

Town of Whitby

Staff Report

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

Report to: Committee of the Whole

Date of meeting: October 28, 2024

Report Number: FS 41-24

Department(s) Responsible:

Financial Services Department
Community Services Department
Legal and Enforcement Services

Submitted by:

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

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

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Catherine Bridgeman, Director, Facilities, 905.430.4319

1. Recommendation:

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

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

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

2. Highlights:

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

3. Background:

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

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

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

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

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

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

4. Discussion:

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

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

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

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

5. Financial Considerations:

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

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

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

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

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

6. Communication and Public Engagement:

Not Applicable

7. Input from Departments/Sources:

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

8. Strategic Priorities:

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

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

9. Attachments:

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