Tourism Act, R.S.O. 1990, c. T.16, as amended from time to time;