

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

---

To: Regional Council  
From: Director of Legal Services and the Regional Solicitor  
Report: #2023-A-18  
Date: November 29, 2023

---

**Subject:**

Agreement for the 1635 Dundas Street East shelter and other future housing and other uses between the Region of Durham and Town of Whitby

---

**Recommendation:**

That the Director of Legal Services and the Regional Solicitor recommends to Regional Council:

- A) That the Regional Municipality of Durham enter into the final and binding agreement between the Region of Durham and Town of Whitby which was provided to Council as a confidential document in a Memo from the Regional Solicitor dated November 24, 2023; and
- B) That authority be granted to the Regional Clerk and Regional Chair to execute the final and binding agreement, subject to no further revisions; and
- C) That upon final execution the Agreement shall be made public and published in the next Council Information Package and posted to the website related to the 1635 Dundas Street East Shelter; and
- D) That Regional staff be directed to take all steps necessary to proceed with the opening of a shelter at 1635 Dundas Street East in Whitby on or after December 15, 2023.

**Report:****1. Purpose**

The purpose of this report is to obtain Regional Municipality of Durham (Region) Council approval to execute the agreement (the Agreement) related to 1635 Dundas Street East shelter and other uses between the Region of Durham and Town of Whitby (Whitby). A copy of the Agreement was provided to Council as a confidential document on November 24, 2023.

**2. Background**

- 2.1 Previous reports that have been approved by Regional Council related to 1635 Dundas Street East Whitby shelter and other uses were report #2023-COW-30 and #2023-COW-31, both reports which have been made public.
- 2.2 In accordance with Council direction to open a shelter at 1635 Dundas Street East Regional staff have engaged in public engagement sessions. As a result of the feedback received, at the request of Whitby, and with the direction of the Regional Chair and CAO, Regional staff engaged in the negotiation of the Agreement to address the concerns raised by Whitby and in public engagement sessions.
- 2.3 The Agreement is the result of those negotiations. The agreement was approved by Whitby at a Council meeting on Monday November 27, 2023 and has been brought forward to Regional Council for approval.
- 2.4 The commitments made in the Agreement are consistent with a similar agreement approved by Regional Council with the Township of Brock as a result of engagement related to the proposed location of a Supportive Housing facility in Beaverton.
- 2.5 The Agreement contains the following high level commitments from the Region to Whitby:
  - a. A commitment and cap on the number of shelter spaces equal to the anticipated operational limit of 45;
  - b. A description and commitment of important operational principles related to landscaping impacts on the community, onsite security provisions and intake priorities;
  - c. A cost sharing agreement with Whitby to assist Whitby in addressing incremental or additional clean up in the immediately vicinity of the shelter;

- d. Terms of Reference for a Community Liaison Committee;
- e. Continued Communication framework with Whitby;
- f. An outline of the planned process for engagement and approval by Regional Council of the uses for the remaining space at 1635 Dundas Street East.

2.6 Further, Regional Staff will bring forward a policy for Council review and approval which would apply to Regional shelters within local municipalities providing commitments consistent with those found in the Agreement.

### **3. Relationship to Strategic Plan**

3.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Community Vitality Goal 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations.
- b. Community Vitality Goal 2.4: Support a high quality of life for all through human services delivery.
- c. Social Investment Goal 4.3: Demonstrate leadership in poverty prevention.
- d. Social Investment Goal 4.4: Expand access to existing life stabilization programs.
- e. Service Excellence Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and value

### **4. Conclusion**

- 4.1 Staff recommends that the Regional Municipality of Durham approve the recommendations in this report to approve the agreement related to 1635 Dundas Street East shelter and other uses between the Region of Durham and Town of Whitby.
- 4.2 Staff recommends that the Regional Municipality of Durham approve that the Regional Clerk and Regional Chair may execute the agreement as attached and without amendment.
- 4.3 This report has been prepared by and reviewed by Legal Services – Office of the Chief Administrative Officer.
- 4.4 For additional information, contact: the Director of Legal Services and the Regional Solicitor, Jason D.D. Hunt at 905-668-4113 extension 2086.

Respectfully submitted,

Original Signed By

---

Jason D.D. Hunt, L.L.B.  
Director of Legal Services and the Regional Solicitor

Recommended for Presentation to Regional Council

Original Signed By

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer