



The Regional Municipality of Durham

Committee of the Whole Agenda

Regional Council Chambers
Regional Headquarters Building, 605 Rossland Road East, Whitby

Wednesday, June 6, 2018

9:00 AM

1. Declarations of Interest

2. Statutory Public Meetings

3. Delegations

- 3.1 Darcy Ring, Ajax resident re: approval for an amendment to current policy that states only rear yard sound attenuation can be addressed as part of a road widening project
- 3.2 Elizabeth Pierce, Executive Director, Catholic Family Services of Durham, re: The Hope Centre of Durham Region
- 3.3 Melodie Zarzeczny, Chair, Durham Hospice, and Christine Raynor, Chair, VON Durham Community Corp., re: Bringing Residential Hospice to Clarington and Whitby
- 3.4 Lois Shaw, Director of Programs and Partnerships, The Brock Youth Centre, re: Youth Programming in North Durham municipalities
- 3.5 James Oliver, Director of Marketing and Sales, Adamson Systems Engineering, re: Regional Development Fees (2018-COW-108) [Item 7.2 A)]
- 3.6 Ana Marple, Ajax resident, re: Water Issues and Municipal Services in the Ontoro Blvd./Range Road area [Item 6.3 A) and B)]

4. Presentations

- 4.1 Mary Simpson, Acting Commissioner of Finance re: Final Regional Development Charge Recommendations (2018-COW-108) [Item 7.2 A)]
- 4.2 Karen Wianecki, Director of Practice, Planning Solutions Inc. presenting the Affordable and Seniors' Housing Task Force Progress Report (2018-COW-127) [Item 8.4 C)]

- 4.3 Kathy Weiss, Director of Economic Development & Tourism, re: Durham Region's Supply of "Market Ready" Employment Land (2018-COW-141) [Item 5.5 A)]
- 4.4 Chris Leitch, Principal Planner, re: Proposed Regional Official Plan Amendment – Implementation of Key Transportation Network Changes Recommended in the Transportation Master Plan (2018-COW-120) [Item 5.2 A)]

5. Planning & Economic Development

Planning

5.1 Communications

- A) Town of Ajax re: Resolution passed at their Council meeting held on April 23, 2018, regarding Lake Ontario Flooding and request to the provincial and federal governments to strike a committee to review mitigation and safety plans for the communicates fronting the Great Lakes and St. Lawrence Seaway 9 - 15

Pulled from May 4, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

5.2 Reports

- A) Proposed Regional Official Plan Amendment – Implementation of Key Transportation Network Changes Recommended in the Transportation Master Plan File: OPA 2018-002 (2018-COW-120) 16 - 105
- B) Planning Application Processing Fees (2018-COW-122) 106 - 112
- C) Durham Trail Coordinating Committee (DTCC) Membership Appointment (2018-COW-123) 113 - 116
- D) Durham Trail Coordinating Committee 2018 Regional Trail Network (RTN) Map Update (2018-COW-125) 117 - 120
- E) Durham Region's Response to the Province's Draft Agricultural Impact Assessment Guidance Document (2018-COW-126) 121 - 130

5.3 Advisory Committee Resolutions

- A) Durham Trail Coordinating Committee resolution regarding a new Trail on Lake Ridge Road 131

Economic Development

5.4 Communications

- A) Information Report #2018-INFO-84: Investment Attraction Successes 132 - 141

Pulled from May 18, 2018 Council Information Package by Councillor Joe Neal

Recommendation: Receive for Information

5.5 Reports

- A) Durham Region's Supply of "Market Ready" Employment Land ([2018-COW-141](#)) 142 - 148

6. Works

Waste

6.1 Communications

- A) Information Report #2018-INFO-73: Update on the Transition of Diversion Programs under the Waste-Free Ontario Act 149 - 153

Pulled from May 18, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

- B) Information Report #2018-INFO-74: Update on the Provincial Food and Organic Waste Framework 154 - 159

Pulled from May 18, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

- C) Information Report #2018-INFO-75: Update on the Status of the Transition to Full Extended Producer Responsibility for the Blue Box Program and Impacts of China's National Sword Campaign on the Blue Box Program 160 - 169

Pulled from May 18, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

6.2 Reports

- A) Blue Box Litter Issues ([2018-COW-143](#)) 170 - 173

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| B) | Service Delivery Options for New Developments Accessed by Private Roads that do not meet Design Standards for Municipal Waste Management Services (2018-COW-144) | 174 - 177 |
| C) | Request for Information #RFI-1158-207 for Mixed Waste Transfer and Pre-sorting, Organics Processing, and Beneficial Use of By-Products/End Products (2018-COW-146) | 178 - 212 |

Works

6.3 Communications

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|----|--|-----------|
| A) | Information Report #2018-INFO-79: Status Report on Water Quality in Private Wells in the Range Road/Ontoro Boulevard Area, in the Town of Ajax | 213 - 223 |
|----|--|-----------|

Pulled from May 18, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

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| B) | Information Report #2018-INFO-80: Petition – Range Road/Ontoro Boulevard Area Construction of Watermain | 224 - 225 |
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Pulled from May 18, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

6.4 Reports

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|----|--|-----------|
| A) | Declaration of Lands as Surplus Located in the Right of Way at Dundas Street West (Highway 2) and future Desmond Newman Boulevard (formerly Coronation Road) in the Town of Whitby and Approval to Transfer the Surplus Land to the Town of Whitby (2018-COW-99) | 226 - 229 |
| B) | <i>Clean Water Act</i> , 2006 Section 34 Proposed Revisions to Policies in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan and updates to the Toronto and Region Assessment Report (2018-COW-100) | 230 - 235 |
| C) | Expropriation of Lands Required for the Proposed Bus Rapid Transit Project along Hwy 2 (Kingston Road), in the City of Pickering and Town of Ajax (2018-COW-101) | 236 - 242 |
| D) | Amendment to Regional Policy to Permit In-House Appraisals for Land Acquisitions Exceeding \$100,000 at the Discretion of the Commissioner of Works (2018-COW-102) | 243 - 246 |

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| E) | Declaration of Lands as Surplus and Approval to Transfer to the City of Oshawa as Part of a Land Exchange for Lands Required for the Oshawa Landfill Buffer Project (2018-COW-107) | 247 - 251 |
| F) | Standardization of Office Workstation Furniture System for Regional Municipality of Durham Facilities (2018-COW-113) | 252 - 255 |
| G) | Servicing Agreement with Suncor Energy Inc. to Reconstruct the Existing Gas Bar at 925 Simcoe Street North (Regional Road #2), in the City of Oshawa (2018-COW-114) | 256 - 260 |
| H) | Award of Request for Proposal #1005-2018 for Engineering Services to Undertake a Class Environmental Assessment to Plan for Zone 4 Water Storage and Pumping Facilities to Service North Whitby and North Oshawa (2018-COW-115) | 261 - 264 |
| I) | Approval for Sole Source Procurement for the Supply of Equipment and Materials to be Specified within Proposed Regional Municipality of Durham Contract D2018-029, for the Sludge Blending Tank Restoration and Reconnection to Digester Gas System at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2018-COW-116) | 265 - 269 |
| J) | Proposed Road Occupancy By-law (2018-COW-117) | 270 - 282 |
| K) | Proposed Consolidation of The Regional Municipality of Durham's Roads By-law (2018-COW-118) | 283 - 288 |
| L) | Approval to Execute Two Licence Agreements for the Waterfront Trails located at the Courtice Water Pollution Control Plant and Newcastle Water Supply Plant, in the Municipality of Clarington (2018-COW-129) | 289 - 293 |
| M) | Report on Tenders and Additional Financing for Regional Municipality of Durham Contract T-1001-2018 for the Replacement of the Parking Garage Waterproofing System at Regional Headquarters located in the Town of Whitby (2018-COW-130) | 294 - 298 |
| N) | Amendment to Temporary Sign By-law #76-2017 (2018-COW-142) | 299 - 303 |
| O) | Regional Water Supply System - Backflow Prevention Program and Backflow Prevention By-law (2018-COW-145) | 304 - 318 |

7. Finance & Administration

Finance

7.1 Communications

7.2 Reports

- A) Final Recommendations Regarding Regional Residential, Commercial, Institutional and Industrial Development Charges (2018-COW-108) Enclosed Booklet
- B) Final Recommendations Regarding Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge (2018-COW-109) 319 - 338
- C) Final Recommendations Regarding Amendments to Regional Transit Development Charges By-law #81-2017 (2018-COW-110) 339 - 349
- D) Final Recommendations Regarding Amendments to GO Transit Development Charges By-law #86-2001 (2018-COW-111) 350 - 357
- E) 2018 Provincially Mandated Business Protection Program (Capping Program) (2018-COW-112) 358 - 364
- F) Contract Amendments Funded Within Approved Capital Project Budgets and Emergency Expenditures for Period Ending April 30, 2018 (2018-COW-119) 365 - 368
- G) Cancellation of Certain Unpaid Water/Sewer Accounts (2018-COW-121) 369 - 373
- H) Annual Development Charges Reserve Fund Statement (2018-COW-131) 374 - 394
- I) 2018/2019 Annual Risk Management and Insurance Report (2018-COW-132) 395 - 403
- J) The Issuance of Debentures on Behalf of the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington (2018-COW-133) 404 - 409
- K) VON Durham Community Corporation and Durham Hospice Request for Funding (2018-COW-134) 410 - 416

Administration

7.3 Communications

7.4	Reports	
A)	Electronic Voting in Council and Committee of the Whole (2018-COW-103)	417 - 429
B)	Community Member Appointment to the Durham Regional Police Services Board (2018-COW-104)	430 - 440
C)	Renewal of Microsoft Unified Support (formerly known as Microsoft Premier Support) Services Agreement with Microsoft Canada Inc. (2018-COW-105)	441 - 442
D)	Recruiting and Selection Process to Appoint a Successor to the Chief Administrative Officer (2018-COW-136)	443 - 445
E)	Routine Disclosure and Active Dissemination By-law and Policy (2018-COW-139)	446 - 469

8. Health & Social Services

Health

8.1 Communications

8.2 Reports

A)	Award of the Request for Proposal (RFP-458-2018) for the Provision of Nursing Staff for Immunization Clinics (2018-COW-147)	470 - 472
B)	Additional Funding for the 2018-19 Funding Year to Support the Provision of Public Health Programs and Services (2018-COW-148)	473 - 478
C)	A Primary Care Outreach Pilot (2018-COW-149)	479 - 498

Social Services

8.3 Communications

8.4 Reports

A)	Green Ontario Fund (GreenON) – Social Housing Program (2018-COW-106)	499 - 505
B)	Portable Housing Benefit – Special Priority Policy (PHB-SPP) (2018-COW-124)	506 - 514
C)	Affordable and Seniors' Housing Task Force Progress Report (2018-COW-127)	515 - 521
D)	Social Housing Apartment Improvement Program (SHAIP)(2018-COW-128)	522 - 530

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- | | | |
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| E) | <i>At Home in Durham</i> , the Durham Housing Plan 2014-2024 Annual Report (2018-COW-135) | 531 - 554 |
| F) | Additional Provincial Funding from the 2018 Final Child Care Allocation (2018-COW-137) | 555 - 560 |
| G) | Supply and Service of Lift Equipment for the Region of Durham's four (4) Long-Term Care Homes (2018-COW-138) | 561 - 564 |

9. Other Business

10. Confidential Matters

10.1 Reports

- | | | |
|----|--|----------------------|
| A) | Confidential Report of the Commissioner of Works – Security of Property of the Municipality as it Relates to a Licence Agreement between the Regional Municipality of Durham, the Durham Regional Police Services Board and the York Regional Police Services Board, for the use of Regionally owned land (2018-COW-140) | Under Separate Cover |
|----|--|----------------------|

11. Date of Next Meeting

Wednesday, September 5, 2018 at 9:00 AM

12. Adjournment

Afreen Raza

From: Lorraine Billings <Lorraine.Billings@ajax.ca>
Sent: April-30-18 10:59 AM
To: collaborator@unitedshorelineontario.ca; Clerks; ganderson.mpp.co@liberal.ola.org; JFrench-QP@ndp.on.ca; lorne.coe@pc.ola.org; jdickson.mpp@liberal.ola.org; tmaccharles.mpp.co@liberal.ola.org; Erin.OTOole@parl.gc.ca; colin.carrie@parl.gc.ca; Celina.Caesar-Chavannes@parl.gc.ca; Mark.Holland@parl.gc.ca; Jennifer.OConnell@parl.gc.ca
Subject: Lake Ontario Flooding
Attachments: Letter - United Shoreline Ontario - Lake Ontario Flooding.docx; item a United Shoreline Ontario - Lake Ontario Flooding.pdf

Please see the attached correspondence from the Town of Ajax regarding Lake Ontario Flooding

Lorraine Billings

Legislative Services Associate | Legislative & Information Services
Town of Ajax
65 Harwood Ave. S. Ajax, ON L1S 2H9
E: lorraine.billings@ajax.ca
P: 905-619-2529, ext. 3314 | F: 905-683-1061

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C.S. - LEGISLATIVE SERVICES

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To: <i>Chair O'Connor</i>
<i>B. Bridgeman</i>
<i>S. Stoppis</i>
C.C. S.C.C. File
Take Appr. Action



The Right Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Honourable Kathleen Wynne
Premier of Ontario
Legislative Building,
Queen's Park,
Toronto, ON
M7A 1A1

April 25, 2018

Re: Lake Ontario Flooding

Please be advised that the following resolution was passed by Ajax Town Council at its meeting held April 23, 2018:

Whereas Lake Ontario is a valuable regional, national and international resource; and

Whereas federal governments of the United States and Canada, and the International Joint Commission have, in partnership with the States and Provinces, a joint interest in the management of Lake Ontario including lake levels; and

Whereas the Town of Ajax has made significant investments in acquiring and developing a publically owned waterfront for recreational purposes, to benefit residents and create tourism opportunities; and

Whereas the Town's waterfront is a highly valued community asset, significantly impacted by recent flooding conditions, resulting in the loss of large segments of the Town's waterfront and impacting the use of associated trail network; and

Whereas many local roads were closed, for extended periods, in response to the flooding conditions experienced by Ajax; and

Whereas the flooding experienced by the residents of the Town has resulted in impacts to their private property as well as presented safety concerns and caused significant property damage; and

Whereas the Town of Ajax has expended significant staff and financial resources in aiding area residents, ensuring their safety; and made capital investments to replace and restore existing assets (ie. large sections of the waterfront trail); and

Whereas it is conceivable and reasonable to anticipate future flooding as was experienced in the spring of 2017;

Now therefore be it resolved that the provincial and federal governments be requested to strike a committee to review mitigation and safety plans for the communities fronting the Great Lakes and St Lawrence Seaway; and

That the Town of Ajax be invited to participate on the committee to allow for input in the review of this plan; and

That this resolution be distributed to the TRCA, CLOCA, Conservation Ontario, Durham Region, GLSCI, all GTA municipalities that sit on Lake Ontario shoreline, Durham MPPs, MPs MOE, Prime Minister, Leaders of Opposition, Premier, Opposition Ajax candidates, AMO & FCM

A copy of the correspondence that prompted this action is attached.

If you require further information please contact me at 905-619-2529 ext 3342 or alexander.harras@ajax.ca

Sincerely,



Alexander Harras
Manager of Legislative Services/ Deputy Clerk

Copy: Sarah Delicate, President, United Shoreline Ontario
Jeff Mitchel, President, Port Darlington Communication Association
Jim Mackenzie, Vice President, Port Darlington Communication Association
Toronto & Region Conservation Authority
Central Lake Ontario Conservation Authority
Conservation Ontario
Durham Region
Great Lakes and St. Lawrence Cities Initiative
Durham MPs, and MPPs
Ministry of the Environment and Climate Change
Leaders of Opposition Parties
Opposition Ajax Candidates
Association of Municipalities of Ontario
Federation of Canadian Municipalities
all GTA municipalities that sit on Lake Ontario shoreline

ATTENTION: Mayor and Council, for Council Agenda (letter attached)

Your Lake Ontario shoreline residents, businesses and municipal infrastructures are threatened by the rising waters of Lake Ontario. The staff of the International Lake Ontario St. Lawrence River Board (ILO SLRB) have made it clear that the widespread flooding of 2017 will happen again. Municipalities, emergency responders and residents are NOT sufficiently equipped or resourced to respond to this threat. **They need your help, now.**



We invite you and your council to understand what influences Lake Ontario water levels. Upper lakes, spring run-off and rain are the primary sources of 'inflow' into Lake Ontario, in large part beyond human intervention. 'Outflows', however, are **directly controlled through human Intervention**; they are released through the Moses-Saunders Dam in Cornwall. In January 2017, the International Joint Commission's (IJC) "[Plan 2014](#)" came into effect as the NEW outflow regulation plan,

replacing 'Plan 1958DD' which had been in place since 1963.

[Plan 2014](#) allows for **higher highs** and **lower lows** in Lake Ontario while limiting the ability to release water through the Moses-Saunders Dam unless EXTREME 'triggers' are reached. This in spite of the fact that climate change will bring more severe and unpredictable weather.

The Globe and Mail's January 5th, 2018 article [Inside the Politics of Water](#) helps explain the scope of the flooding in Ontario, Quebec and New York, as well as the response of government on both sides of the lake. Despite tremendous damage and loss, Ontario's flood victims did not receive a single penny under the Disaster Recovery Assistance for Ontarians (DRAO) program, and only Frontenac Islands and Lincoln municipalities have been activated under the Municipal Disaster Recovery Assistance (MDRA) program (although no \$\$ have been disbursed to date).

It was known in advance that there would be winners and losers under [Plan 2014](#) compared to plan 1958DD (see chart). The IJC knew that [Plan 2014](#) would bring damage to the shoreline, but municipalities, businesses and home owners **were not warned**. Emergency responders were not trained or equipped for lake surge flood response. Retrofits to shoreline protections were not made. There were no protections or indemnities.

Economic Benefits (in \$US Million 2005) Net Average Annual Using stochastic water supplies		Regulation Plans	
	1958DD		Plan 2014 (Bv7 2-90)
Hydropower	\$0.00	←	\$5.26
NYPA-OPG	\$0.00		\$3.54
Hydro-Quebec	\$0.00		\$1.76
Coastal	\$0.00	←	-\$2.24
Lake Ontario total	\$0.00		-\$2.23
Shore protection maintenance	\$0.00		-\$1.95
Erosion to unprotected developed parcels	\$0.00		-\$0.18
Flooding	\$0.00	→	-\$0.11
Upper St. Lawrence River flooding	\$0.00		-\$0.01
Lower St. Lawrence River flooding	\$0.00		\$0.00

Winners and Losers, Plan 2014

[Plan 2014](#) puts your shoreline infrastructure built to Plan 1958DD at risk · [Plan 2014](#) will cost millions in coastal damages and emergency response · [Plan 2014](#) violates international treaty provisions for protection and indemnity · [Plan 2014](#) transfers the risk and the burden of cost to those that can afford it the least (shoreline citizens), and to those with the

fiduciary duty to protect them (municipalities), without **mitigation or compensation** · According to the [Auditor General](#) 2018 report, Ontario is NOT READY for a large scale disaster.

We ask that you do not ignore the devastating impacts of the Spring 2017 flooding:

1. Ensure you have an Emergency Management Plan for the Hazard of Flooding for your municipality. [Toronto](#) and [Clarington](#) both have specific plans worthy of your attention.
2. Lobby the [Minister of Foreign Affairs, the Honourable Chrystia Freeland](#) (Canada's Minister responsible for the IJC) to repeal Plan 2014 or to amend Plan 2014 so that it better protects your residents, businesses & infrastructure.
3. Lobby your MPP for IMMEDIATE resources and supports. Flooding is the #1 threat to your municipality. Under the Emergency Management and Civil Protection Act (Ontario Regulation 380/04), you have primary responsibility and authority for flood response, for the welfare of your residents and for the protection of property. Plan 2014 has been made your problem and has put your responders and residents at risk, without compensation. We don't think that's acceptable.
4. Help your residents connect with other impacted shoreline residents. WE WANT TO HELP EACH OTHER. Use your various media platforms to share www.unitedshorelineontario.ca.
5. Make the Lake Ontario shoreline threat part of your re-election campaign. [Make the Pledge](#). Challenge your peers to do the same. Look on our [ACT NOW](#) page to see how else you can help. Sign our [petition](#) to call for the repeal of Plan 2014.

Water levels for all of the Great Lakes remain above their long-term average for January **by at least a foot**, and the lakes have begun their seasonal ascent. Lake Ontario is 13 inches above its long-term average, and 8 inches above last year's levels.

Now that we know, we can do better. Thank you for your time, attention and leadership.



State of New York
Executive Chamber
Albany 12224

Andrew M. Cuomo
GOVERNOR

February 3, 2018

LTC Adam Czekanski
Commander
US Army Corps of Engineers
Buffalo District
[1776 Niagara Street](#)
Buffalo, NY 14207

Dear Colonel Czekanski:

Following the historic flooding along the Lake Ontario and the St. Lawrence River shoreline, New York continues its efforts to protect the families, homes, businesses and communities across the region. This crisis will not simply recede with the water – we need a strong federal-state partnership to ensure the protection of our communities over the long term.

With on-going monitoring of water levels indicating there is a serious threat for renewed coastal flooding in 2018, this issue demands focused attention and support from the federal government. To combat these new threats, I am requesting the U.S. Army Corps of Engineers (USACE) implement emergency protections for the Lake Ontario/St. Lawrence River through the USACE Advanced Measures program.

New Yorkers cannot be left to suffer another year of damaging floods with no additional protection. Pursuant to P.L. 84-99, 42 U.S.C. 5121 et seq and ER 500-1-1, the state has provided an initial candidate list of 90 sites from Cayuga, Monroe, Niagara, Orleans, Wayne, Oswego, Jefferson, St. Lawrence, Erie and Chautauqua counties. They represent the preliminary at-risk public and privately-owned areas for evaluation and discussion with USACE.

New York has led the way in providing more than \$67 million to protect impacted New Yorkers and we are taking every step to provide relief and help this beleaguered region recover. But our resources are not inexhaustible. Federal support, through USACE programs, is critical to the protection of the shoreline. We will also work with the New York Congressional Delegation to authorize a USACE comprehensive assessment of Lake Ontario/St. Lawrence River shoreline, and how to best protect it against future storms.

In addition, I've directed the New York State Department of Environmental Conservation Commissioner Basil Seggos and Division of Homeland Security and Emergency Services Roger Parrino to develop a series of aggressive strategies that would allow the International Joint Commission to more effectively manage high water levels to protect these shoreline communities.

We appreciate the willingness and ability the USACE demonstrated following Superstorm Sandy. I urge you and the new leadership at USACE show that same willingness to assist New Yorkers along the Southern shores of Lake Ontario and Lake Erie.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is fluid and cursive, with a large initial "A" and "C".

ANDREW M. CUOMO



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: #2018-COW-120
Date: June 6, 2018

Subject:

Decision Meeting Report

Proposed Regional Official Plan Amendment – Implementation of Key Transportation Network Changes Recommended in the Transportation Master Plan, File: OPA 2018-002

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That Amendment #171 to the Durham Regional Official Plan; to implement key transportation network changes recommended in the Transportation Master Plan, be adopted as contained in Attachment #1 to Commissioner’s Report #2018-COW-120; and
 - B) That “Notice of Adoption” be sent to the area municipalities, the Ministry of Municipal Affairs, Ministry of Transportation, Metrolinx, Parks Canada, conservation authorities, neighbouring municipalities, and to all persons or public bodies who made a submission or requested notification of the decision.
-

Report:

1. Background

1.1 On December 13, 2017, the Final Transportation Master Plan (TMP) was endorsed by Regional Council through Report #2017-COW-268. Regional Council also authorized the Planning and Economic Development Department to initiate the amendment process to incorporate the relevant portions of the TMP into the Regional Official Plan (ROP). The amendment that is the subject of this report is

the first planning instrument responding to recommended changes in the planned transportation network.

- 1.2 On April 4th, Report #2018-COW-50 was presented to Committee of the Whole, which included the proposed amendment to the ROP to implement a number of transportation network changes recommended through the TMP. The report also included a proposed modification to the ROP to resolve Deferral 7, which pertains to the deferred designation of Dixie Road in the City of Pickering as a Type B Arterial road.
- 1.3 The proposed amendment to the ROP included:
 - Approximately 70 additions, changes and deletions to the designations of arterial road sections on Maps 'C1' and 'C2' – Road Network;
 - Updating the Transit Priority Network (Map 'C3');
 - Updating the Strategic Goods Movement Network (Map 'C4');
 - Several changes to policies in Section 11 – Transportation System and Schedule 'E', Table 'E7' – Arterial Road Criteria to support the proposed network changes.
- 1.4 There are several other actions recommended through the TMP that have implications on ROP policy, but will require additional time to prepare, consider and implement, and are therefore not included as part of this amendment. These actions will be addressed through "Envision Durham", the Region's Municipal Comprehensive Review (MCR), as they have broader implications on other aspects of the ROP.

2. Recommended Amendment

- 2.1 The recommended amendment makes several changes to the proposed amendment presented at the April 4th Committee of the Whole meeting, based on comments received from area municipalities and other agencies. These changes are summarized in the Consultation section below.
- 2.2 Attachment #1 details the recommended changes to the transportation network schedules in the ROP, and implements key transportation network recommendations included in the TMP. These changes are illustrated through the following exhibits:

- a) Schedule 'C', Maps 'C1' and 'C2' – Road Network amendments are demonstrated in Exhibits 1A, 1B, 1C and 1D:
- Exhibit 1A for the City of Pickering and Town of Ajax;
 - Exhibit 1B for Town of Whitby and City of Oshawa;
 - Exhibits 1B and 1C for the Municipality of Clarington; and
 - Exhibit 1D for the Townships of Uxbridge, Scugog and Brock.
- b) Schedule 'C', Map 'C3' – Priority Transit Network amendments are demonstrated in Exhibits 2A and 2B;
- c) Schedule 'C', Map 'C4' – Strategic Goods Movement Network amendments are demonstrated in Exhibit 3; and
- d) Schedule 'A', Map 'A4' – Regional Structure amendments are demonstrated in Exhibit 4.
- 2.3 The recommended amendment also proposes several changes to policies in Section 11 – Transportation System and Schedule 'E', Table 'E7' – Arterial Road Criteria in the ROP.
- 2.4 Excerpts of the ROP incorporating the recommended amendment, if approved, are included in Attachment #2.
- 3. Proposed Resolution to Provincial Deferral 7 (Dixie Road, Pickering)**
- 3.1 When the ROP was approved by the Minister of Municipal Affairs and Housing in November 1993, the designation of Dixie Road was deferred by the Minister as a result of an objection by the Liverpool West Community Association (Deferral 7). As such, further decision by the Minister of Municipal Affairs is necessary in order to modify the ROP and resolve the deferral.
- 3.2 A letter was sent to Ministry staff to request further approval of the ROP, by modifying the ROP to designate Dixie Road (between Third Concession Road and Kingston Road) as a Type C Arterial. In its comments back to the Region (refer to Attachment #3) Ministry staff indicated that the deferral is exempt from the Minister's approval, consistent with other Regional Official Plan Amendment applications since January 19, 1998, pursuant to O. Reg. 525/97 of the Planning Act. Accordingly, the modification presented in the Public Meeting Report #2018-COW-50 has been included as part of the recommended amendment (OPA 2018-

002).

- 3.3 The designation of the existing section of Dixie Road remains deferred in the Pickering Official Plan, but as a Type C Arterial. Approval of the Type C Arterial designation in the ROP, will enable the related deferrals (Deferrals 11, 12 and 44) in the Pickering OP to be approved by the Commissioner of Planning and Economic Development, through the Commissioner's delegated authority as authorized by Regional Council.

4. Consultation

- 4.1 This application has been circulated to various agencies for review and comment, including the Ministry of Municipal Affairs, the Ministry of Transportation, Metrolinx, Parks Canada, Durham Region area municipalities, neighbouring municipalities, local school boards, utility and gas companies, the Mississaugas of Scugog Island First Nation, and the conservation authorities.

Public Consultation

- 4.2 At the April 4th Committee of the Whole, the consultation period was extended to April 30. All comments received as of May 15th have been considered by staff.
- 4.3 Attachment #4 contains the comments received on the proposed amendment from several area municipalities, Central Lake Ontario Conservation Authority (CLOCA), Toronto and Region Conservation Authority (TRCA), Ministry of Municipal Affairs (including comments from MTO) and Metrolinx. Responses to these comments prepared by Regional staff are included, and whether the comment required a change to the proposed amendment that was presented at the April 4th Public Meeting. No other comments were received as of the date of the preparation of this report.
- 4.4 At the April 4th Public Meeting, one delegation spoke regarding the application. In addition, one written submission has been received to date. Concerns raised by the delegation related to the reconstruction of Taunton Road in Clarington, proposed realignment of Hancock Road and signage related to creek valleys along Regional Highway 2 (similar to Greenbelt signage) for response by Works Department staff. The written submission related to a question regarding a particular Durham Region Transit bus route.
- 4.5 The following changes to the proposed amendment have been included based on reviewing the comments received, as follows:

- a) Correct the location of the Grandview GO Station on Schedule 'C', Map 'C3' – Transit Priority Network (recommended through COW deliberations on April 4th).
- b) Revising the wording of Policy 11.3.28 in the proposed amendment to recognize that the operation of Oshawa Executive Airport is beyond the 2031 timeframe of the ROP, based on a 1997 agreement between the City of Oshawa and the federal government. Accordingly, the policy will be revised as follows:

“The Region recognizes the 1997 Agreement between the City of Oshawa and Federal Government that guarantees the operation of the Oshawa Executive Airport for fifty years unless a new airport at Pickering opens, in which case Oshawa has committed to continue operating the Executive Airport until at least 2033. Should the Oshawa Executive Airport cease operation, the policies of Section 8, as well as the extension of Stevenson Road and Beatrice Street shown on Schedule 'C', Map 'C2', Road Network, shall apply to this area without amendment to this Plan.”

- c) Delete the designation of Water Street, from South Blair Street to Thicksen Road, as a future Type C Arterial, and add a new policy to Section 11.3 (and reference this policy on Map 'C2' – Road Network) as follows:

“The Region recognizes the need to improve east-west transportation linkages south of Highway 401. The Region also recognizes the importance of Waterfront Areas as “people places”, and providing public access to the waterfront and open spaces. As such, the potential for an east-west connection between South Blair Street and Thicksen Road, south of Victoria Street in the Town of Whitby will be considered in conjunction with any proposal to redevelop the existing uses in the Employment Area north of Ronald C. Deeth Park.”

- d) Relocate the designation of the future Thornton Road GO Station (Thornton's Corners) further west for accuracy on Schedule 'C', Map 'C3' – Transit Priority Network and Schedule 'A', Map 'A4' – Regional Structure.
- e) Extend the designation of the High Frequency Transit Network designation easterly on King Street in Bowmanville, from Regional Road 57/Waverley Road to Liberty Street.
- f) Add wording to the Notes section on Schedule 'C', Maps 'C1' and 'C2' to complement policy 11.3.2, as follows:

“The alignments of certain future arterial road designations are approximate, and are subject to more detailed planning and engineering studies to determine their location.”

- g) Add a new designation called “Protect for Future Commuter Rail” to Schedule

'C', Map 'C3' – Transit Priority Network, and designate the CPR Havelock Line and Metrolinx line to Uxbridge.

h) Minor edit to policy 11.3.17 to correct a typographical error.

Departmental Comments

4.6 The proposed amendment was also circulated to other Regional departments, including the Regional Works Department and Regional Health Department. No objections to the proposed amendment application were identified. Region's Corporate Services- Legal Services Division was consulted in the preparation of this report.

5. Provincial Policy Context

5.1 The recommended amendment is consistent with the policies of the Provincial Policy Statement (PPS) and conforms to the Provincial Growth Plan (2017) and Greenbelt Plan (2017). In implementing the TMP, the recommended amendment fulfils transportation related policies in the PPS, including:

- Providing transportation systems which facilitate the movement of people of goods and address projected needs, including corridor protection and rights-of-way for infrastructure;
- Using existing and planned infrastructure efficiently; and
- Improving connectivity among transportation systems, including connections which cross jurisdictional boundaries.

5.2 The recommended amendment also addresses several policies in the Provincial Growth Plan and Greenbelt Plan through implementing the network recommendations of the TMP. However, as noted earlier, other actions in the TMP related to land use or development review requirements will be addressed through Envision Durham. The policies that are addressed through the proposed amendment include:

- Providing connectivity among transportation modes for moving people and for moving goods;
- Offering a balance of transportation choices that reduces reliance upon the automobile, promotes transit and active transportation, and improves safety;

- Placing a high priority on transit planning in the overall network;
- Minimizing transportation infrastructure expansions in the Greenbelt, and particularly the Natural Heritage System, to the extent possible; and
- Demonstrating through an environmental assessment (where applicable), environmental impacts of future infrastructure projects are avoided or, if avoidance is not possible, minimized and to the extent feasible mitigated.

6. Conclusion

- 6.1 It is recommended that the amendment to the Durham Regional Official Plan to implement key transportation network changes be adopted, as set out in Attachment 1.

7. Notice of Meeting

- 7.1 Written notification of the meeting time and location of Committee of the Whole was sent to all who made oral or written submissions or requested notification, in accordance with Regional Council procedure.
- 7.2 The recommendation of the Committee of the Whole is scheduled to be considered by Council on June 13, 2018. If Council adopts the recommended amendment, Council's decision will be final unless appealed to the Local Planning Appeal Tribunal.

8. Attachments

Attachment #1: Recommended Amendment

Attachment #2: Excerpts of Regional Official Plan Incorporating the Recommended Amendment

Attachment #3 May 3, 2018 letter from Ministry of Municipal Affairs

Attachment #4: Comments Received on the Proposed Amendment and Responses

Respectfully submitted,

Original signed by

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

Recommended Amendment

Regional Official Plan Amendment Application 2018-002

Amendment #171 to the Durham Regional Official Plan

- Purpose:** The purpose of this Amendment is to implement key transportation network changes recommended through the Region of Durham's Transportation Master Plan.
- Location:** The Regional Municipality of Durham
- Basis:** On December 13, 2017, the Final Transportation Master Plan (TMP) was endorsed by Regional Council. As part of the recommendation to endorse the TMP, Regional Council also authorized initiating the amendment process to incorporate the relevant portions of the TMP into the Regional Official Plan. This is the first amendment to incorporate changes recommended through the TMP, which makes changes to the transportation network as well as to related supporting policies.
- Amendment:** This amendment implements over 70 additions, changes and deletions to the designations of arterial road sections on Schedule 'C' – Maps 'C1' and 'C2'; updates the Transit Priority Network (Map 'C3') and Strategic Goods Movement Network maps (Map 'C4'); and includes a number of policy changes in Section 11 – Transportation System and Schedule 'E', Table 'E7' – Arterial Road Criteria to support the proposed network changes. Revisions to Schedule 'A', Map 'A4' – Regional Structure are also included in the amendment, as a result of the changes to network designations in the Schedule 'C' maps.
- The specific contents of the amendment are included in Appendix 1 below.
- Implementation:** The provisions set forth in the Durham Regional Official Plan regarding implementation of the Plan shall apply in regards to this Amendment.

Interpretation: The provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.

Appendix 1 – Actual Amendment

The Official Plan of The Regional Municipality of Durham is hereby amended as follows:

- 1) Several policies in Section 11 – Transportation System of the Plan are amended as per Table 1 attached hereto and forming part of this amendment.
- 2) Schedule 'C' – Transportation System, Maps 'C1' and 'C2' – Road Network as amended, is further amended as shown on Exhibits 1A, 1B, 1C and 1D attached hereto and forming part of this Amendment, by:
 - Renaming the designations for existing and future “Interchanges” to existing and future “Interchange”;
 - Renaming the designation for “Existing Interchanges to be Removed” to “Existing Interchange to be Removed”;
 - Deleting the “Future “Interchange” symbol at Highway 407/Sideline 14;
 - Replacing the “Existing Interchange to be Removed” symbol at Highway 401/Ritson Road with the existing “Interchange” symbol;
 - Adding certain “Type B Arterial” and “Type C Arterial” road designations;
 - Re-designating certain roads from “Type C Arterial” to “Type B Arterial”;
 - Re-designating certain roads from “Type B Arterial” to “Type C Arterial”;
 - Adding significant realignments of certain future “Type B Arterial” and “Type C Arterial” roads;
 - Adding “Type B Arterial” and “Type C Arterial” roads within Specific Policy Area A, consistent with the Central Pickering Development Plan and completed Environmental Assessment studies that set the alignments for these roads; and
 - Replacing the “Oshawa Airport” label with “Oshawa Executive Airport”.
- 3) Schedule 'C' – Transportation System, Map 'C3' – Transit Priority Network as amended, is further amended as shown on Exhibits 2A and 2B attached hereto and forming part of this Amendment, by:
 - Splitting the “Transit Spine” designation into three new, separate designations,

being “Rapid Transit Spine”, “High Frequency Transit Network” and “Other Transit Connection” and, accordingly:

- Re-designating certain arterial road sections from “Transit Spine” to “Rapid Transit Spine”, High Frequency Transit Network” or “Other Transit Connection”;
- Deleting certain “Transit Spine” designations;
- Adding certain “High Frequency Transit Network” designations;
- Adding certain “Other Transit Connection” designations;
- Re-designating certain “Commuter Rail” designations into a new “Protect for Future Commuter Rail” designation;
- Deleting the “Transit Spine (Future Connection to East Durham Freeway Link) designation;
- Deleting certain “Freeway Transit” designations;
- Updating the locations of “Transportation Hub”, “Commuter Rail” and “Commuter Station” designations, consistent with the Oshawa to Bowmanville Rail Service Expansion and Rail Maintenance Facility Transit Project Assessment Process EA Study (2011), by:
 - Realigning the future “Commuter Rail” connection across Highway 401, between the CNR Kingston line to the CPR Belleville line, near the Oshawa/Whitby boundary;
 - Deleting the future “Transportation Hub” symbol on the CPR Belleville line from the formerly proposed site south of Gibb Street and east of Stevenson Road;
 - Adding a “Transportation Hub” symbol on the Central Oshawa GO Station site south of Olive Avenue, and east of Simcoe Street, in the City of Oshawa; and
 - Adding a future “Commuter Station” symbol at the Thornton’s Corners GO Station site, west of Thornton Road and north of Consumers Drive in the City of Oshawa;

- Adding a future “Commuter Station” symbol at the Seaton GO Station site, east of Brock Road on the CPR Belleville line; and
 - Deleting a future “Commuter Rail” designation on the CPR Belleville Line from the Seaton GO Station site to the realigned Commuter Rail connection near the Oshawa/Whitby boundary.
- 4) Schedule ‘C’ – Transportation System, Map ‘C4’ – Strategic Goods Movement Network as amended, is further amended as shown on Exhibit 3 attached hereto and forming part of this Amendment, by:
- Adding certain “Arterial Road” designations.
- 5) Schedule ‘A’ – Regional Structure, Map ‘A4’ – Pickering, Ajax, Whitby, Oshawa, is updated as a result of the amendments to Schedule ‘C’ – Transit Priority Network, as follows and as shown on Exhibit 4 attached hereto:
- Realigning the future “GO Rail” connection across Highway 401, between the CNR Kingston line to the CPR Belleville line, near the Oshawa/Whitby boundary;
 - Deleting the future “GO Station” symbol on the CPR Belleville line from the formerly proposed site south of Gibb Street and east of Stevenson Road
 - Adding the future “GO Station” symbol to the Central Oshawa site located south of Olive Avenue, and east of Simcoe Street, in the City of Oshawa;
 - Adding a future “GO Station” at the Thornton’s Corners site, located west of Thornton Road and north of Consumers Drive in the City of Oshawa; and
 - Replace the “Oshawa Airport” label with “Oshawa Executive Airport”.
- 6) Schedule ‘E’ – Tables, Table ‘E7’ – Arterial Road Criteria is amended as shown in Table 2 attached hereto and forming part of this amendment, by:
- Updating the general Classification Criteria for Travel Speed and Minimum Intersection Spacing to reflect current practice;
 - Correcting the Travel Speed criterion for Type B Arterial roads;
 - Revising the Connectivity criteria for Type A Arterial and Type B Arterial roads to reflect current practice;

- Updating the Cycling and Pedestrian Provisions criteria for Type A Arterial, Type B Arterial and Type C Arterial roads; and
- Updating the Right-of-Way Width criteria for Type A Arterial and Type B Arterial roads to support planned Rapid Transit Spines and High Frequency Transit Network.

Table 1
Policy Amendments to Section 11 – Transportation System

Item	Old Section Number	New Section Number	Details of Policy Amendment
1.	11.3.4 c)	11.3.4 c)	Add the word “roundabouts,” after the words “traffic control devices,”.
2.	11.3.7	11.3.7	In the first sentence of the first paragraph, add the words “412, 418 and” after “407” and delete the words “and 35” after the word “115”. In the second sentence of the first paragraph, add the words “and highway” after the word “freeway”.
3.	11.3.7 a)	11.3.7 a)	Delete the word “the” after the words “the extension of”; delete the words “freeway and transitway” after the words “Highway 407”; delete the words “two high speed” after the word “including” and replace with “the Highway 418”; delete the words “and transitway” after “freeway” and replace the following word “connections” with “connection”; add the words “and planned transitway on Highways 407, 412 and 418” after “Highway 401”.
4.	11.3.7 d)	11.3.7 d)	Delete the word “, and” after the words “Highways 7, 7A” and add the words “, 35 and 35/115; and” after the word “7/12”.
5.		11.3.7 e)	Add a new subsection as follows: “modifications to the alignment of the Highway 7/12 intersection at Thickson Road, subject to further study by the Town of Whitby and Ministry of Transportation, that may be updated without amendment to this Plan.”

Item	Old Section Number	New Section Number	Details of Policy Amendment
6.	11.3.7	11.3.7	In the second paragraph, delete the word “, freeways” “after “Although” and replace with “Provincial highways”.
7.	11.3.8	11.3.8	Delete the wording of this policy, and replace with the following sentence: “The Region of Durham encourages the Ministry of Transportation to construct the Highway 407 interchanges at Westney Road, Salem Road and Thornton Road, Highway 412 interchange at Rossland Road, and complete the Highway 401/Lake Ridge Road interchange, which were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction.”
8.	11.3.9	11.3.9	Add the words “the implementation of environmental” after the word “encourage”; replace the word “Highway” with “Highways”; delete the words “through planned Urban Areas to provide” and replace with “, 412 and 418, including the provision of”.
9.	11.3.10	11.3.10	In the first sentence, replace the word “freeway” with “arterial road; replace the words “Town of Markham” with “City of Markham”; replace the words “as part of a” with “to supplement the”; add the words “and Hamilton” after “Greater Toronto”.

Item	Old Section Number	New Section Number	Details of Policy Amendment
10.	11.3.13	11.3.13	In the second sentence, replace the words “Rouge Park” with “Rouge National Urban Park”; replace the word “connection” with “existing connections.” Create a new third sentence starting as follows: “Additionally, Regional Council will protect for”; delete the word “of” before “realigned”; replace the words “Fifth Concession Road” with “Whitevale Road”; delete the last sentence of the policy.
11.		11.3.15	Add a new policy to Section 11.3 to read as follows: “The Region recognizes the need to improve east-west transportation linkages south of Highway 401. The Region also recognizes the importance of Waterfront Areas as “people places”, and providing public access to the waterfront and open spaces. As such, the potential for an east-west connection between South Blair Street and Thickson Road, south of Victoria Street in the Town of Whitby, will be considered in conjunction with any proposal to redevelop the existing uses in the Employment Area north of Ronald C. Deeth Park.”
12.	11.3.17	11.3.18	In the second sentence, add the words “, which provides inter-regional and inter-municipal service,” after the words “Transit Priority Network”.
13.	11.3.17 a)	11.3.18 a)	Replace the words “Transit Spines” with “Rapid Transit Spine”; replace the words “facilitate inter-regional and inter-municipal services along arterial roads” with “is planned to provide dedicated transit lanes in most arterial road sections”.

Item	Old Section Number	New Section Number	Details of Policy Amendment
14.		11.3.18 b)	<p>Add a new policy subsection to read as follows:</p> <p>““High Frequency Transit Network” that consists of buses in planned High Occupancy Vehicle (HOV) lanes, or buses or in mixed traffic, with transit signal priority at major intersections and other measures to ensure fast and reliable transit service. Planned HOV lanes may be converted to dedicated bus lanes as growth in ridership warrants;”</p>
15.		11.3.18 c)	<p>Add a new policy subsection to read as follows:</p> <p>““Other Transit Connections” that facilitate longer-distance trips, providing direct links to Transportation Hubs and Commuter Stations from smaller urban and rural areas;”</p>
16.	11.3.17 b)	11.3.18 d)	<p>Replace the words “commuter stations” with “Transportation Hubs and Commuter Stations”.</p>
17.		11.3.18 e)	<p>Add a new policy subsection to read as follows:</p> <p>““Protect for Future Commuter Rail” corridors that identify future connections on existing rail corridors beyond 2031;”</p>
18.	11.3.17 c)	11.3.18 f)	

Item	Old Section Number	New Section Number	Details of Policy Amendment
19.	11.3.17 d)	11.3.18 g)	<p>In the first sentence, delete the words “longer-distance” and replace with “long-distance” after the word “facilitate”; delete the words “and link to commuter stations providing transfer points to other transit services and transportation modes” and replace with “within the Highway 407, 412 and 418 right-of-way”.</p> <p>Add the following sentence to the end of the subsection:</p> <p>“The designation of Freeway Transit supports the implementation of frequent bus service, with dedicated commuter parking lots and transit terminals at interchanges, which is planned to evolve to a dedicated transitway facility beside the freeway in the long-term.”</p>
20.	11.3.18	11.3.19	<p>Replace the words “Transportation Hubs, Commuter Stations and Transit Spines” with “Transportation Hub, Commuter Station, Rapid Transit Spine and the High Frequency Transit Network”.</p>
21.	11.3.18 a)	11.3.19 a)	<p>Replace the words “transit spines are” with “a Rapid Transit Spine or the High Frequency Transit Network is”.</p>
22.	11.3.19	11.3.20	<p>Delete the first sentence of the policy.</p> <p>In the second sentence, replace “These corridors” with “Centres and Corridors that correspond to a Rapid Transit Spine, as designated on Schedule ‘C’ – Map ‘C3’, Transit Priority Network,”.</p>

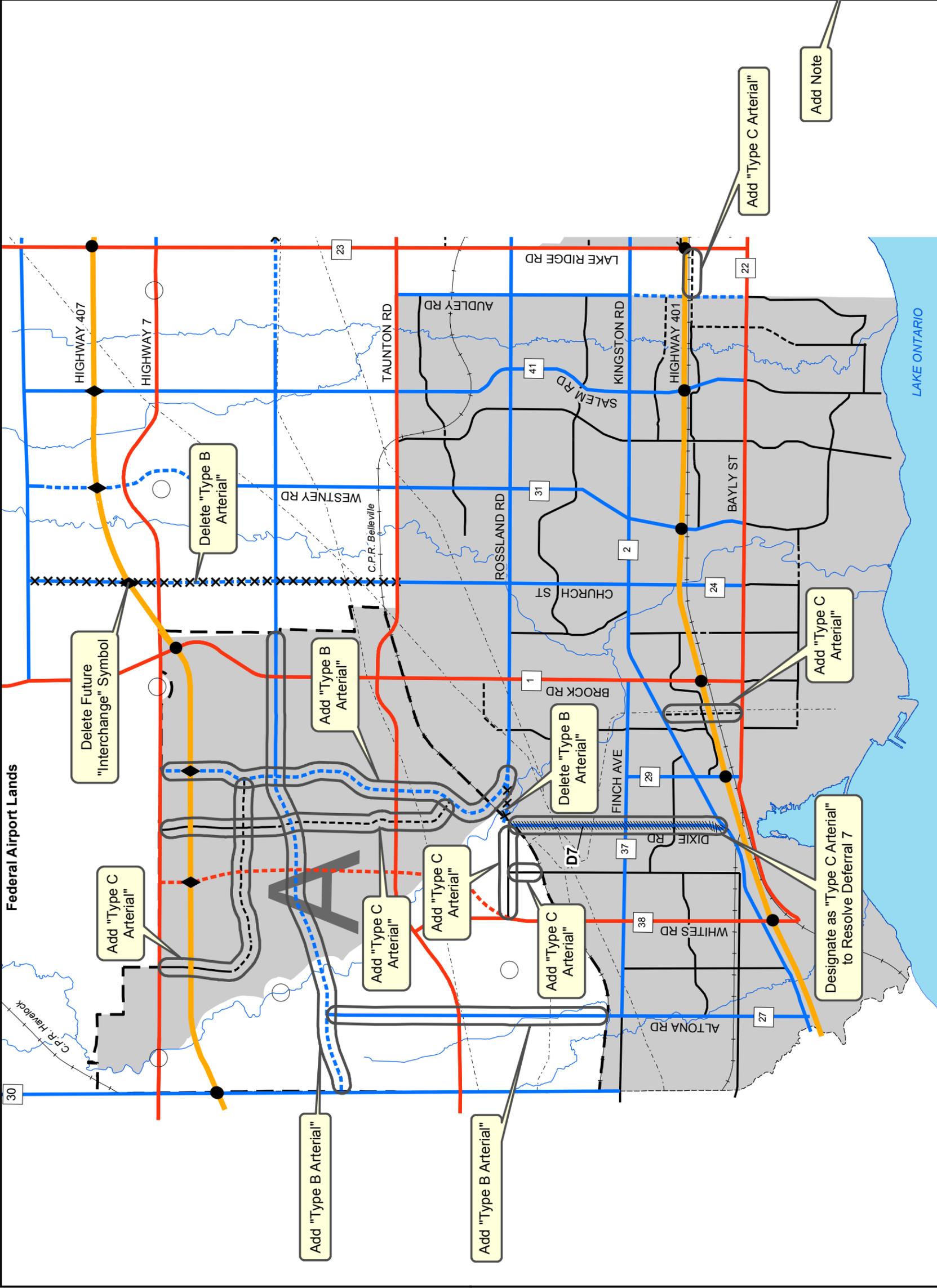
Item	Old Section Number	New Section Number	Details of Policy Amendment
23.	11.3.24	11.3.25	Replace the word “walking” with “ <i>active transportation</i> ” and replace the words “pedestrian conditions” with “connections”.
24.	11.3.28	11.3.29	Delete the paragraph in its entirety, and replace with: “The Region recognizes the 1997 Agreement between the City of Oshawa and Federal Government that guarantees the operation of the Oshawa Executive Airport for fifty years unless a new airport at Pickering opens, in which case Oshawa has committed to continue operating the Executive Airport until at least 2033. Should the Oshawa Executive Airport cease operation, the policies of Section 8, as well as the extension of Stevenson Road and Beatrice Street shown on Schedule ‘C’, Map ‘C2’, Road Network, shall apply to this area without amendment to this Plan.”

Table 2
Policy Amendments to Schedule 'E' – Table 'E7' – Arterial Road Criteria

Item	Criteria	Details of Policy Amendment
1.	Classification Criteria – Travel Speed	Under the Definition column, delete the second sentence.
2.	Classification Criteria – Minimum Intersection Spacing	Under the Definition column, in the first sentence, replace the words “should not be” with “a minimum of lower class road intersections”, and delete the words “intersected by lower class roads” at the end of the sentence.
3.	Travel Speed	Under the Type B Arterial column, replace “70 km/h Urban Area” with “60 km/h Urban Area”.
4.	Connectivity	<p>Under the Type A Arterial column, delete the word “and” and replace with “,” following “freeways”; add the words “and collectors” after the word “arterials”.</p> <p>Under the Type B Arterial column, delete the word “and” and replace with “,” following arterials; add the words “and minimal local road access” after the word “collectors”.</p>
5.	Transit	<p>Under the Type A Arterial column, replace the words “regional transit spines” with “Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections”.</p> <p>Under the Type B Arterial column, replace the words “regional transit spines” with “Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections”.</p> <p>Under the Type C Arterial column, replace the words “local transit corridors and connectors to regional transit spines” with “High Frequency Transit Network”.</p>

Item	Criteria	Details of Policy Amendment
6.	Cycling and Pedestrian Provisions	<p>Under the Type A Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, add the words “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p> <p>Under the Type B Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, add the words “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p> <p>Under the Type C Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, replace the word “Sidewalks” with “Sidewalk”; replace the words “however, may not be required in Employment Areas” with “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p>

Item	Criteria	Details of Policy Amendment
7.	Right-of-Way Width	<p>Under the Type A Arterial column, in the first criterion, add “**” to refer to the exemption policy after “36-45 m right-of-way”. In the third criterion, replace the word “channelized” with “left and”. In the fourth criterion, add the words “, including planned High Occupancy Vehicle (HOV) or bus lanes” after the words “cross-section”. In the last criterion, replace “2-4 lanes” with “2-6 lanes”.</p> <p>Under the Type B Arterial column, add new criteria following the second criterion (“36 m for ultimate 4-lane cross-section”) as follows:</p> <p>“Notwithstanding the above right-of-way criteria, 45 m for ultimate 6-lane cross-section on a Rapid Transit Spine or on the High Frequency Transit Network in the following sections:</p> <ul style="list-style-type: none"> • Kingston Road (Toronto/Durham boundary to Elizabeth Street) • Kingston Road/Dundas Street (Rotherglen Road to Cochrane Street) • Dundas Street/King Street (Garden Street to Thornton Road) • Regional Highway 2 (Centerfield Drive to Highway 418) • Simcoe Street (Conlin Road to Winchester Road) • Liverpool Road (Kingston Road to Highway 401) • Westney Road (Kingston Road to Bayly Street) <p>40 m for ultimate 6-lane cross-section on a Rapid Transit Spine in the following section:</p> <ul style="list-style-type: none"> • King Street/Regional Highway 2 (Harmony Road to Centerfield Drive)” <p>Under the last criterion, add the words “With the exception of the above noted sections,” before the words “4 lanes”.</p>

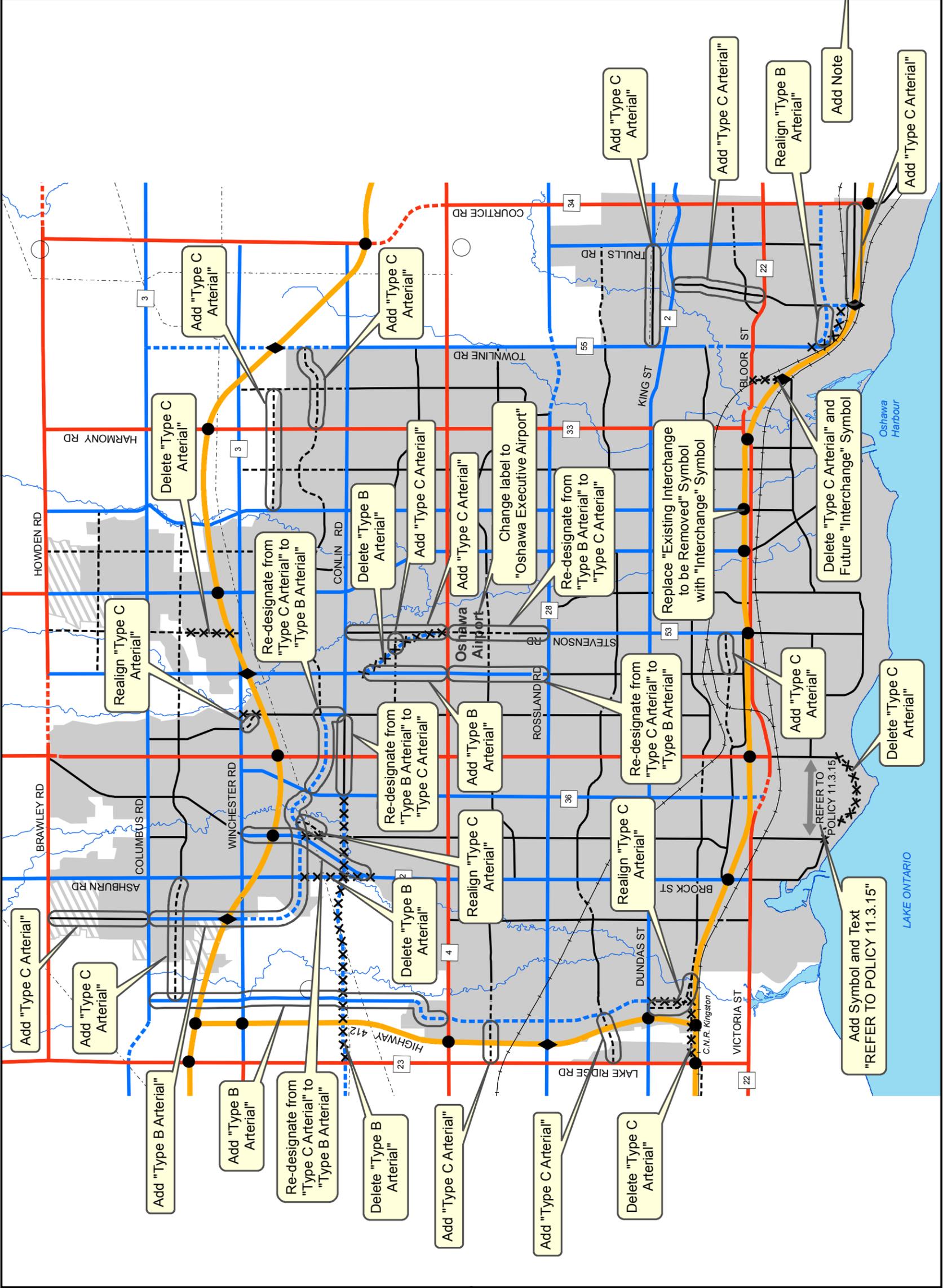


LEGEND

EXISTING	FUTURE
FREQUENCY	FREQUENCY
TYPE A ARTERIAL	TYPE A ARTERIAL
TYPE B ARTERIAL	TYPE B ARTERIAL
TYPE C ARTERIAL	TYPE C ARTERIAL
INTERCHANGES	INTERCHANGES
EXISTING INTERCHANGES TO BE REMOVED	EXISTING INTERCHANGES TO BE REMOVED
RAILWAY	RAILWAY
HAMLET	HAMLET
DEFERRED BY THE MINISTER OF MUNICIPAL AFFAIRS	DEFERRED BY THE MINISTER OF MUNICIPAL AFFAIRS
URBAN AREA	URBAN AREA
LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.	LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.
SPECIFIC POLICY AREA	SPECIFIC POLICY AREA

NOTES:

- THIS MAP FORMS PART OF THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM AND MUST BE READ IN CONJUNCTION WITH THE TEXT.
- THE DESIGNATIONS FOR THE DEFERRED AREA REFLECT THE POSITION OF REGIONAL COUNCIL, PLEASE REFER TO POLICY 15.13.
- THE ALIGNMENTS OF CERTAIN FUTURE ARTERIAL ROAD DESIGNATIONS ARE APPROXIMATE, AND ARE SUBJECT TO MORE DETAILED PLANNING AND ENGINEERING STUDIES TO DETERMINE THEIR LOCATION.
- OFFICE CONSOLIDATION - MAY 11, 2017.

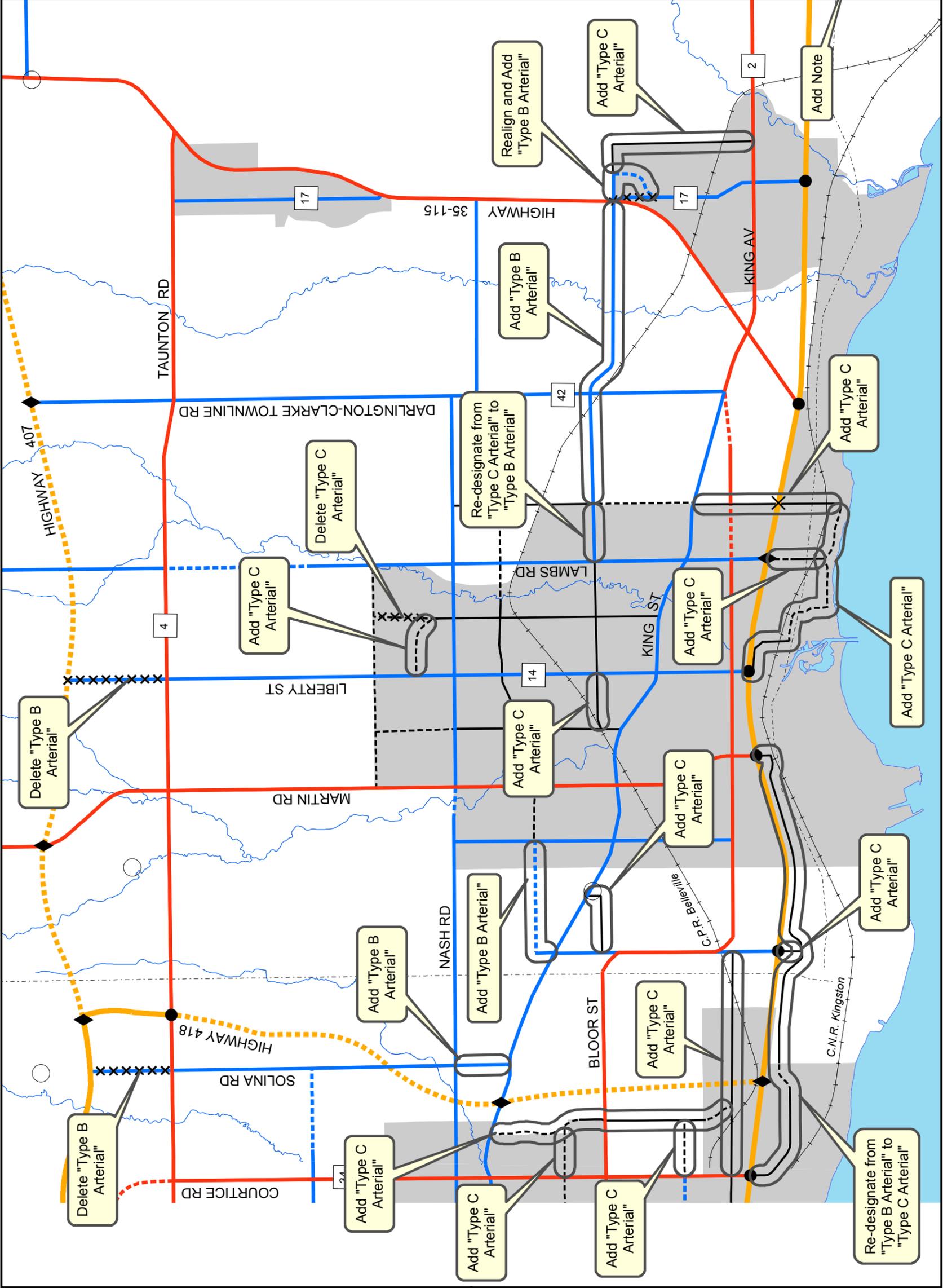


LEGEND

EXISTING	FUTURE

FREIGHTWAY
 TYPE A ARTERIAL
 TYPE B ARTERIAL
 TYPE C ARTERIAL
 INTERCHANGES
 EXISTING INTERCHANGES TO BE REMOVED
 RAILWAY
 HAMLET
 DEFERRED BY THE MINISTER OF MUNICIPAL AFFAIRS
 URBAN AREA
 LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.
 SPECIFIC POLICY AREA
 REFER TO POLICY 11.3.15

NOTES:
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 3) THE ALIGNMENTS OF CERTAIN FUTURE ARTERIAL ROAD DESIGNATIONS ARE APPROXIMATE, AND ARE SUBJECT TO MORE DETAILED PLANNING AND ENGINEERING STUDIES TO DETERMINE THEIR LOCATION.
 4) OFFICE CONSOLIDATION - MAY 11, 2017.

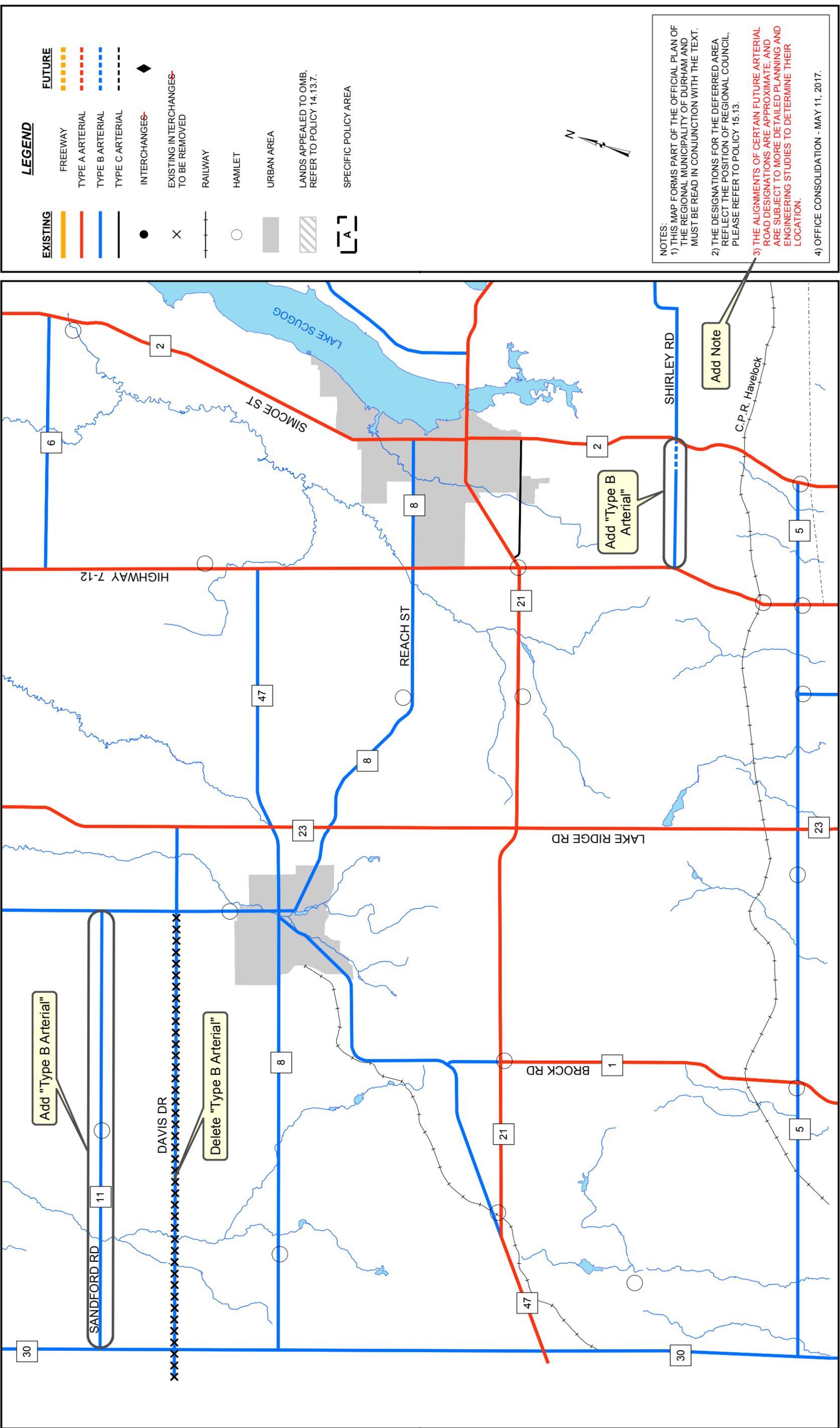


LEGEND

EXISTING	FUTURE
FREQUENCY	FREQUENCY
TYPE A ARTERIAL	TYPE A ARTERIAL
TYPE B ARTERIAL	TYPE B ARTERIAL
TYPE C ARTERIAL	TYPE C ARTERIAL
INTERCHANGES	INTERCHANGES
EXISTING INTERCHANGES TO BE REMOVED	EXISTING INTERCHANGES TO BE REMOVED
RAILWAY	RAILWAY
HAMLET	HAMLET
URBAN AREA	URBAN AREA
LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.	LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.
SPECIFIC POLICY AREA	SPECIFIC POLICY AREA

NOTES:

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- OFFICE CONSOLIDATION - MAY 11, 2017.

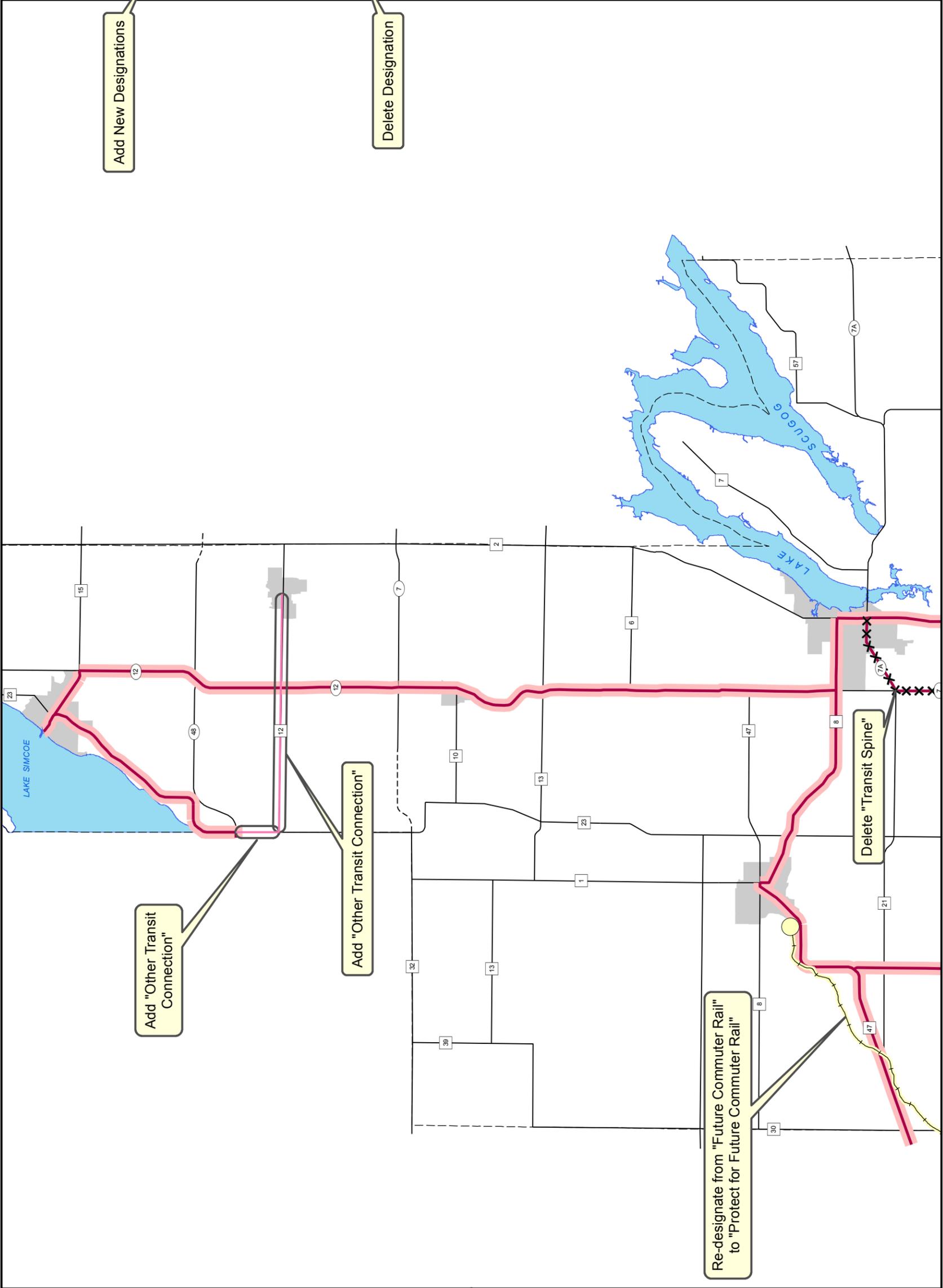


LEGEND

EXISTING	FUTURE
Freeway (Orange line)	Freeway (Yellow line)
Type A Arterial (Red line)	Type A Arterial (Red dashed line)
Type B Arterial (Blue line)	Type B Arterial (Blue dashed line)
Type C Arterial (Black line)	Type C Arterial (Black dashed line)
Interchanges (Black diamond)	Interchanges (Black diamond)
Existing Interchanges to be Removed (Red X)	Existing Interchanges to be Removed (Red X)
Railway (Black line with cross-ticks)	Railway (Black line with cross-ticks)
Hamlet (Circle)	Hamlet (Circle)
Urban Area (Grey shaded area)	Urban Area (Grey shaded area)
Lands Appealed to OMB, Refer to Policy 14.13.7. (Hatched area)	Lands Appealed to OMB, Refer to Policy 14.13.7. (Hatched area)
Specific Policy Area (Box with 'A')	Specific Policy Area (Box with 'A')

NOTES:

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- 4) OFFICE CONSOLIDATION - MAY 11, 2017.



LEGEND

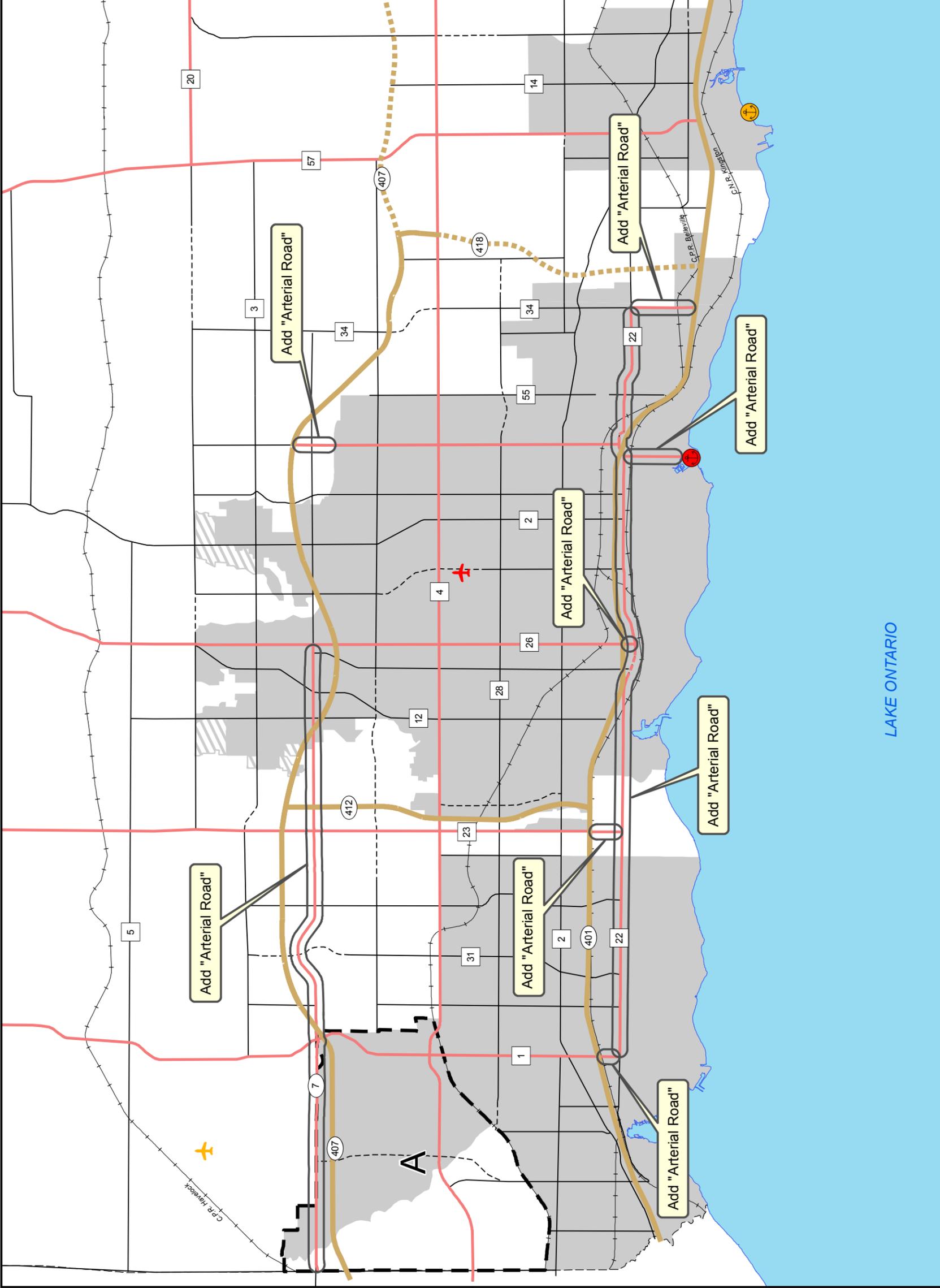
EXISTING	FUTURE
COMMUTER RAIL (Green line)	COMMUTER RAIL (Green line)
FREEWAY TRANSIT (Orange line)	FREEWAY TRANSIT (Orange line)
RAPID TRANSIT SPINE (Red line)	RAPID TRANSIT SPINE (Red line)
TRANSIT-SPINE-HIGH FREQUENCY TRANSIT NETWORK (Red dashed line)	TRANSIT-SPINE-HIGH FREQUENCY TRANSIT NETWORK (Red dashed line)
OTHER TRANSIT CONNECTION (Pink dashed line)	OTHER TRANSIT CONNECTION (Pink dashed line)
PROTECT FOR FUTURE COMMUTER RAIL (Yellow line)	PROTECT FOR FUTURE COMMUTER RAIL (Yellow line)

TRANSIT-SPINE-FUTURE CONNECTION-TO EAST-DURHAM-FREEWAY LINK (Red arrow)	TRANSPORTATION HUB (Blue circle)
	COMMUTER STATION (Yellow circle)
	URBAN AREA (Grey rectangle)
	LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7. (Hatched rectangle)
	SPECIFIC POLICY AREA (Box with 'A')

Exhibit Amendment Notes:

- Re-designate from "Transit Spine" to "Rapid Transit Spine" (Yellow bar)
- Re-designate from "Transit Spine" to "High Frequency Transit Network" (Purple bar)
- Re-designate from "Transit Spine" to "Other Transit Connection" (Pink bar)

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LEGEND

EXISTING	FUTURE

AIRPORT

ARTERIAL ROAD

FREIGHTWAY

HARBOUR

RAILWAY

URBAN AREA

LANDS APPEALED TO OMB,
REFER TO POLICY 14.13.7.

SPECIFIC POLICY AREA

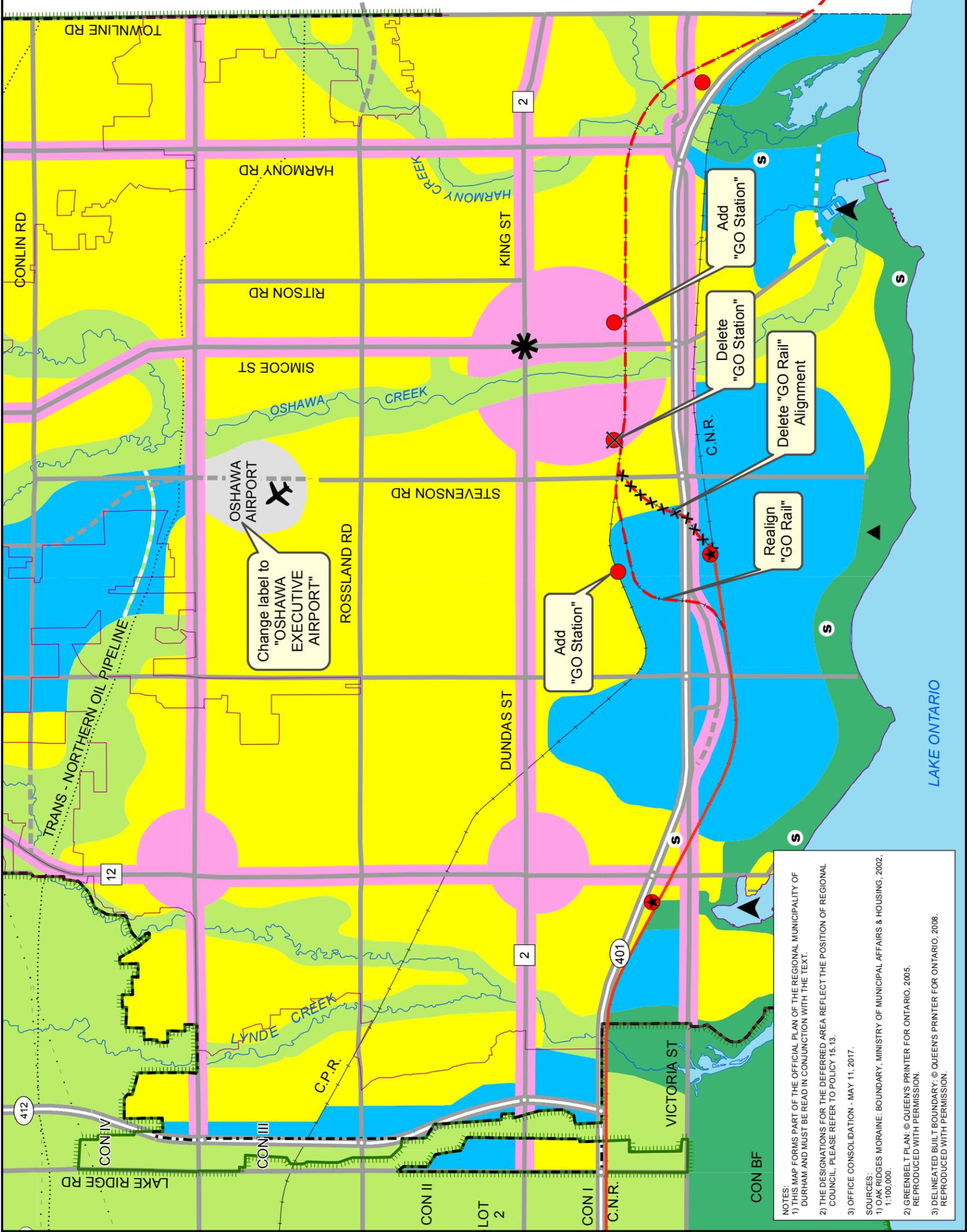
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**OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM**

**EXCERPT FROM SCHEDULE 'A'
MAP 'A4' - REGIONAL STRUCTURE**

**ATTACHMENT 1, EXHIBIT 4
OPA 2018-002**



LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- URBAN GROWTH CENTRE
- LIVING AREAS
- AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- MUNICIPAL SERVICE
- REGIONAL CENTRE
- REGIONAL CORRIDOR
- EMPLOYMENT AREAS
- AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
- BUILT BOUNDARY

RURAL SYSTEM

RURAL SETTLEMENTS:

- PRIME AGRICULTURAL AREAS
- HAMLET
- RURAL EMPLOYMENT AREA (SEE TABLE E3 FOR DESCRIPTION)
- REGIONAL NODE (SEE SECTION 9C FOR DESCRIPTION)
- AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)
- COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE E2 FOR DESCRIPTION)
- SHORELINE RESIDENTIAL

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- TOURIST ACTIVITY/ RECREATIONAL NODE
- OPEN SPACE LINKAGE
- OAK RIDGES MORaine AREAS
- GREENBELT BOUNDARY
- WATERFRONT PLACE
- WATERFRONT LINKS

TRANSPORTATION SYSTEM

SEE SCHEDULE C FOR DESIGNATIONS
THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

EXISTING: ARTERIAL ROAD, FREEWAY, INTERCHANGE, GO RAIL, GO STATION

FUTURE: ARTERIAL ROAD, FREEWAY, INTERCHANGE, GO RAIL, GO STATION

SPECIAL AREAS

- SPECIAL STUDY AREA
- DEFERRED BY MINISTER OF MUNICIPAL AFFAIRS
- REFER TO POLICY 7.3.1(p)
- SPECIFIC POLICY AREA
- APPEALED TO O.M.B.
- LANDS APPEALED TO O.M.B. REFER TO POLICY 14.13.7

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3) OFFICE CONSOLIDATION - MAY 11, 2017.

SOURCES:
1) OAK RIDGES MORaine: BOUNDARY, MINISTRY OF MUNICIPAL AFFAIRS & HOUSING, 2002, 1:100,000.
2) GREENBELT PLAN: © QUEEN'S PRINTER FOR ONTARIO, 2005. REPRODUCED WITH PERMISSION.
3) DELINEATED BUILT BOUNDARY: © QUEEN'S PRINTER FOR ONTARIO, 2008. REPRODUCED WITH PERMISSION.

Section 11

Transportation System

11.3 Policies

ROAD NETWORK AND DESIGN

- 11.3.4 In the consideration of *development* applications abutting arterial roads identified on Schedule 'C' – Maps 'C1' and 'C2', Road Network, Regional Council shall require that lands be dedicated for road widenings. The dedication of land shall take into account the following:
- a) the extent of the right-of-way that may be required in accordance with Policy 11.3.3;
 - b) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, grade separation, channelization or existing *development*, make the taking of equal widenings impractical;
 - c) the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, roundabouts, sight triangles at intersections, including intersections of an arterial road and a railway line, railway grade separations and freeway interchanges. The extent of the widening shall be based on the specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria; and
 - d) the need to provide bicycle lanes and/or bus lanes.
- 11.3.7 The Region recognizes the importance of the Provincial freeway system, including Highways 401, 404, 407, 412, 418 and 115, in fostering continued economic development and reducing the Transportation System capacity deficiencies at the western limit of the Region. To improve the Provincial freeway and highway network, Regional Council supports the accelerated implementation of:
- a) the extension of Highway 407 to Highway 35/115, including the Highway 418 freeway connection to Highway 401 and planned transitway on Highways 407, 412 and 418;
 - b) the expansion of Highway 401, including the construction of new or improved interchanges;

- c) the extension of Highway 404 and the related widening of Highways 12 and 48;
- d) improvements to Highways 7, 7A, 7/12, 35 and 35/115; and
- e) modifications to the alignment of the Highway 7/12 intersection at Thickson Road, subject to further study by the Town of Whitby and Ministry of Transportation, that may be updated without amendment to this Plan.

Although Provincial highways are shown on Schedule 'C' – Maps 'C1' and 'C2', Road Network, these highways are under the jurisdiction of the Ministry of Transportation, which has sole responsibility for such matters as standards, design criteria and widening requirements.

- 11.3.8 The Region of Durham encourages the Ministry of Transportation to construct the Highway 407 interchanges at Westney Road, Salem Road and Thornton Road, Highway 412 interchange at Rossland Road, and complete the Highway 401/Lake Ridge Road interchange, which were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction.
- 11.3.9 The Region of Durham shall formally request and encourage the implementation of environmental design standards for Highways 407, 412 and 418, including the provision of treed and landscaped buffer strips within the right-of-way along each side of the highway and within the interchanges.
- 11.3.10 Regional Council recognizes the importance of providing a north/south freeway connection between Highway 401 and Highway 407 in the City of Toronto and the City of Markham as part of a grid network of freeways throughout the Greater Toronto and Hamilton Area. Furthermore, Council shall oppose any decision, *development* proposal or other action which seriously compromises the ability to protect and implement such a facility.
- 11.3.13 Regional Council recognizes the need to improve east-west transportation linkages at the west Durham boundary and will continue to explore opportunities with the affected jurisdictions to enhance inter-Regional connections between the Region and the municipalities to the west. Although policies regarding the Rouge National Urban Park preclude additional inter-Regional arterial road connections south of Steeles Avenue, Regional Council will protect for the existing connections. Additionally, Regional Council will protect for the realigned Whitevale Road in Pickering to 14th Avenue in the Region of York and shall work with the affected municipalities to ensure that the proposed road connection is implemented.
- 11.3.15 The Region recognizes the need to improve east-west transportation linkages south of Highway 401. The Region also recognizes the importance of Waterfront Areas as “people places”, and providing public access to the

waterfront and open spaces. As such, the potential for an east-west connection between South Blair Street and Thickson Road, south of Victoria Street in the Town of Whitby, will be considered in conjunction with any proposal to redevelop the existing uses in the Employment Area north of Ronald C. Deeth Park.

TRANSIT PRIORITY NETWORK

- 11.3.17 This Plan supports the planning, design and operation of an integrated and coordinated Transit Priority Network, as designated on Schedule 'C' – Map 'C3', Transit Priority Network. The Transit Priority Network, which provides inter-regional and inter-municipal service, is comprised of the following elements:
- a) "Rapid Transit Spine" that is planned to provide dedicated transit lanes in most arterial road sections and intersect with local transit services;
 - b) "High Frequency Transit Network" that consists of buses in planned High Occupancy Vehicle (HOV) lanes, or buses in mixed traffic, with transit signal priority at major intersections and other measures to ensure fast and reliable transit service. Planned HOV lanes may be converted to dedicated bus lanes as growth in ridership warrants;
 - c) "Other Transit Connection" that facilitates longer-distance trips, providing direct links to Transportation Hubs and Commuter Stations from smaller urban and rural areas;
 - d) "Commuter Rail" service that carries passengers at high rates of speed over longer distances and link to Transportation Hubs and Commuter Stations, providing transfer points to other transit services and transportation modes;
 - e) "Protect for Future Commuter Rail" corridors that identify future connections on existing rail corridors beyond 2031;
 - f) "Transportation Hubs" that are major travel destinations and facilitate transfers between different modes of travel or between transit services; and
 - g) "Freeway Transit" services that facilitate long distance inter-regional and inter-municipal transit trips within the Highway 407, 412 and 418 right-of-way. The designation of Freeway Transit supports the implementation of frequent bus service with transit terminals within dedicated commuter parking lots at interchanges, which is planned to evolve to a dedicated transitway facility beside the freeway in the long-term.

- 11.3.18 In support of existing and future transit services, *development* adjacent to a Transportation Hub, Commuter Station, Rapid Transit Spine and the High Frequency Transit Network designated on Schedule 'C' – Map 'C3', Transit Priority Network, shall provide for:
- a) complementary higher density and mixed uses at an appropriate scale and context in accordance with Policy 8A.2.2 for Transportation Hubs and Commuter Stations and Policy 8A.2.9, where a Rapid Transit Spine or the High Frequency Transit Network is within Regional Corridors;
 - b) buildings oriented towards the street, to reduce walking distances to transit facilities;
 - c) facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other pedestrian and cycling facilities; and
 - d) limited surface parking and the potential *redevelopment* of existing surface parking.

For the purposes of this Policy, development adjacent to a Transportation Hub or Commuter Station generally means an area within an approximate 500 metre radius of the station, representing about a 10-minute walk. The extent and delineation of the boundaries and land-use designations to implement the intent of this policy shall be detailed in area municipal official plans.

- 11.3.19 Centres and Corridors that correspond to a Rapid Transit Spine, as designated on Schedule 'C' – Map 'C3', Transit Priority Network, should be developed to their fullest potential in accordance with Sub-Section 8A of this Plan.

REGIONAL CYCLING PLAN

- 11.3.24 This Plan supports an urban environment and infrastructure that encourages and supports *active transportation* throughout the Region through policies and practices that ensure safe, direct, comfortable, attractive and convenient connections.

GOODS MOVEMENT

- 11.3.28 The Region recognizes the 1997 Agreement between the City of Oshawa and Federal Government that guarantees the operation of the Oshawa Executive Airport for fifty years unless a new airport at Pickering opens, in which case Oshawa has committed to continue operating the Executive Airport until at least 2033. Should the Oshawa Executive Airport cease operation, the policies of Section 8, as well as the extension of Stevenson Road and

Beatrice Street shown on Schedule 'C', Map 'C2', Road Network, shall apply to this area without amendment to this Plan.

Schedule E – Table 'E7'

Arterial Road Criteria

Classification Criteria

Criteria	Definition
Traffic Service Objective	Roads of higher classification should serve inter-regional and regional traffic movements over relatively longer distances. Lower order classifications should cater to local traffic movements over shorter distances and provide access to abutting property.
Land Service/Access	Direct access from adjoining properties to roads of higher classification should be limited or restricted in recognition of their through traffic function, and for traffic safety and flow reasons. Lower order classifications should provide direct access to abutting lands where required, assuming the entranceway can be positioned in a safe location.
Traffic Volume	Roads of higher classification being the principal routes between traffic generating centres should accommodate higher traffic usage relative to roads of a lower classification, taking into account urban and rural differences.
Flow Characteristics	Roads primarily serving traffic movement should have traffic control and design characteristics that permit uninterrupted flow. On lower classification roads, drivers should expect interrupted flow due to the frequency of accesses and intersections, and the presence of more traffic control devices, parked vehicles and pedestrian crossings.
Travel Speed	The road cross-section and the roadside environment generally determine the operating speeds on a roadway. Roads of higher classification with emphasis on long distance travel should be designed to accommodate higher operating speeds than roads of lower classification.
Goods Movement	Long distance commercial vehicle operation should occur on roads of higher classification and be discouraged on local roads.
Connectivity	Roads should connect to other roads with the same or similar functions, and to roads that are directly above or below them in the hierarchy.

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Classification Criteria

Criteria	Definition
Transit	Roads of higher classification should be the focus of more frequent and higher-order transit service, including express bus operations. Lower classes of road should accommodate bus operations of a more local nature.
Cycling and Pedestrian Provisions	On roads of higher classification, cycling and pedestrian activity should be restricted or provided for in separate facilities. On lower classes of roads, cycling and pedestrian activity should be encouraged, but would not require dedicated facilities.
Parking	Parking should be prohibited or restricted on roads of higher classification to provide for clearway conditions, while curbside parking may be accommodated on lower road classes.
Minimum Intersection Spacing	Roads of higher classification should have limited, appropriately spaced side road connections and a minimum of lower class road intersections. They may be grade separated or controlled at grade by well co-ordinated traffic control signals. More frequent intersection spacing is acceptable on lower classes of road. These intersections may be controlled at grade using regulatory signs and other traffic control mechanisms, including traffic calming measures.
Right-of-way width	The cross-section of roads can range from divided, multi-lane facilities for higher classifications, through to two-lane undivided facilities for lower classes of road. This criterion is related to route capacity as well as maneuverability of heavy vehicles. The ultimate cross-section for a road generally evolves over time as traffic volumes increase. As such, right-of-ways should be of sufficient width to accommodate the ultimate cross-section.

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Classification Criteria

Criteria	Definition
Continuity	Roads of higher classification have longer continuous road sections, serve inter-municipal or inter-regional traffic and are characterized by higher volumes of through traffic. On the other hand, lower order roads have shorter, discontinuous road sections, serving shorter local trips and playing a key role in providing access to adjacent properties.
Cross-Section Features	Roads of higher classification tend to be higher capacity routes with relatively higher operating speeds and traffic volumes, with enhanced features such as acceleration/deceleration lanes, climbing and passing lanes, and intersection turn bays to improve traffic flow. Lower classes tend to have lower capacities with lower operating speeds and traffic volumes.
Vehicle Priority	Roads of higher classification are likely to provide priority capacity for particular modes/uses by way of bus lanes, truck lanes or transit lanes. Lower road classes generally provide for mixed traffic.
Network Spacing	The spacing of roads in the hierarchy normally relates to the density of activity occurring in the area. Roads of higher classification will be spaced more widely apart than the lower road classes, which provide for a completed grid to enable efficient traffic circulation.

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Traffic Service Objective	Traffic movement primary consideration Predominantly serves inter-regional and inter-municipal trips	Traffic movement major consideration Predominantly serves inter- and intra-municipal trips	Traffic movement slightly more important than land access Predominantly serves intra-municipal trips

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Land Service/Access	Rigid/Progressive access control Permit private access generally located a minimum of 200 metres apart in Urban Areas Permit large scale commercial and industrial developments, mixed use developments and higher density developments with shared or combined access	Incremental/Progressive access control Permit private access generally located a minimum of 80 metres apart in Urban Areas Promote higher densities with shared or combined access	Limited access control Promote higher densities with shared or combined access, or limit to single detached dwelling unit frontage
Typical Daily Traffic Volume	>10,000 AADT	5,000-40,000 AADT	4,000-20,000 AADT
Flow Characteristics	Uninterrupted flow except at traffic control signals	Uninterrupted flow except at traffic control signals	Uninterrupted flow except at traffic control signals and pedestrian crossings
Travel Speed	70 km/h Urban Area, 80 km/h outside Urban Areas	60 km/h Urban Area, 80 km/h outside Urban Areas	50-60 km/h
Goods Movement	Generally no restrictions	Generally no restrictions	Generally no restrictions

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Connectivity	Connects with freeways, arterials and collectors	Connects with freeways, arterials, collectors and minimal local road access	Connects with arterials, collectors and limited local road access
Transit	May serve as High Frequency Transit Network and Other Transit Connections	May serve as Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections	May serve as High Frequency Transit Network
Cycling and Pedestrian Provisions	Cycling provisions identified in the Regional Cycling Plan and corridor specific Environmental Assessment studies Sidewalk on both sides with separation from traffic lane preferred for pedestrians; a multi-use path may be provided as alternative to a sidewalk	Cycling provisions identified in the Regional Cycling Plan and corridor specific Environmental Assessment studies Sidewalk on both sides for pedestrians; multi-use path may be provided as alternative to a sidewalk	Cycling provisions identified in the Regional Cycling Plan and corridor specific Environmental Assessment studies Sidewalk on both sides for pedestrians; multi-use path may be provided as alternative to sidewalk
Parking	Prohibited or peak hour restrictions	Prohibited or peak hour restrictions	Not recommended where traffic movement is impacted or it becomes a safety issue

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Minimum Intersection Spacing	<p>700 m intersection spacing in north-south direction</p> <p>*300 m/500 m intersection spacing in east-west direction</p> <p>Signalized intersections where required</p>	<p>525 m major intersection spacing in north-south direction</p> <p>*300 m/500 m major intersection spacing in east-west direction</p> <p>Some minor intersections (T-type) mid-block subject to possible future control, if necessary to maintain corridor progression</p> <p>Signalized intersections where required</p>	<p>300 m intersection spacing</p> <p>Some minor intersections with future control provisions, if necessary due to capacity and queuing considerations</p> <p>Signalized intersections where required but not at consecutive intersections</p>
Right-of-Way Width	<p>36-45 m right-of-way**</p> <p>36 m for ultimate 2-4 lane cross section</p> <p>40 m for ultimate 4-lane cross-section with left and right turn lanes at intersections</p> <p>45 m for ultimate 6-lane cross-section including planned High Occupancy Vehicle (HOV) or bus lanes</p>	<p>30-36 m**&*** right-of-way</p> <p>36 m for ultimate 4-lane cross-section</p> <p>Notwithstanding the above right-of-way criteria, 45 m for ultimate 6-lane cross-section on a Rapid Transit Spine or on the High Frequency Transit Network in the following sections:</p> <ul style="list-style-type: none"> • Kingston Road (Toronto/Durham boundary to Elizabeth Street) 	<p>26-30 m** right-of-way, dependent on transit facilities, on street parking and established development (i.e. downtown)</p> <p>2-4 lane cross-section within the Urban Area</p>

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
	<p>Maintain width through corridor for alignment of utilities and boulevard features</p> <p>4-6 lanes within the Urban Area and 2-6 lanes outside the Urban Area</p>	<ul style="list-style-type: none"> • Kingston Road/Dundas Street (Rotherglen Road to Cochrane Street) • Dundas Street/King Street (Garden Street to Thornton Road) • Regional Highway 2 (Centerfield Drive to Highway 418) • Simcoe Street (Conlin Road to Winchester Road) • Liverpool Road (Kingston Road to Highway 401) • Westney Road (Kingston Road to Bayly Street) <p>40 m for ultimate 6-lane cross-section on Rapid Transit Spines in the following section:</p> <ul style="list-style-type: none"> • King Street/Regional Highway 2 (Harmony Road to Centerfield Drive) <p>With the exception of the above noted sections, 4 lanes within the Urban Area and 2-4 lanes outside the Urban Area</p>	

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Continuity	Continuous across regional areas or larger municipal areas	Typically continuous across several municipalities	Typically continuous within a single municipality with few spanning two or more; may be shorter and discontinuous sections when serving major traffic generators
Cross Section Features	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Vehicle Priority	To be considered as part of strategic goods movement network Consideration may be given for transit priority measures including dedicated transit lanes, queue jump lanes, and priority signals	To be considered for goods movement Consideration may be given for transit priority measures including queue jump lanes, and priority signals	Predominantly passenger and service vehicles, low to moderate truck traffic (except in Centres and Employment Areas)
Network Spacing	Generally 6.5 km between north/south and east/west arterials	Generally 1.6 km between north/south arterials and 2.0 km between east/west arterials	Generally, no less than 0.8 km between north/south and east/west arterials

Exceptions:

* In some cases, spacing for east-west arterials can be reduced to 300 m if signals are "coupled" provided adjacent intersections are a minimum of 500 m away.

** Reduced right-of-way widths will only be considered in locations identified as exceptions in the Area Municipal Official Plans in accordance with Regional Policy.

*** Wider rights-of-way may be required to accommodate intersection improvements and other facilities such as transit, utilities, noise attenuation installation, bikeways and landscaping. For new streets, the immediate provision of wider rights-of-way may be considered to accommodate such facilities.

Unless otherwise identified by another appropriate comprehensive planning process or Official Plan, a corridor study or Environmental Assessment shall be undertaken to identify any exceptions to the right-of-way widths identified in this Table.

Schedule E – Table 'E7' – cont'd

Arterial Road Criteria

Exceptions:

Outside of Centres and Hamlets, the right-of-way widths, speeds and access spacing requirements shall generally apply to the arterial roads shown on Schedule 'C' – Maps 'C1' and 'C2'. However, if the intent of this Plan is adhered to, and following adequate study to the effect that such provisions are impractical and cannot be implemented precisely, the authority having jurisdiction on such roads may deviate from these provisions without the need for an amendment to this Plan. Within Centres and Hamlets, speed and access spacing requirements shall not apply to arterial roads. The right-of-way width requirements shall apply, unless it can be demonstrated, in consultation with the Region, that exceptions to the right-of-way widths are appropriate for specific sections of arterial roads. The exceptions shall be incorporated into the area municipal official plan.

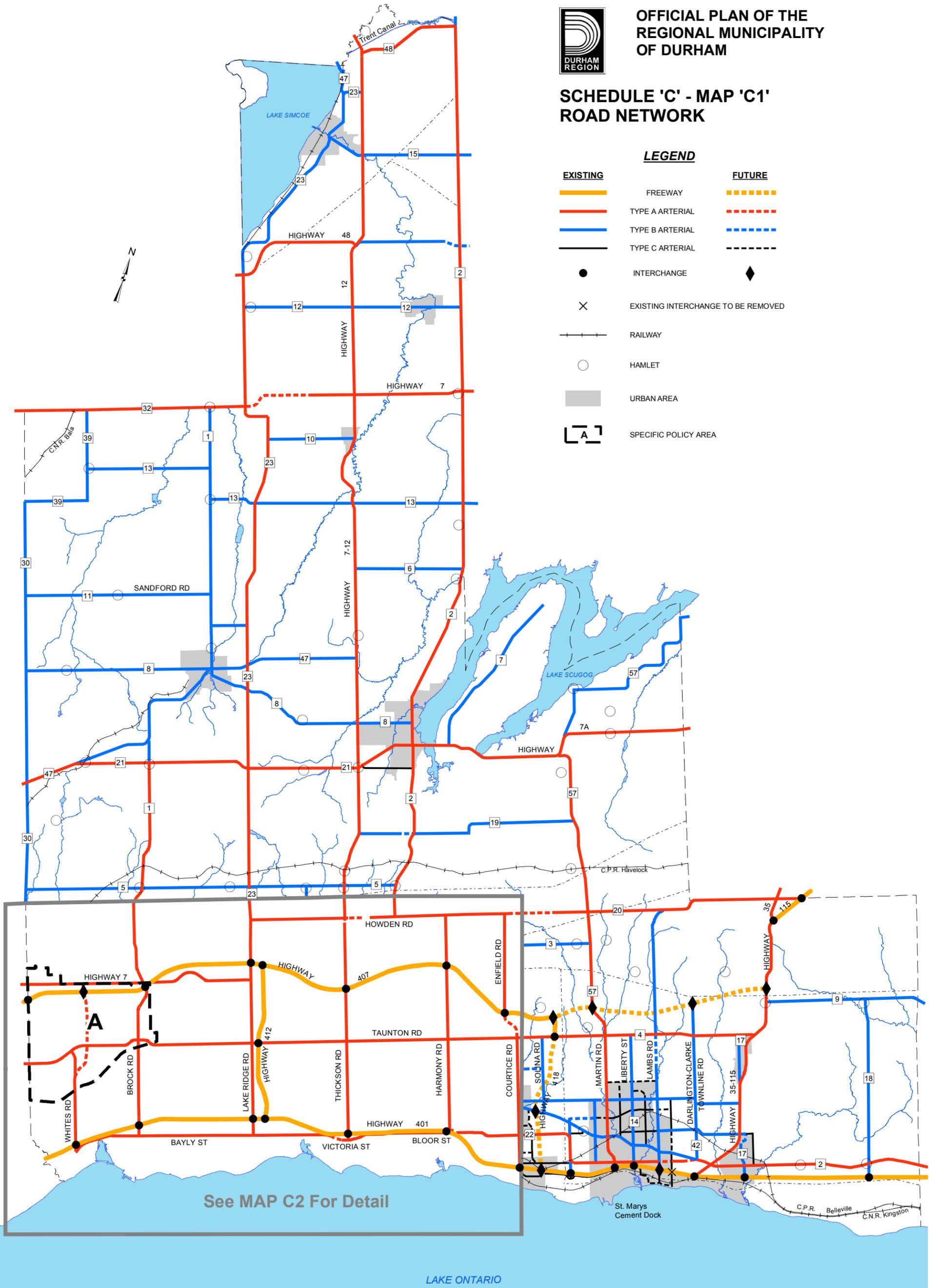


OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM

SCHEDULE 'C' - MAP 'C1' ROAD NETWORK

LEGEND

EXISTING		FUTURE
	FREEWAY	
	TYPE A ARTERIAL	
	TYPE B ARTERIAL	
	TYPE C ARTERIAL	
	INTERCHANGE	
	EXISTING INTERCHANGE TO BE REMOVED	
	RAILWAY	
	HAMLET	
	URBAN AREA	
	SPECIFIC POLICY AREA	



See MAP C2 For Detail

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 4) OFFICE CONSOLIDATION - MAY 11, 2017.



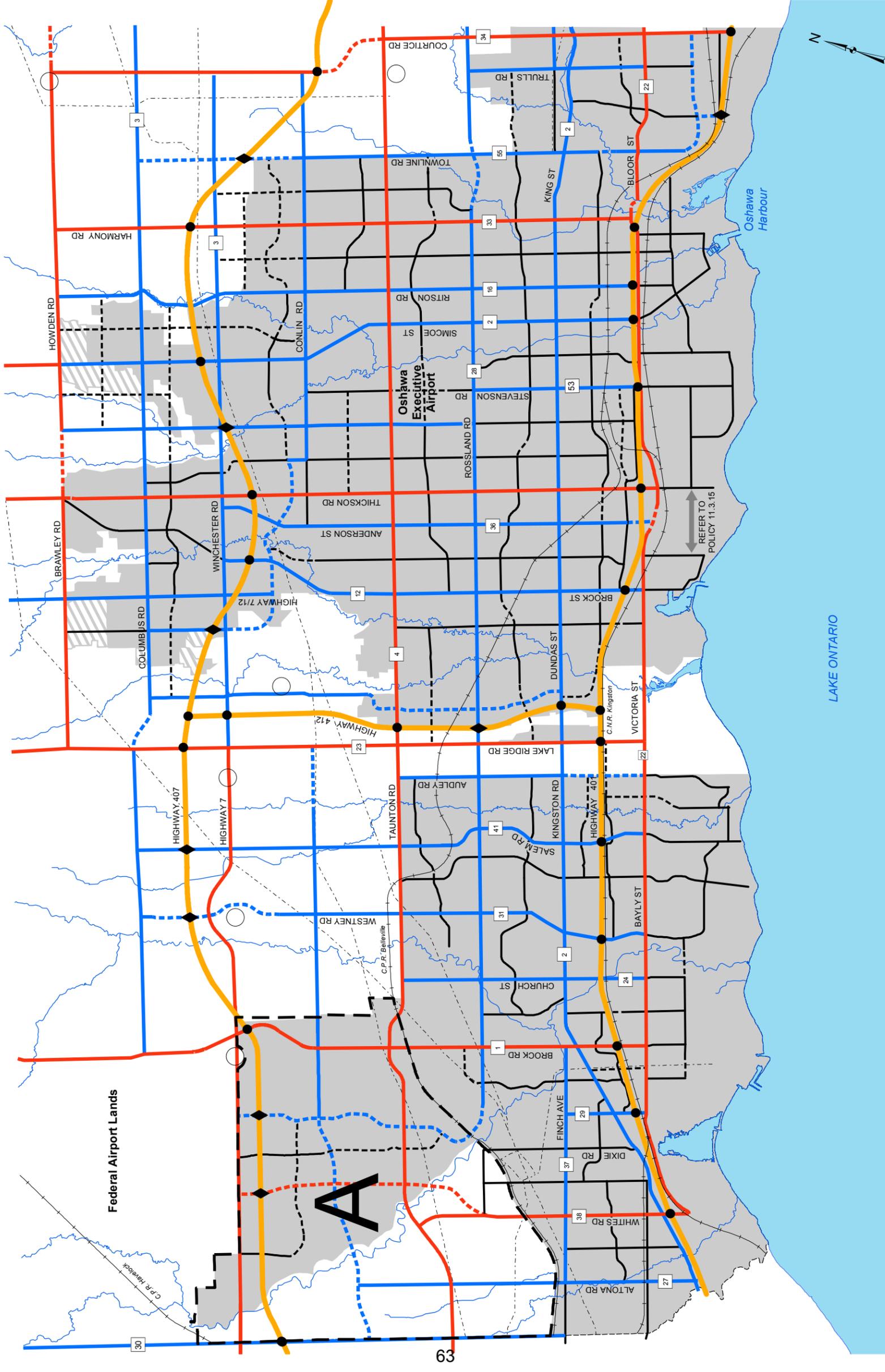
OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

SCHEDULE 'C' - MAP 'C2'
ROAD NETWORK
PICKERING, AJAX, WHITBY,
OSHAWA, COURTICE

LEGEND

EXISTING	FUTURE

FREIGHTWAY
 TYPE A ARTERIAL
 TYPE B ARTERIAL
 TYPE C ARTERIAL
 INTERCHANGE
 EXISTING INTERCHANGE TO BE REMOVED
 RAILWAY
 HAMLET
 URBAN AREA
 LANDS APPEALED TO OMB,
REFER TO POLICY 14.13.7.
 SPECIFIC POLICY AREA
 REFER TO POLICY 11.3.15

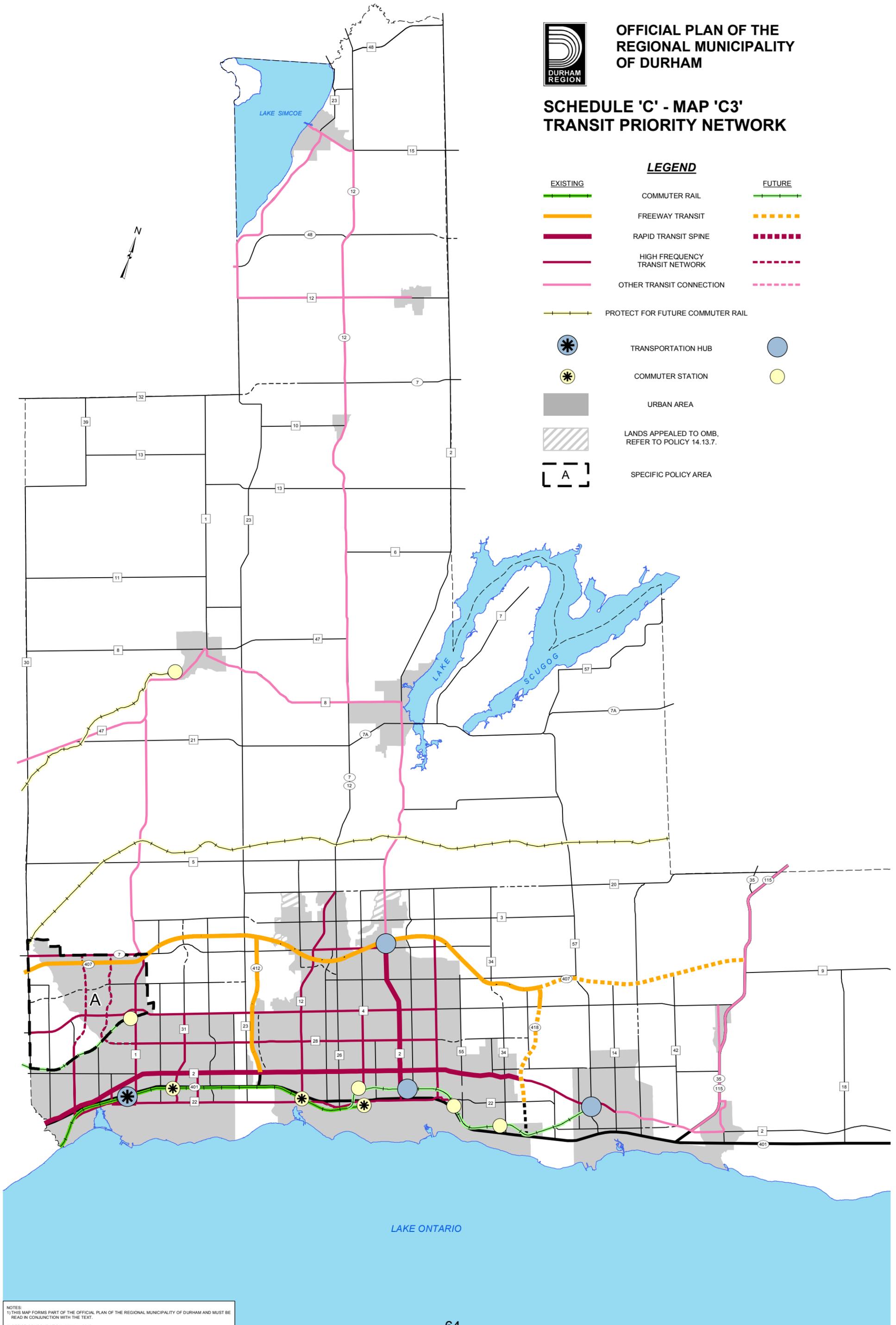


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OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM

SCHEDULE 'C' - MAP 'C3'
TRANSIT PRIORITY NETWORK



LEGEND

EXISTING		FUTURE
	COMMUTER RAIL	
	FREEWAY TRANSIT	
	RAPID TRANSIT SPINE	
	HIGH FREQUENCY TRANSIT NETWORK	
	OTHER TRANSIT CONNECTION	
	PROTECT FOR FUTURE COMMUTER RAIL	
	TRANSPORTATION HUB	
	COMMUTER STATION	
	URBAN AREA	
	LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.	
	SPECIFIC POLICY AREA	

NOTES:
1) THIS MAP FORMS PART OF THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM AND MUST BE READ IN CONJUNCTION WITH THE TEXT.
2) OFFICE CONSOLIDATION - MAY 11, 2017.

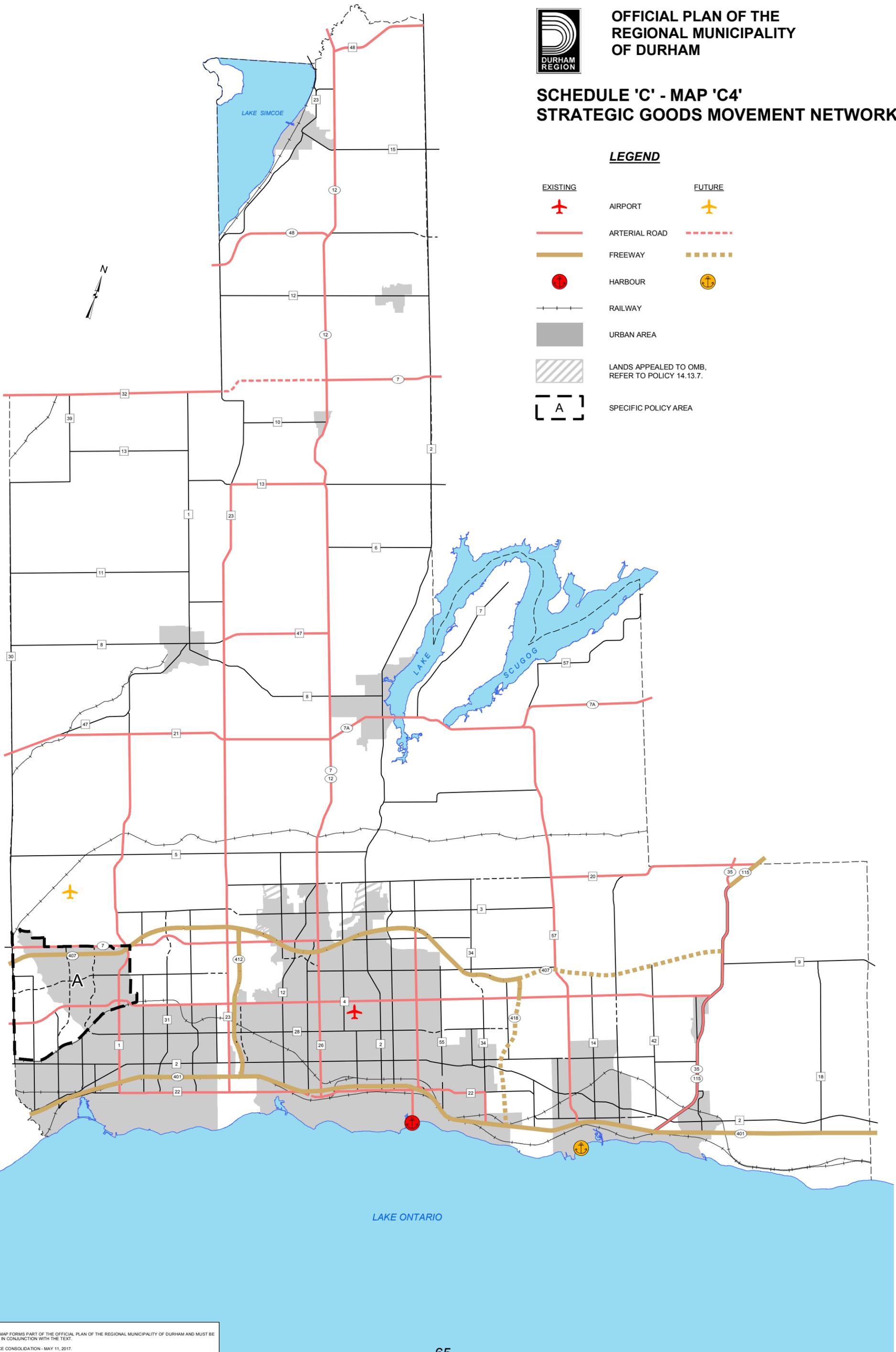


OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

SCHEDULE 'C' - MAP 'C4'
STRATEGIC GOODS MOVEMENT NETWORK

LEGEND

EXISTING		FUTURE
	AIRPORT	
	ARTERIAL ROAD	
	FREEWAY	
	HARBOUR	
	RAILWAY	
	URBAN AREA	
	LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7.	
	SPECIFIC POLICY AREA	

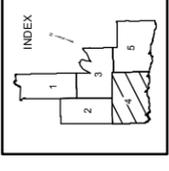


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2) OFFICE CONSOLIDATION - MAY 11, 2017.



OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM

SCHEDULE 'A' - MAP 'A4' REGIONAL STRUCTURE



LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- URBAN GROWTH CENTRE
- LIVING AREAS
- AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- MUNICIPAL SERVICE
- BUILT BOUNDARY
- REGIONAL CENTRE
- REGIONAL CORRIDOR
- EMPLOYMENT AREAS
- AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS

RURAL SYSTEM

- PRIME AGRICULTURAL AREAS
- RURAL SETTLEMENTS:
 - HAMLET
 - RURAL EMPLOYMENT AREA (SEE TABLE E3 FOR DESCRIPTION)
 - REGIONAL NODE (SEE SECTION 9C FOR DESCRIPTION)
 - AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)
- COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE E2 FOR DESCRIPTION)
- SHORELINE RESIDENTIAL

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- TOURIST ACTIVITY/ RECREATIONAL NODE
- OPEN SPACE LINKAGE
- OAK RIDGES MORaine AREAS
- GREENBELT BOUNDARY
- WATERFRONT PLACE
- WATERFRONT LINKS

TRANSPORTATION SYSTEM

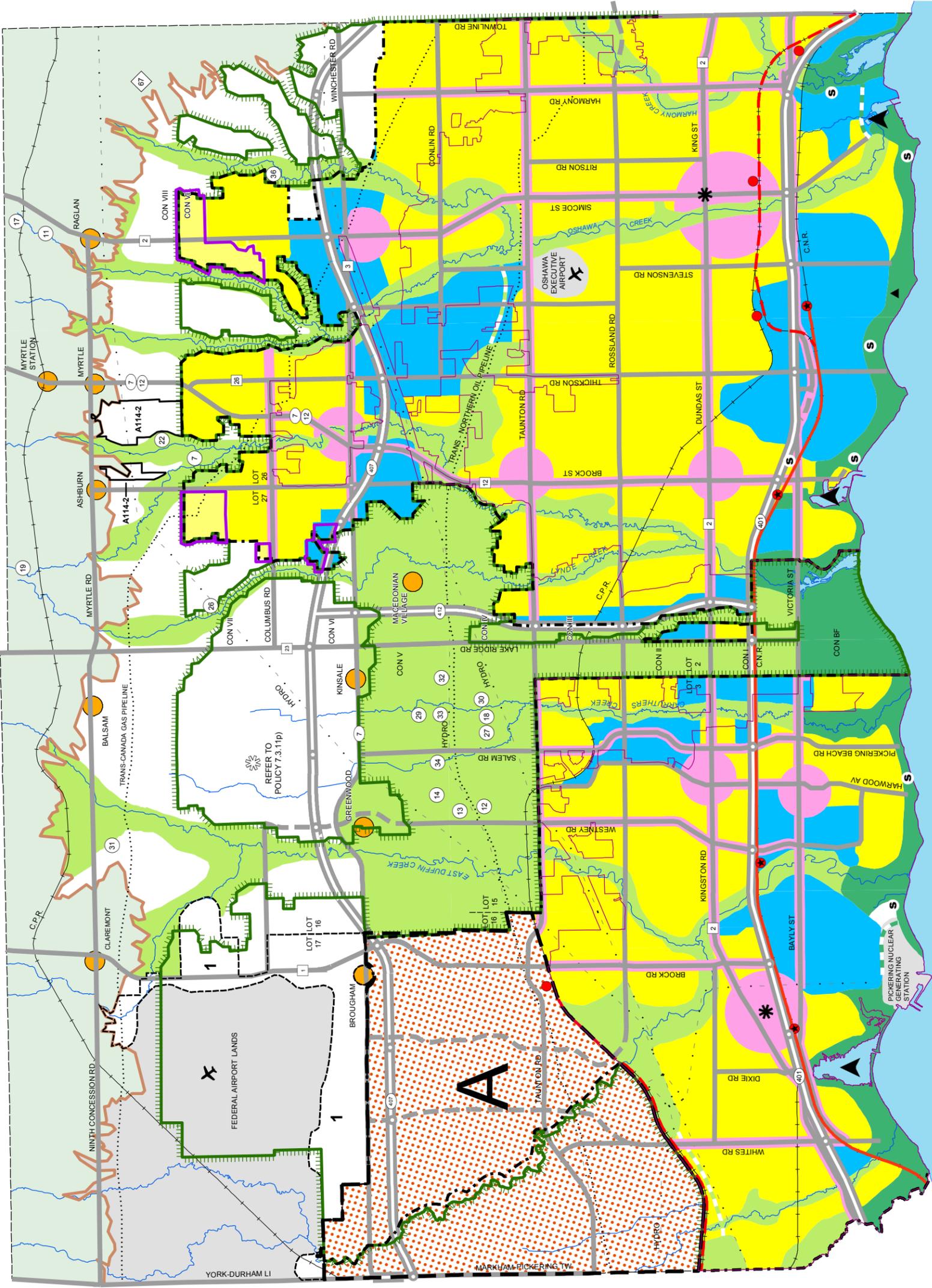
SEE SCHEDULE C FOR DESIGNATIONS

THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

- EXISTING: ARTERIAL ROAD, FREEWAY, INTERCHANGE
- FUTURE: ARTERIAL ROAD, FREEWAY, INTERCHANGE
- GO RAIL
- GO STATION

SPECIAL AREAS

- SPECIAL STUDY AREA
- DEFERRED BY MINISTER OF MUNICIPAL AFFAIRS
- REFER TO POLICY 7.3.11P
- SPECIFIC POLICY AREA
- APPEALED TO O.M.B.
- LANDS APPEALED TO O.M.B. REFER TO POLICY 14.13.7



NOTES:
 1) THIS MAP FORMS PART OF THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM AND MUST BE READ IN CONJUNCTION WITH THE TEXT.
 2) THE DESIGNATIONS FOR THE DEFERRED AREA REFLECT THE POSITION OF REGIONAL COUNCIL. PLEASE REFER TO POLICY 15.13.
 3) OFFICE CONSOLIDATION - MAY 11, 2017.
 4) SOURCE: DURHAM REGIONAL MUNICIPALITY, 2005.
 5) OAK RIDGES MORaine BOUNDARY, MINISTRY OF MUNICIPAL AFFAIRS & HOUSING, 2005, 1:100,000.
 6) GREENBELT PLAN, © QUEEN'S PRINTER FOR ONTARIO, 2005. REPRODUCED WITH PERMISSION.
 7) DELINEATED BUILT BOUNDARY, © QUEEN'S PRINTER FOR ONTARIO, 2006. REPRODUCED WITH PERMISSION.

LAKE ONTARIO



SCHEDULE 'A' REGIONAL STRUCTURE

LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- - - URBAN AREA BOUNDARY DEFERRED
- REGIONAL CENTRE
- * URBAN GROWTH CENTRE
- REGIONAL CORRIDOR
- LIVING AREAS
- EMPLOYMENT AREAS
- S MUNICIPAL SERVICE
- ▨ AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- ▧ AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- ▩ AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
- BUILT BOUNDARY

RURAL SYSTEM

- PRIME AGRICULTURAL AREAS

RURAL SETTLEMENTS :

- HAMLET
- ③ RURAL EMPLOYMENT AREA (SEE TABLE E3 FOR DESCRIPTION)
- ⑫ COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE E2 FOR DESCRIPTION)
- SHORELINE RESIDENTIAL
- ▲ REGIONAL NODE (SEE SECTION 9C FOR DESCRIPTION)
- ⑫ AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- ▲ TOURIST ACTIVITY / RECREATIONAL NODE
- OPEN SPACE LINKAGE
- OAK RIDGES MORaine AREAS
- ▬ GREENBELT BOUNDARY
- ▲ WATERFRONT PLACE
- ▬ WATERFRONT LINKS

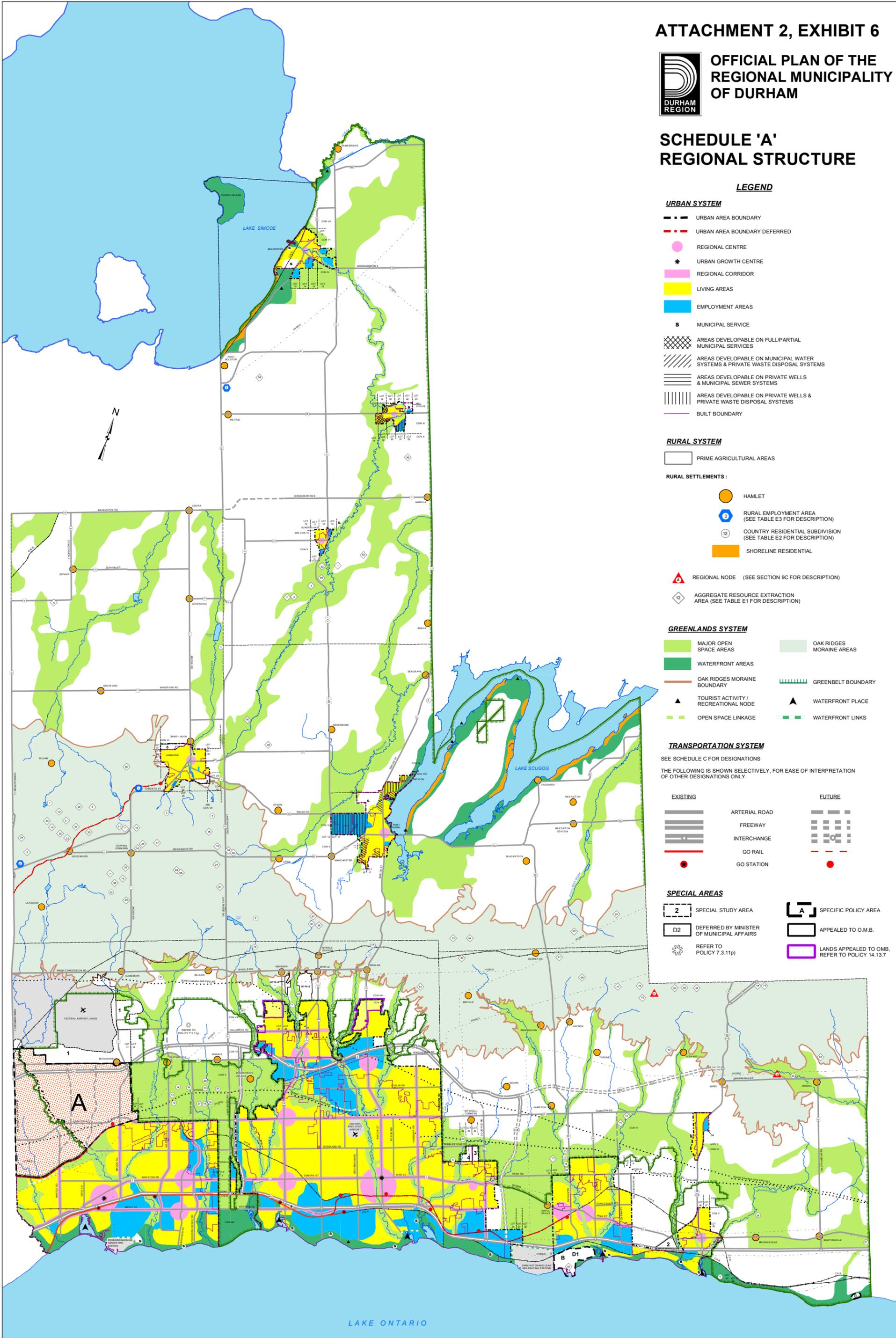
TRANSPORTATION SYSTEM

SEE SCHEDULE C FOR DESIGNATIONS
THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

- | EXISTING | | FUTURE |
|----------|---------------|--------|
| ▬ | ARTERIAL ROAD | ▬ |
| ▬ | FREEWAY | ▬ |
| ▬ | INTERCHANGE | ▬ |
| ▬ | GO RAIL | ▬ |
| ● | GO STATION | ● |

SPECIAL AREAS

- 2 SPECIAL STUDY AREA
- D2 DEFERRED BY MINISTER OF MUNICIPAL AFFAIRS
- REFER TO POLICY 7.3.11p)
- A SPECIFIC POLICY AREA
- APPEALED TO O.M.B.
- LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7



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3) OFFICE CONSOLIDATION - MAY 11, 2017.
SOURCES:
1) OAK RIDGES MORaine: BOUNDARY, MINISTRY OF MUNICIPAL AFFAIRS & HOUSING, 2002, 1:100,000.
2) GREENBELT PLAN: © QUEEN'S PRINTER FOR ONTARIO, 2005. REPRODUCED WITH PERMISSION.

**Ministry of
Municipal Affairs**

**Ministère des
Affaires municipales**

Ministry of Housing

Ministère du Logement

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Central Ontario
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Toronto ON M5G 2E5
Phone: 416 585-6226
Facsimile: 416 585-6882
Toll-Free: 1 800 668-0230

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du Centre de l'Ontario
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Sans frais : 1 800-668-0230



May 3, 2018

Via email only

Brian Bridgeman, Commissioner
Planning and Economic Development Department
Region of Durham
605 Rossland Road East, 4th Floor
Whitby, ON L1N 6A3

Dear Mr. Bridgeman,

**RE: Proposed Regional Official Plan Amendment 2018-002 - Transportation
Network Changes
Durham Region
Durham File OPA 2018-002
MMAH File No. 18-OP-184226**

Thank you for providing the Ministry of Municipal Affairs and Ministry of Housing ("MMA") with an opportunity to review the Region of Durham's ("the Region") proposed Regional Official Plan Amendment ("ROPA") 2018-002. The proposed ROPA seeks to enact certain transportation network changes related to the Region's Transportation Management Plan ("TMP") and seeks to resolve Deferral 7 of the Durham Regional Official Plan ("ROP") as it pertains to the classification of Dixie Road in Pickering. MMA is also in receipt of the additional correspondence dated April 13, 2018 regarding the deferral.

We understand that the proposed ROPA is intended to implement certain technical recommendations made through the TMP (as endorsed by Regional Council in December 2017). Other policy recommendations in the TMP will be addressed in the future through the Region's Municipal Comprehensive Review (MCR) process.

Through the One-Window Provincial Planning Service, the proposed ROPA was circulated to the Ministry of Transportation (MTO) for review and comment. As you are aware, MTO participated in the preparation of the TMP, which informed the development of the ROPA. MTO has also previously provided comments to the Region on the TMP.

Based on our review, we have prepared the following scoped One-Window comments on the proposed ROPA to assist the Region:

- We are supportive of the proposed ROPA, reflecting the new Higher Order Transit Network, the updated Strategic Goods Movement Network and Road Network, and the revised Arterial Road Criteria identified as part of the TMP.
- TMP Action 51 recommended a “complete streets approach for road planning, design, operation and maintenance [with] consideration of the needs of all travel modes as appropriate and feasible within the context of each project.” It is recommended that the Region consider adding this objective to the proposed ROPA to align with the TMP recommendation and Growth Plan, 2017 policy 3.2.2.3.

As noted in the correspondence dated April 13, 2018 the Region is requesting the resolution of Deferral 7. As indicated in this correspondence and set out in the proposed ROPA, the Region’s TMP advanced a series of recommendations including designating Dixie Road in Pickering as a Type C Arterial, which reflects the planned function of the road. As such, the Region’s proposed update to Schedule C, Map C2 through the proposed ROPA will resolve the deferral. In particular, we note the following:

- Durham ROP policy 15.13 speaks to deferrals to the ROP, which may be resolved through further approved amendments to the Plan as initiated by Regional Council. Pursuant to O. Reg. 525/97 under the *Planning Act*, a ROPA such as the proposed one is exempt from the Minister’s approval. As such, the Region is in a position to consider addressing the deferral without the need for a Ministerial decision.
- Prior to adopting the proposed ROPA, the Region should satisfy itself that the proposed ROPA appropriately resolves the original concerns resulting in Deferral 7. It is the Ministry’s position that the adoption of this ROPA will render moot and thus resolve the outstanding deferral by the Minister in its 1993 decision on the Official Plan.

As previously noted, we understand that additional policy recommendations from the TMP will be addressed in the future through the Region’s MCR. In addition to the above noted comments, we offer the following general comments for the Region’s consideration as part of a future MCR:

- The Growth Plan, 2017 provides direction on integrated transportation planning, including policies on Major Transit Station Areas, and identifies priority transit corridors shown on Schedule 5 to the Plan, which are to be identified in official plans. We note that the Lakeshore East GO Rail Line is identified as a priority transit corridor on Schedule 5.
- The Region may wish to consider Ontario’s Freight Supportive Guidelines and Ontario’s Transit Supportive Guidelines when updating related policies as part of the MCR process.
- A number of provincial initiatives are underway which may impact the MCR,

including the Greater Golden Horseshoe (GGH) Transportation Plan. It is recommended that the Region review this document to ensure future transportation policies align with provincial goals and objectives.

Once again, thank you for circulating the proposed ROPA, and the additional correspondence, for review. Should you have any further questions, please contact me at 416-585-6063.

Yours truly,

A handwritten signature in black ink, appearing to read "Ross Lashbrook". The signature is written in a cursive, somewhat stylized font.

Ross Lashbrook,
Manager - Community Planning and Development (East)

Attachment 4

Comments Received on the Proposed Amendment and Responses

Regional Official Plan Amendment Application 2018-002

Town of Ajax

Item	Comment	Response	Change to OPA Recommended
1.	<p>It is recommended that the Region's OPA include a policy statement that establishes a link between the Region's mode share target in the TMP and TDM initiatives or policies. To assist in achieving Direction 5 of the TMP, the Region's OPA should also include policies that:</p> <ul style="list-style-type: none"> • Promote improved awareness and use of sustainable travel modes; and • Require new developments to be designed to support transit, active transportation and carpooling. 	<p>"Envision Durham", the Region's Municipal Comprehensive Review (MCR) of the Regional Official Plan, will review and incorporate TDM related policies in consultation with the local area municipalities. As part of the MCR process, and as an action item recommended by the TMP, the Region intends to prepare TDM Development Guidelines. From this work, it is staff's intent to provide updated policies related to TDM and improving mode share for transit and active transportation in a comprehensive manner.</p>	No

Item	Comment	Response	Change to OPA Recommended
2.	<p>It is recommended that a robust Complete Streets approach be added to the Region's OPA to ensure that:</p> <ul style="list-style-type: none"> • Cultural Heritage Resources, such as those located along Kingston Road and Church Street in the Pickering Village area of the Town of Ajax, are not negatively impacted by transportation infrastructure; • Safety for pedestrians and vulnerable road users, including seniors and those with mobility or accessibility challenges, is protected by limiting roadway speeds and right-of-way widths; and • New development is facilitated through compact, mixed-use, pedestrian-friendly design that supports the use of sustainable transportation modes. 	<p>Complete Streets policies to support the TMP will form part of Envision Durham. Further, to help inform and support the development of Complete Streets policies, the Region is currently undertaking an update of its Arterial Corridor Guidelines, dated February 2007, to better reflect the needs of all road users, including sustainable transportation modes. In turn, staff will also address the recommendations from the ongoing Durham Strategic Road Safety Action Plan.</p>	No

Item	Comment	Response	Change to OPA Recommended
3.	Delete Clements Road extension as a future Type C Arterial	<p>The Region recognizes, as noted in TRCA's comments, that there are significant environmental constraints in terms of constructing the Clements Road connection. However, the Region recommends that the future Type C Arterial designation continue to be provided in the ROP to support long term development, redevelopment and intensification of lands along the Bayly Street corridor in south Ajax and south Pickering.</p> <p>In addition, the facility would provide some relief to Bayly Street traffic volumes (approx. 200 peak hour trips) and would provide relief to and improve the operation of nearby intersections (Westney/Bayly, Church/Bayly) to accommodate traffic growth. It would also act as a relief valve when traffic incidents occur on Bayly Street or other parallel routes. In recognition of its environmental context, the TMP recommended a feasibility study to examine benefits to the surrounding road network vs. the potential environmental impacts and associated costs for constructing the link. A Class EA study for the widening of Bayly (Brock Road to Westney Road) is scheduled to start in 2024, and the feasibility study should be conducted as part of that work.</p>	No

Item	Comment	Response	Change to OPA Recommended
4.	Delete Shoal Point Road realignment (south of Bayly Street) and extension (north of Bayly Street) as a future Type C Arterial	<p>The deletion of the Shoal Point to Ashbury Boulevard section was addressed through a separate Regional Official Plan Amendment application (OPA 2014-006) and a subsequent Decision of the Ontario Municipal Board (OMB) dated July 18, 2017. The OMB's Order was withheld pending its receipt of final planning documents. Once the Order is released by the OMB, the OPA will be in full force and effect (Amendment #168) and the change will be reflected on Map 'C2' through the next consolidation of the ROP.</p> <p>The deletion of the Shoal Point Road extension north of Bayly Street to Achilles Road is subject to a separate application (OPA 2005-009). This OPA application was filed by Loblaw Properties, requesting the deletion of the extension when the existing distribution centre was being planned. The application is currently being held in abeyance. The TMP recommended maintaining this extension in the ROP to protect for this connection, as an alternative to the congested Salem Road/Bayly Street intersection and to provide access to the abutting remnant vacant employment lands in the long-term. Accordingly, it remains appropriate to continue to protect for this corridor in the ROP.</p>	No
5.	The Town of Ajax maintains its concern regarding the potential cost of the Williamson Drive crossing (across the CPR Belleville line east of Harwood Avenue), possibility of traffic infiltration and limited relief to parallel arterials such as Taunton Road and Rossland Road. As such, any possible connection is not on any planning horizon for the Town.	<p>Comment noted.</p> <p>Although it is recognized that cost is a concern, it is appropriate to protect for this connection in the long-term. Maintaining this link as a future connection is consistent with the goal of maximizing network connectivity, particularly for transit and active transportation, as recommended by the TMP.</p>	No

Item	Comment	Response	Change to OPA Recommended
6.	<p>Addition of clarification and policy direction on the following:</p> <ul style="list-style-type: none"> • Specific circumstances and conditions whereby different right-of-way widths would be applied to Type B Arterial roads; • Policies providing exceptions for historic areas and downtown areas which recognizes the importance of maintaining existing and allowing for desired urban form; and • Discussion of how competing interests will be considered and addressed. 	<p>The changes noted by the Town for Type B Arterials contained in the proposed amendment in Schedule 'E', Table 'E7' – Arterial Road Criteria, only pertain to those specific sections of Type B Arterials where Rapid Transit (i.e. dedicated bus lanes) or High Frequency Transit (using HOV lanes) is recommended through the TMP. However, the criteria will be clarified in response to the comment.</p> <p>Policies providing exemptions for historical areas and downtown areas are contained in area municipal official plans, and are recognized as exemptions through Schedule 'E', Table 'E7'.</p> <p>The Region is currently undertaking an update of its Arterial Corridor Guidelines, dated February 2007, which will review and update the design criteria for Type B Arterials in different land use/development contexts.</p>	Yes (Schedule 'E', Table 'E7')
7.	<p>Addition of specific Type B Arterial road criteria for Church Street consistent with the Town's OP (section 4.2.2 c) to prevent road widening that could negatively impact the heritage character and integrity of Church Street through historic Pickering Village.</p>	<p>Policies providing exemptions for historical areas and downtown areas are contained in area municipal official plans, which are in conformity with the Regional Official Plan, and are recognized as exemptions through Schedule 'E', Table 'E7'.</p> <p>The Region is currently undertaking an update of its Arterial Corridor Guidelines, dated February 2007, which will review and update the design criteria for Type B Arterials in different land use/development contexts.</p>	No

Item	Comment	Response	Change to OPA Recommended
8.	<p>Addition of specific Type B Arterial Road criteria for Bayly Street consistent with the Town's OP (section 4.2.8 d) to promote the Town's vision and goals for Downtown Ajax.</p>	<p>Bayly Street is designated as a Type A Arterial. The Town of Ajax Official Plan contains policies for Bayly Street through Downtown Ajax, including the policy for a 36 m right-of-way with 3 travel lanes in each direction. Although Schedule 'E', Table 'E7' includes criteria for a 45 m right-of-way for a 6 lane Type A Arterial, exemptions apply within Regional Centres, including Downtown Ajax. A future Class EA study will be required to identify design alternatives for the widening of Bayly Street within the context of the approved policies.</p>	No
9.	<p>Removal of Bayly Street, between Mackenzie Avenue and Burcher Road, from the Strategic Goods Movement Network.</p>	<p>Removal of this section of Bayly Street from the Strategic Goods Movement Network would create a discontinuous network through the Region and would not reflect one of its many functions. A future Class EA study will be required to identify design alternatives for the widening of Bayly Street, and as part of that work, a complete streets approach will be undertaken to balance the needs of all road users in this corridor.</p>	No
10.	<p>Prioritizing the widening of Westney Road to the short term (1-4 year) timeframe and immediately initiating the necessary EA.</p>	<p>Regional staff are pleased that the Town supports the proposed amendment to identify 45 m right-of-way needs for Westney Road between Kingston Road and Bayly Street in Schedule 'E', Table 'E7'. The 2018 Capital Road Program and Nine-Year Forecast currently has targeted the Class EA study for this section of Bayly Street to start in 2019, with construction in 2023-2025.</p>	No

Town of Whitby

Item	Comment	Response	Change to OPA Recommended
1.	<p>The Town is not opposed to recognizing the importance of east-west transportation linkages south of Highway 401, including south of Victoria Street. However, the Town has concern with the location of the Future Type C Arterial Road depicted on Map 'C2', being along the edge of the Waterfront designation.</p> <p>We understand that the "Future" road symbol is not intended to be exact, but it continues to send the wrong message for the Town and as such, is not supported. As an alternative, we suggest the following approach.</p> <ul style="list-style-type: none"> a) Amend Schedule 'C' – Map 'C2" to delete the "Future Type C Arterial" Road designation between South Blair Street and Thickson Road; and b) Add the following new policy to Section 11.3: <ul style="list-style-type: none"> “The Region recognizes the need to improve east-west transportation linkages south of Highway 401. The Region also recognizes the importance of waterfront areas as “people places”, and providing public access to the waterfront and open spaces. As such, the potential for an east-west connection between South Blair Street and Thickson Road, south of Victoria Street in the Town of Whitby will be considered in conjunction with any proposal to redevelop the existing uses in the Employment Area north of Ronald C. Deeth Park.” 	<p>The TMP recommended protection for the Water Street connection as it provides the only potential alternative to Victoria Street for east-west travel demand. Recognizing its location along the waterfront, the TMP noted that the roadway could be designed as a special purpose road focusing on active transportation, local transit and an enhanced streetscape.</p> <p>Notwithstanding the prior acquisition of the required right-of-way by the Town for most of the proposed road alignment, the Town has also had a long-standing position against the Type C Arterial alignment and a future Water Street extension along the waterfront. The Region notes that although the TMP cites that Water Street is the “only potential alternative” connection to Victoria Street, there may be a future long term opportunity for another east-west arterial alignment through the potential redevelopment of the Gerdau Ameristeel lands. As such, staff agrees with the Town’s comment that would have the effect of deleting the illustrated alignment of Water Street (from South Blair Street to Thickson Road), and adding a new policy to Section 11.3 (consistent with the wording provided) and has referenced that policy on Map ‘C2”.</p>	<p>Yes (Policy and Schedule ‘C’, Map ‘C2”)</p>

City of Oshawa

Item	Comment	Response	Change to OPA Recommended
1.	<p>The Oshawa Official Plan (OP) does not currently show the deletion of the southerly leg of the future Type 'C' Arterial Road located north of Winchester Road West between Simcoe Street North and Thornton Road North. It is recommended that the Region be advised that City Council does not support the Highway 407 crossover in this location. However, City staff note that while the crossover should be deleted, the Type "C" Arterial road north of Highway 407 East should remain and will help serve the South Columbus Industrial Area by providing access and the extension of services. The portion of the Type "C" Arterial Road, north of Winchester Road and South of Highway 407 East may be deleted. The need for the Type "C" Arterial north of Highway 407 East will be reviewed and confirmed through the Columbus Part II Plan.</p>	<p>The proposed amendment includes the deletion of this north-south Type C Arterial road from Winchester Road northerly to the east-west future Type C Arterial. These extents were proposed for deletion in the amendment to enable the arterial to have a logical end point on another arterial. However, the Region acknowledges that the alignments of future Type C Arterials within the Columbus Part II area designated in the ROP are conceptual at this time, and will be detailed through recently initiated studies for this planning area.</p>	No
2.	<p>The Oshawa OP shows the deletion of the Stevenson Road North/Thornton Road North connection as proposed under Official Plan Amendment (OPA 159), which was adopted by Oshawa City Council and is currently awaiting Regional approval. Accordingly, the City supports the deletion of the Stevenson Road North realignment in the Durham Regional Official Plan (ROP).</p>	<p>Comment noted.</p>	N/A

Item	Comment	Response	Change to OPA Recommended
3.	<p>The Oshawa OP currently shows Stevenson Road North, north of Rossland Road West and south of the Oshawa Executive Airport, as a Type 'B' Arterial Road. It is recommended that the Region be advised that City staff support the re-designation of this segment of Stevenson Road North from a Type 'B' to a Type 'C' Arterial Road. This re-designation is consistent with the re-designation of Stevenson Road North directly north of Taunton Road West from a Type 'B' to a Type 'C' Arterial Road, as proposed under OPA 159 (adopted Oshawa City Council and awaiting Regional approval).</p>	<p>Comment noted.</p>	<p>N/A</p>
4.	<p>The Oshawa OP currently shows this segment of Stevenson Road North (from north of Taunton Road to south of Conlin Road) along a linear north-south alignment. Through OPA 159 (as adopted by Oshawa City Council), the re-designation of this road segment from a Type 'B' to a Type 'C' Arterial Road has been proposed. Accordingly, it is recommended that the Region be advised that City staff support the addition of this segment of Stevenson Road North in the Durham ROP as a Type 'C' Arterial Road.</p>	<p>Comment noted.</p>	<p>N/A</p>
5.	<p>The Oshawa OP currently shows Thornton Road North between Rossland Road and Taunton Road West as a Type 'C' Arterial Road. It is recommended that the Region be advised that City staff support the re-designation of this segment of Thornton Road North from an existing Type 'C' to a Type 'B' Arterial Road, consistent with sections in the north.</p>	<p>Comment noted.</p>	<p>N/A</p>

Item	Comment	Response	Change to OPA Recommended
6.	<p>The Oshawa OP currently shows this segment of Thornton Road North (from Taunton Road to Conlin Road) along a linear north-south alignment. Through OPA 159 (as adopted by Oshawa City Council), the re-designation of this road segment from a Type 'C' to a Type 'B' Arterial Road has been proposed. Accordingly, it is recommended that the Region be advised that City staff support the addition of this segment of Thornton Road North in the Durham ROP as a Type 'B' Arterial Road.</p>	<p>Comment noted.</p>	<p>N/A</p>
7.	<p>The Oshawa OP currently shows part of the proposed Consumers Drive extension between Stevenson Road South and Thornton Road South as an existing Collector Road (i.e., Laval Drive). It is recommended that the Region be advised that City staff support the extension of Consumers Drive as a Regional Road using Regional Development Charges.</p>	<p>A feasibility study is recommended in the TMP for further examining the cost implications for this connection versus transportation need/justification, and consideration for it to become an extension of Regional Road 25 (Consumers Drive/Stellar Drive).</p>	<p>N/A</p>
8.	<p>Staff suggest the following comments for Exhibit 2B:</p> <ul style="list-style-type: none"> • Thornton Road GO Station – the label 'Add Commuter Station' should read as 'Add Future Commuter Station' • Transportation Hub (Gibb Street, west of Simcoe Street South) – The label 'Delete Transportation Hub' should read as 'Delete Future Transportation Hub' • Transportation Hub centred on Ritson Road GO Station – The label 'Add Transportation Hub' should read as 'Add Future Transportation Hub'. • Proposed CN Mainline/CP Mainline connection over Highway 401 – The label 'Realign Commuter Rail' should read as 'Realign Future Commuter Rail' 	<p>The symbols in the legend for the Transit Priority Network designations differentiate between existing and future facilities. In order to reduce the text in each "callout box" label for this and other exhibits, the words existing and future were not included.</p>	<p>No</p>

Item	Comment	Response	Change to OPA Recommended
9.	<p>Staff suggest the following comments for Exhibit 4:</p> <ul style="list-style-type: none"> Thornton Road GO Station – the label ‘Add GO Station’ should read as ‘Add Future GO Station’ and the corresponding mainline should read as ‘Realign Future GO Rail’. Thornton Road GO Station – the symbol for the future station should be shifted further west, such that it is shown directly north of the symbol corresponding to the existing Oshawa GO Station (and entirely surrounded by Employment Areas). GO Station (Gibb Street, west of Simcoe Street South) – The label ‘Delete GO Station’ should read as ‘Delete Future GO Station’. Former proposed CN Mainline/CP Mainline connection over Highway 401 – a label should be included that reads ‘Delete Future GO Rail’ to reflect the deletion of this rail segment. 	<p>The symbols in the legend for the Transit Priority Network designations differentiate between existing and future facilities. In order to reduce the text in each “callout box” label for this and other exhibits, the words existing and future were not included.</p> <p>With respect to the future Thornton Road GO Station location (Thornton’s Corners), the symbol has been shifted further west for accuracy.</p> <p>An additional label has been added to the exhibit to identify deletion for the former CN Mainline/CP Mainline connection across Highway 401.</p>	<p>Yes (Schedule ‘C’, Map ‘C3’ and Schedule ‘A’, Map ‘A4)</p>
10.	<p>Report 2018-COW-50, Attachment 3, Table 1, item #28:</p> <ul style="list-style-type: none"> For the Future East-West Type C Arterial (Ritson Road to Grandview Street), staff note that ‘Add Type B Arterial’ should be amended to ‘Add Type C Arterial’ for the Future East- West Type C Arterial in the Change column. 	<p>Comment noted.</p> <p>No change required for the recommended amendment, as this table is not included in the Decision Meeting report.</p>	<p>N/A</p>

Item	Comment	Response	Change to OPA Recommended
11.	<p>Future Bridle Road connection east of Simcoe Street North, north of Winchester Road West – Highway 407 Crossover. Staff advises that it is the City Council's position that the future Bridle Road crossover at Highway 407 East should be a Regional structure using Regional Development Charges. The need for the Bridle Road crossover will be reviewed through the Columbus Part II Plan process.</p>	<p>The Region agrees that the need for the Bridle Road crossing of Highway 407 will be reviewed through the Columbus Part II Plan process, and that the future Type C Arterial designation be maintained for corridor protection purposes. The ROP designates arterial road functional classifications regardless of road jurisdiction; however, the Region does not currently envision assuming jurisdiction of Bridle Road.</p>	No

Municipality of Clarington

Item	Comment	Response	Change to OPA Recommended
1.	The Bennett Road interchange should not be depicted as "Existing Interchange to be Removed", but the future configuration of Bennett Road will be subject to the outcome of the Environmental Assessment for the future interchange at Lambs Road	The Region agrees that the configuration of the Bennett Road interchange should be reviewed as part of a future EA study for the Lambs Road interchange. However, in its comments to MTO on the Highway 401 East EA Study (Courtice Road to East Townline Road), the Region did not support upgrading this interchange due to weaving and safety considerations with the Highway 35/115 interchange to the east, and its lack of connectivity with the Bowmanville and Newcastle urban area compared to Lambs Road.	No

Item	Comment	Response	Change to OPA Recommended
2.	<p>Re-designate Highway 2/King Avenue in Newcastle (east of Highway 35/115) from a Type A Arterial road to a Type B Arterial road, based on the following rationale:</p> <ul style="list-style-type: none"> • Type A Arterials are to connect other Type A Arterials. In this case, it connects to an “Existing Arterial” designated road in the Port Hope OP, which is closer to a Type C Arterial in the Regional Official Plan. It shows that it would have a 2-4 lane cross section with a standard ROW with of 30 m and can go as low as 26 m. It has no significant restrictions on access. • Downtown Newcastle has restricted ROW with on-street parking, which prohibits the road to function as a Type A arterial standard and no possibility for ROW expansions. • The lands east of Newcastle are within the Greenbelt, with no future possibility of urban boundary expansion that would significantly increase traffic volumes over the longer term. • The road does not serve a higher order goods movement function and it is being downgraded from a Transit Spine to “Other Transit Connection”. • The majority of Highway 2 through Durham is designated as a Type B Arterial road. These sections of Highway 2 perform a much higher order function from a vehicular and transit perspective than can ever be anticipated from Highway 35/115 eastward. 	<p>The Region has reviewed this request, which was not previously raised through the Clarington TMP, Clarington Official Plan Review, or Region’s TMP.</p> <p>Given the rationale provided, the Region agrees that certain functions of the corridor through Downtown Newcastle (e.g. on-street parking, lack of being part of the Strategic Goods Movement Network, desire for less stringent access control) are not consistent with most Type A Arterials. However, consistent with other Type A Arterials in rural and smaller urban areas of the Region, Regional Highway 2 provides an important interurban connection to Northumberland County and is an integral part of a southerly east-west Type A Arterial across the Region (comprised of Bayly, Victoria, Bloor, Holt, Baseline and Regional Highway 2). As in rural and smaller urban areas, traffic volumes tend to be lower than most urban Type A Arterials, but relative to parallel arterials do carry significantly more volume. Further, the corridor is not being “downgraded” to an Other Transit Spine, but the Transit Spine that currently exists in the ROP is being divided into three categories to better reflect their intended function, consistent with the TMP.</p> <p>If the Newcastle urban area is the primary area of concern for the corridor’s designation, the Region would consider a municipally-initiated amendment to the Clarington Official Plan to expand the exemption policies in its Official Plan beyond Downtown Newcastle.</p>	No

Item	Comment	Response	Change to OPA Recommended
2.	<p>[Continued from previous page]</p> <ul style="list-style-type: none"> • Highway 2/King Avenue has limited traffic volume and is not functionally consistent with the Type A Arterial Road Criteria from Table 'E7' of the Region's OP. • Re-designation to a Type B Arterial allows for implementation of the Region's intensification and transit objectives with appropriate land uses that are not confined by overly restrictive access control. 		
3.	<p>In terms of policy amendments to Schedule 'E', Table 'E7', a cycling lane and pedestrian sidewalk should be requirements of Type A, B and C Arterial Roads, with an alternative of having a multi-use path.</p>	<p>Cycling lanes are not necessarily suitable for all arterial roads, depending on available or potential right-of-way and forecasted traffic volumes. In many sections, a multi-use path or cycle track is a more suitable facility. The provision of cycling facilities is identified by the Regional Cycling Plan and TMP, and evaluated through Class EA and/or detailed design studies.</p>	No
4.	<p>In terms of policy amendments to Schedule 'E', Table 'E7', Clarington is not supportive of increasing the right-of-way along Highway 2 from Centerfield Drive to Highway 418 to 45 metres for an ultimate 6-lane cross-section.</p>	<p>The right-of-way requirements along Highway 2 from Centerfield Drive to Highway 418 are intended to protect for future rapid transit through the development review process for this relatively unconstrained portion of the corridor. A future Class EA or Transit Project Approval Process (TPAP) EA process would be required to identify the recommended right-of-way requirements to accommodate Bus Rapid Transit (BRT) lanes on this section.</p>	No

Item	Comment	Response	Change to OPA Recommended
5.	<p>The term 'Commuter Station' should be defined. If the term has the same definition as Transportation Hubs, it should be included in 11.3.17 e). "Transportation Hubs" There needs to be a clear understanding as to what the land use implications of a "Community Station" that are major travel destinations and facilitate transfers between different modes of travel or between transit services."</p> <p>We request that Courtice station be designated as a Transportation Hub. Clarington's Official Plan review and OPA 107 approved by the Region, designated the future Courtice GO station and Bowmanville GO station as Transportation Hubs. The Courtice GO Station is a greenfield situation and there is the opportunity to plan land uses and densities that would be transit supportive of such a station.</p>	<p>The designation of Transportation Hubs and Commuter Stations will be considered as part of the Region's upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan (Envision Durham). Although there are several policy recommendations in the TMP related to transit hubs, with the new Growth Plan (2017) and land use implications in identifying Major Transit Station Areas, the Region will update these designations as part of the MCR process.</p>	No
6.	<p>Clarington staff is supportive of the changes to policy 11.3.18 a) which require higher density and mixed uses within the Courtice and Bowmanville Transportation Hubs. We are also supportive of higher densities along the Rapid Transit Spine, as designated on Schedule 'C' – Map 'C3', Transit Priority Network.</p>	<p>Comment noted.</p>	N/A
7.	<p>The wording for 11.3.18 should be changed to: "In support of existing and future transit services, development adjacent and within a Transportation Hub, Community Station –". Adding the word "and within" conforms to the policies of section 8A.2.2 and 8A.2.9 of the Region's OP.</p>	<p>The current wording "adjacent to" is appropriate and fulfills the same intent at this time. The last paragraph of policy 11.3.18 notes that adjacent to means within the approximate 500 metre distance from the point where the Transportation Hub or Commuter Station is located, and a more detailed area shall be detailed in area municipal official plans. Please note that the Region's Municipal Comprehensive Review will be updating policies related to these designations in a more comprehensive manner.</p>	No

Item	Comment	Response	Change to OPA Recommended
8.	Municipal staff support the extension of the designated Rapid Transit Spine along Highway 2 to Highway 418. This will spur the much anticipated growth, provided regional services are provide along this corridor. It implements and supports the policies in the Clarington Official Plan.	Comment noted.	N/A
9.	Municipal staff request that the High Frequency Transit Network (HFTN) be extended to the eastern limit of the Bowmanville Urban area. By stopping High Frequency Transit on the western periphery of Bowmanville, the major of the urban community is not served well, which is so important to build the passenger base and provide connection to the GO Rail station. We note, for example, the HFTN in Whitby extends to the far north end of the Brooklin. Brooklin will have similar population and without a transit connection beyond that whereas in Bowmanville it would continue to extend eastward beyond the urban boundary with a lower order transit connection.	The Region reviewed this comment in light of existing DRT and GO Transit bus routes, the TMP and DRT Five-Year Service Strategy and agree that the High Frequency Transit Network should be extended easterly through Bowmanville to Liberty Street.	Yes (Schedule 'C', Map 'C3')
10.	Municipal staff have no objection to the change to "Other Transit Connection" beyond the east limits of the Bowmanville Urban Boundary to Newcastle but suggest that right-of-way protection occur to provide for this with potential future growth.	Right-of-way protection for the Highway 2 corridor will occur by virtue of its arterial road designation (and proposed re-designation) as a Type B Arterial, not by the presence as its Other Transit Spine designation. The same is true for the High Frequency Transit Network designation, except for specific sections noted in Schedule 'E', Table 'E7'.	No
11.	Courtice Road from the Highway 2 Rapid Transit Spine to the Courtice GO Station should be identified as "Other Transit Connections" on Schedule 'C' – Map 'C3', Transit Priority Network. This provides an important north south connection between transit systems and service prime employment area.	While we agree that this section of Courtice Road provides an important north-south connection for GO Transit and local transit routes, analysis conducted as part of the TMP did not support higher order transit service by 2031 for this section.	No

Item	Comment	Response	Change to OPA Recommended
12.	The Transit Priority Network should provide for a connection of the Freeway Transit system for Highway 418 to the Courtyce GO Station, providing yet one more intersystem connection.	While we agree that connections between future park and ride lots on Highway 418 and the Courtyce GO Station will be important, analysis conducted as part of the TMP did not support higher order transit service by 2031 to the station.	No
13.	Municipal staff support the changes made to policy 11.3.24 to include all modes of active transportation, as opposed to limiting the policy to pedestrian movement (i.e. walking).	Comment noted.	N/A
14.	Comments on updating the Regional Cycling Plan.	Comments noted, and will be considered as part of the upcoming Regional Cycling Plan update, targeted to start later this year.	N/A

Central Lake Ontario Conservation Authority (CLOCA)

Item	Comment	Response	Change to OPA Recommended
1.	<p>Request that the proposed amendment provide for the deletion of the Rossland Road extension (Harmony Road to Townline Road) as a Type B Arterial road. The request for the deletion and supporting rationale was also provided as part of CLOCA's comments on the TMP. These comments noted the lapsed Environmental Assessment (EA) approval for the extension, and significant changes to the current environmental setting and planning context in comparison to those which existed during the original EA process. In addition, CLOCA staff do not agree with the assigned criterion scoring included in the TMP to justify its inclusion in the TMP/ROP.</p>	<p>The Region's comments to CLOCA on the TMP note that the TMP will be revised to show that an approved EA is no longer in effect and needs to be updated (Appendix C). Further, the project summary sheets supporting the TMP for each Regional road widenings/ improvements will be updated for this project.</p> <p>With respect to the designation of the Rossland Road extension as a future Type B Arterial road, the Region maintains that this corridor should be protected in the ROP for the following reasons:</p> <ul style="list-style-type: none"> Without a Rossland Road connection, there is a lack of arterial road grid to serve east Oshawa and Courtice, which is not consistent with the ROP and arterial corridor guidelines. This would prolong circuitous travel for many residents in this area travelling in an east-west direction, including routing for DRT service in the area, which potentially creates its own environmental impacts in terms of additional vehicle kilometres travelled per person/household and GHG emissions. In terms of parallel corridors, Taunton Road is protected for future widening to six lanes (which would include a curbside HOV lane) beyond 2031, but Adelaide Avenue is not planned for widening and has significant right-of-way constraints particularly west of Harmony Road. The Beatrice Avenue extension is an alternative connection to the north, but its timing is uncertain and does not offer the same degree of east-west connectivity or function as Rossland Road. 	No

Item	Comment	Response	Change to OPA Recommended
2.	[Continued from previous page]	<ul style="list-style-type: none"> Through previous planning approvals (including an OMB hearing) development east of Harmony Road, and immediately south of the Rossland Road corridor west of Townline Road, has been planned with the extension in mind, including dedication of certain portions of right-of-way. Although the Class EA was recently lapsed (i.e. being over 10 years old), the ROP protects for road corridors whether an EA has been completed, is in progress, or not started or contemplated yet. The validity of this connection was reconfirmed with the TMP, given an overall east-west capacity deficiency near the Oshawa/Clarington boundary forecasted for 2031 and beyond. 	
3.	<p>The proposed amendment makes various changes to the road network designated in Schedule C to the ROP. It is understood that Schedule C represents conceptual or symbolic alignments and therefore does not precisely define existing or future road locations. However, the current proposed network should be modified in certain instances to better illustrate the avoidance of known significant environmental constraints present on the landscape (e.g. Columbus Part II Plan area in the City of Oshawa). CLOCA staff would be pleased to follow-up with you in order to provide more specific detailed examples with supporting mapping.</p>	<p>Policy 11.3.2 of the ROP identifies that the alignments of freeways and arterials identified on Maps 'C1' and 'C2' are approximate, and subject to more detailed planning and engineering studies. It also notes that any change to the alignment of these roads that is in keeping with the goals and intent of the ROP shall not require an amendment.</p> <p>New or updated arterial road alignments are obtained from area municipal secondary plans, or Class EA studies completed by the Region or area municipalities.</p>	No

Item	Comment	Response	Change to OPA Recommended
4.	<p>Several changes are proposed to Schedule C with respect to Type C Arterial roads. It is understood that many of these changes arise from land use and transportation planning undertaken by area municipalities. It is important to recognize that additional refinements to Type C road network map be made through secondary planning and/or EA planning processes that may affect the ultimate need or justification for certain road segments. We suggest including a notation to this effect on Schedule C.</p>	<p>Agreed, and the following text will be added to the Notes section on Maps 'C1' and 'C2' to complement policy 11.3.2 as follows:</p> <p>"The alignments of certain future arterial road designations are approximate, and are subject to more detailed planning and engineering studies to determine their location."</p>	<p>Yes (Schedule 'C', Maps 'C1' and 'C2')</p>
5.	<p>We wish to echo and endorse the comments provided to you by our colleagues at TRCA with respect to climate change and road ecology. Regarding climate change, we also call for consideration to how impacts to flood control, erosion hazards and natural heritage systems will be exacerbated as a result of different climate change scenarios and the need to maintain resilience and avoid the creation of new infrastructure vulnerabilities. We view the contemplated transportation infrastructure improvements in the proposed ROP amendment as an opportunity to mitigate flood and erosion hazard risks from storm events and to help maintain and restore ecological functions through the application of road ecology measures through the EA and detailed design process.</p>	<p>Comment noted. The Region's upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan (Envision Durham) will include a review of the Region's environmental policies, including climate change. Further, the TMP makes several recommendations with respect to mitigation and adaptation programs for the transportation sector, and these will be integrated into the Region's Class EAs and capital works planning and asset management processes.</p>	<p>No</p>

Toronto and Region Conservation Authority (TRCA)

Item	Comment	Response	Change to OPA Recommended
1.	<p>The Region of Durham intends to retain the Clements Road connection from Church Street to Westney Road as a future Type C Arterial within the ROP. This is despite a recommendation within the 2012 Ajax TMP to delete this connection in the ROP because the link was deemed as potentially redundant. TRCA staff similarly recommends the deletion of this connection due to significant impacts to the Natural Heritage System (NHS), Provincially Significant Wetland (PSW), Area of Natural and Scientific Interest (ANSI), TRCA property, watercourses and Regional floodplain.</p> <p>TRCA staff understands that the Region intends to complete a feasibility study prior to moving forward with a potential Clements Road connection to confirm feasibility and to examine the potential implementation of “environmentally sensitive designs”. However, please note that any kind of “environmentally sensitive design” will still result in significant environmental impacts.</p> <p>As stated in the TRCA staff response to the TMP, an Individual EA (IEA) and network analysis are necessary to examine the need for additional capacity through the area, and to consider the effects of improvements to existing roads and expansion of other modal options. The IEA should be broad enough in scope to consider a range of options and potential locations for additional infrastructure, other than the preliminary preferred route, and an evaluation of the true ecosystem cost of the impacts for the connection.</p>	<p>The Region recognizes, as noted in the Town’s comments, that there are significant environmental constraints in terms of constructing the Clements Road connection. However, the Region recommends that the future Type C Arterial corridor designation be maintained and that it continue to be protected in the ROP for the long-term to support long term development, redevelopment and intensification for lands along the Bayly Street corridor in south Ajax and south Pickering.</p> <p>This future Type C Arterial road connection was reviewed through the modelling work conducted as part of the TMP. The extension of Clements Road would provide some relief to Bayly Street traffic volume (approx. 200 peak hour trips) but, more importantly, it would provide relief to and improve the operations of nearby intersections (Westney/Bayly, Church/Bayly) to accommodate future traffic growth. The facility would also act as a relief valve when traffic incidents occur on Bayly Street or other parallel routes. In recognition of its environmental context, the TMP recommended a feasibility study for this link, to look at benefits to the surrounding road network in the area in more detail vs. the potential environmental impacts and associated the costs of constructing the link. A Class EA study for the widening of Bayly (Brock Road to Westney Road) is scheduled to start in 2024, and a feasibility study should be conducted as part of that work.</p>	No

Item	Comment	Response	Change to OPA Recommended
1.	[Continued from previous page]	Following completion of a feasibility study, and assuming that the designation is recommended to be maintained, then a Class EA would be required for the road connection. The Terms of Reference for the Class EA, which should be developed with input from TRCA, would cover the detailed assessments noted in TRCA's comments rather than conducting a much more rigorous Individual EA.	
2.	<p>The Region intends to retain the Shoal Point Road extension from Bayly Street to Achilles Road as a future Type C Arterial within the ROPA. This is despite a recommendation in the 2012 Ajax TMP to delete this extension. TRCA staff similarly recommends the deletion of this extension due to significant impacts to the NHS, PSW, TRCA property, watercourses and Regional floodplain.</p> <p>An OMB decision was released on July 18, 2017 to remove this extension in principle, but the order was withheld subject to the final version of planning instruments being received by the OMB. Please note that similar to the Clements Road connection, an IEA and network analysis are necessary should the Region continue to proceed with a Shoal Point Road extension.</p>	<p>The deletion of the Shoal Point Road realignment, south of Bayly Street, and an existing section of Shoal Point Road southerly from the realignment to Ashbury Boulevard, is being addressed through a separate Regional Official Plan Amendment application (OPA 2014-006) and has already been addressed through a Decision of the Ontario Municipal Board dated July 18, 2017. However, the OMB's Order was withheld pending its receipt of the final planning documents. Once the Order is released by the OMB, the OPA will be in effect (Amendment #168) and the change will be reflected on Map 'C2' through the next consolidation of the ROP.</p> <p>A Class EA would be required for the road connection which would cover the detailed assessments noted in TRCA's comments.</p>	No

Item	Comment	Response	Change to OPA Recommended
2.	[Continued from previous page]	<p>The deletion of the Shoal Point Road extension north of Bayly Street to Achilles Road is tied to a separate application (OPA 2005-009). This OPA application was filed by Loblaw Properties, requesting the deletion of the extension when the distribution centre was being planned. The application is currently being held in abeyance. The TMP recommended maintaining this extension in the ROP to protect for this connection, as an alternative to the congested Salem Road/Bayly Street intersection and potentially to provide access to the abutting remnant vacant employment lands in the long-term. Accordingly, it remains appropriate to continue to protect for this corridor in the ROP.</p>	

Item	Comment	Response	Change to OPA Recommended
3.	<p>TRCA recommends the deletion of Fifth Concession Road, from Sideline 4 to Lake Ridge Road, as a future Type B Arterial within the ROPA. This is due to significant impacts to the NHS, mature forest and watercourse. Both TRCA and CLOCA have an interest and concerns regarding this road connection as it traverses through both jurisdictions.</p> <p>The future extension of Conlin Road westerly to Lake Ridge is proposed to be deleted in the proposed amendment. As a future connection east of Lake Ridge Road is no longer being considered, a Fifth Concession Road connection west of Lake Ridge Road to Sideline 4 will no longer provide additional east-west network capacity and connectivity through the area. Further study should be undertaken to assess the value and need for this linkage, given the significant environmental impacts, and an IEA and network analysis are necessary should the Region choose to proceed with this connection.</p>	<p>The Region has reviewed the comment, and consistent with our response on the Draft TMP, the portion of Fifth Concession Road along the Ajax/Pickering boundary, between Sideline 4 and Lake Ridge Road, should be maintained as an existing/future Type B Arterial for corridor protection purposes.</p> <p>Although we recognize that the section of the corridor (as depicted in the ROP) lies within the Greenbelt NHS, woodland and wetland features, protecting for this corridor in the ROP is prudent to not preclude the future opportunity for a continuous east-west connection between Lake Ridge Road and the York-Durham Line. As part of Envision Durham, the Region's Municipal Comprehensive Review (MCR) of the Regional Official Plan, the Region will take TRCA's comments on this link under consideration as we further review the need for 2041 population and employment forecasts under the new (2017) Growth Plan requirements.</p> <p>A Class EA would be required for the road connection which would cover the detailed assessments noted in TRCA's comments.</p>	No
4.	<p>The future Type C connection between Sandy Beach Road and Dillingham Road identified within the ROPA is under the jurisdiction of the City of Pickering and will be addressed within their upcoming Integrated TMP. TRCA staff recommends the deletion of this future connection in the ROPA due to significant impacts to the NHS, PSW, ANSI, watercourses and Regional floodplain.</p>	<p>The Region recommends continuing to protect for this connection, as it provides the only east-west alternative connection for travel within Employment Area lands in south Pickering. This connection would be under the jurisdiction of the City of Pickering, and a future Class EA study would be required to identify alternatives and recommend a preferred alignment that would minimize impacts to nearby sensitive features.</p>	No

Item	Comment	Response	Change to OPA Recommended
5.	Please ensure that the ROPA clearly reflects the proposed road network as identified in the completed Seaton Arterial and Collector Roads Environmental Study Report (November 2017). It appears that Employment Collector Road VI may be missing from Schedule 'C' of the ROPA.	The alignments of Sideline 24 (proposed Burkholder Drive) and East-West Type C Arterial (proposed Nathaniel Hastings Drive) in the proposed amendment are consistent with the Seaton Arterial and Collector Roads Environmental Study Report. The Employment Collector Road is not shown because the Region does not designate Collector roads, but this road is identified in the Pickering Official Plan through OPA 22 – Seaton Conformity Amendment.	No
6.	TRCA staff supports the recommendation within the ROPA to delete Church Street from Taunton Road to Seventh Concession as a Type B arterial designation from the ROP. As this section of Church Street crosses TRCA property (Greenwood Conservation Area lands), please ensure that any upcoming work is coordinated with TRCA Environmental Assessment Planning and Restoration Services staff.	Comment noted. To clarify, this section of Church Street is under the jurisdiction of the Town of Ajax, not the Region.	N/A

Item	Comment	Response	Change to OPA Recommended
7.	<p>Please ensure that the ROPA and TMP clearly reflect the findings of the Highway 407 East EA, as well as the Regional Class EA for Seaton, as it relates to the proposed interchanges at Highway 407. Please note that the Salem Road and Westney Road interchanges are identified as deferred in the Highway 407 East Extension EA, and an overpass is identified at Rossland Road (i.e. no interchange) within the Seaton Regional Class EA. Please update the ROPA and TMP so that they are consistent with the above-named EAs.</p>	<p>The proposed amendment reflects the finding of these EA studies in terms of existing and future interchange locations. As such, the Future Interchange symbols should remain on Maps 'C1' and 'C2' in the ROP.</p> <p>To clarify, the Highway 407 East Extension EA includes the preliminary design for the Westney Road and Salem Road interchanges, and it was through the Phase One implementation process that these interchanges were deferred from detailed design and construction. These future interchanges are EA approved and should be implemented by 2031.</p> <p>The Region's Central Pickering Development Plan Regional Services Class EA includes approximate locations for the Rossland Road (Sideline 22/proposed Peter Matthews Drive) interchange at Highway 407. Provisions for further study to identify the timing for detailed design and construction of this interchange are also included in the Seaton Memorandum of Understanding between the Province, Region and Seaton Landowners Group. As such, the Future Interchange symbols should remain on Maps 'C1' and 'C2' in the ROP.</p>	No

Item	Comment	Response	Change to OPA Recommended
8.	<p>When planning and designing the road and infrastructure network, consideration should be given to how impacts, as a result of an expanded road network, to flood control, erosion hazards and the NHS management will be exacerbated as a result of different climate change scenarios. The role that a robust and connected NHS can have on climate change mitigation cannot be understated.</p> <p>TRCA staff views planned upgrades and improvements to roads as an opportunity to mitigate flood and erosion hazard risks and to help restore ecological functions. TRCA is actively working with municipal partners on road and other infrastructure project, and would appreciate the opportunity to work closely with Regional staff early in the planning and design processes.</p>	<p>Comment noted.</p> <p>Envision Durham, the Region's upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan, will include a review of the Region's environmental policies, including climate change. Staff look forward to working with the TRCA as this work unfolds.</p> <p>Further, the TMP makes several recommendations with respect to mitigation and adaptation programs for the transportation sector, and these will be integrated into the Region's Class EAs and capital works planning and asset management processes.</p>	No

Ministry of Municipal Affairs

Item	Comment	Response	Change to OPA Recommended
1.	Through the One-Window Provincial Planning Service, the proposed ROPA was circulated to the Ministry of Transportation (MTO) for review and comment.	Comment noted. MTO was also circulated and we appreciate the coordination and scoping of comments by MMA.	No
2.	We are supportive of the proposed ROPA, reflecting the new Higher Order Transit Network, the updated Strategic Goods Movement Network and Road Network, and the revised Arterial Road Criteria identified as part of the TMP.	Comment noted.	No
3.	TMP Action 51 recommended a “complete streets approach for road planning, design, operation and maintenance [with] consideration of the needs of all travel modes as appropriate and feasible within the context of each project.” It is recommended that the Region consider adding this objective to the proposed ROPA to align with the TMP recommendation and Growth Plan, 2017 policy 3.2.2.3.	Complete Streets policies to support the TMP are being considered as part of Envision Durham, the Region’s upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan. Further, to help inform and support the development of Complete Streets policies, the Region is currently undertaking an update of its Arterial Corridor Guidelines (February 2007) document, and is awaiting recommendations from the ongoing Durham Strategic Road Safety Action Plan.	No

Item	Comment	Response	Change to OPA Recommended
4.	<p>Durham ROP policy 15.13 speaks to deferrals to the ROP, which may be resolved through further approved amendments to the Plan as initiated by Regional Council. Pursuant to O. Reg. 525/97 under the Planning Act, a ROPA such as the proposed one is exempt from the Minister's approval. As such, the Region is in a position to consider addressing the deferral without the need for a Ministerial decision.</p> <p>Prior to adopting the proposed ROPA, the Region should satisfy itself that the proposed ROPA appropriately resolves the original concerns resulting in Deferral 7. It is the Ministry's position that the adoption of this ROPA will render moot and thus resolve the outstanding deferral by the Minister in its 1993 decision on the Official Plan.</p>	<p>The clarification regarding O. Reg. 525/97 of the Planning Act is appreciated. Accordingly, the Region will seek to resolve Deferral 7 by adding the recommendation to designate it to a Type C Arterial as part of the proposed amendment.</p>	<p>Yes (Schedule 'C', Map 'C2' and ROP – List of Active Deferrals to the 1993 Regional Official Plan Approval as of May 11, 2017)</p>

Item	Comment	Response	Change to OPA Recommended
5.	<p>We offer the following general comments for the Region's consideration as part of a future MCR:</p> <ul style="list-style-type: none"> • The Growth Plan, 2017 provides direction on integrated transportation planning, including policies on Major Transit Station Areas, and identifies priority transit corridors shown on Schedule 5 to the Plan, which are to be identified in official plans. We note that the Lakeshore East GO Rail Line is identified as a priority transit corridor on Schedule 5. • The Region may wish to consider Ontario's Freight Supportive Guidelines and Ontario's Transit Supportive Guidelines when updating related policies as part of the MCR process. • A number of provincial initiatives are underway which may impact the MCR, including the Greater Golden Horseshoe (GGH) Transportation Plan. It is recommended that the Region review this document to ensure future transportation policies align with provincial goals and objectives. 	<p>Comment noted.</p> <p>Envision Durham, the Region's Municipal Comprehensive Review (MCR), will implement the new Growth Plan policies in terms of Major Transit Station Areas. The Region will also consider the MTO guidelines noted and the ongoing GGH Transportation Plan.</p>	No

Metrolinx

Item	Comment	Response	Change to OPA Recommended
1.	<p>The Draft OPA identifies “future commuter rail” service to Uxbridge, Seaton, and along the existing freight rail line to Peterborough. Please note that these rail services are identified for beyond 2041 in the 2041 Regional Transportation Plan (2041 RTP). Further, while the Bowmanville extension on the Lakeshore East GO line is identified as a “future “Commuter Rail” connection”, please note that in the 2041 RTP the extension is identified as an “In Delivery” project, for 2024. It is recommended that these two rail services with different timelines be labelled differently in the Draft OPA.</p>	<p>The Region reviewed the TMP’s 2031 Higher Order Transit Network and compared it with the proposed amendment, and we agree that a different symbol should be identified for the future Commuter Rail symbol for the extension of GO Rail service to Uxbridge and along the CPR Havelock line to Peterborough. This new designation, “Protect for Future Commuter Rail” is more consistent with the TMP and Metrolinx 2041 Regional Transportation Plan (RTP). However, the Region will continue to designate GO Rail service to Seaton along the CPR Belleville line within the horizon of the ROP (2031). In our comments on the Regional Transportation Plan, we have requested that Metrolinx undertake and EA study for this connection and feel it is an important component for the development of the Seaton Community as a transit first community as envisaged through the Central Pickering Development Plan.</p>	<p>Yes (Schedule ‘C’, Map ‘C3’)</p>
2.	<p>In general, we suggest that rather than refer to GO Stations as commuter stations, they should be referred to as GO Stations. Identifying GO Stations as “commuter stations” does not support or align with the vision for frequent (every 15-minutes) two-way, all-day GO Rail service on the Lakeshore Corridor, which is designed to encourage and serve travel by transit at all times of the day for purposes other than to just commute to work. Further, identifying GO Stations as “commuter stations” along the lakeshore corridor does not align with current 30-minute, two-way, all-day GO rail service levels. Please note this also applies to the designation “commuter rail”.</p>	<p>The Region’s upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan will be reviewing the designations of Transportation Hubs and Commuter Stations, and supporting land use and transportation related policies.</p>	<p>No</p>

Item	Comment	Response	Change to OPA Recommended
3.	<p>The proposed amendments to Map C3 do not appear to align with the TMP Map 1B. The TMP identifies “Rapid Transit (Exclusive Lanes)”, “High Frequency Bus in HOV Lanes”, and “High Frequency Bus in Shared Lanes”, whereas the Draft OPA identifies “Rapid Transit Spine” and “High Frequency Transit Network”. While section 11.3.17 in the Draft OPA provides a definition for High Frequency Transit Network, “buses in planned HOV lanes, or buses or (note typo) in mixed traffic with transit signal priority at major intersections”, the loss of this information from the map (compared to the TMP) may de-emphasize the importance of HOV lanes and signal priority. Further, we recommend that the location of future HOV lanes be clearly identified on the map as per the TMP, to again emphasize their importance in the transit network, and align with the Frequent Rapid Transit Network (FRTN), identified in the 2041 RTP.</p>	<p>In reviewing the 2031 Higher Order Transit Network in the TMP to updating the Transit Priority Network in the ROP, staff decided to maintain the Transit Priority Network title in the ROP and reduce/generalize the number of categories for different transit corridors. With this in mind, however, it was not our intention to de-emphasize the importance of HOV lanes and transit signal priority but to keep the Transit Priority Network at an appropriate level of detail. Outside of the map, we have updated the arterial road criteria in Schedule ‘E’, Table ‘E7’ to clarify that right-of-way needs are dictated by road widenings to accommodate BRT or HOV lanes.</p> <p>In terms of the typo, we will edit the policy accordingly.</p>	Yes (Policy)
4.	<p>The TMP identifies “Future Provincial Transitway”, whereas the Draft OPA identifies “Freeway Transit”. We are glad to see that the Draft OPA better aligns with the 2041 RTP, which proposes high-frequency bus operating in HOV lanes on provincial highways or on toll highways, and does not endorse a future transitway.</p>	<p>Comment noted.</p>	No
5.	<p>Highway 2 east of downtown Oshawa is designated as “Existing Rapid Transit” in the Draft OPA; however, it is identified as a “high frequency bus in shared lane” with “protect for future rapid transit” designation in the TMP.</p>	<p>To clarify, the “existing” versus “future” symbols for road components of the Transit Priority Network differentiate between existing roads or future road connections. It does not relate to the whether the transit service or facility currently exists or not.</p>	No

Item	Comment	Response	Change to OPA Recommended
6.	The Draft OPA identifies Dundas/Hwy 2 and Simcoe as “Existing Rapid Transit Spine”; however, this does not align with the definition provided in section 11.3.17 “dedicated lanes in most arterial road sections”.	To clarify, the “existing” versus “future” symbols for road components of the Transit Priority Network differentiate between existing roads or future road connections. It does not relate to the whether the transit service or facility currently exists or not. One exception to this is the case of Highway 2, as there are portions of BRT lanes that exist as part of the Phase 1 BRT “Quick Win” funding from the province (Move Ontario 2020).	No
7.	Please note that the “transportation hubs” in the Draft OPA do not align with Metrolinx’s Mobility Hubs.	The Region’s upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan will be reviewing the designations of Transportation Hubs and Commuter Stations and supporting land use and transportation related policies.	No
8.	We encourage consideration be given to extending elements of Durham’s SGMN south of Regional Road 22 in order to serve the freight clusters identified in Metrolinx’s SGMN report, particularly extending Brock Road to Montgomery Park Road.	Through the TMP, staff considered identifying connectors to major routes serving employment areas as part of the Strategic Goods Movement Network (SGMN) update. However, it was decided to focus on adding additional core/through routes to the SGMN such as Bayly Street/Victoria Street/Bloor Street, Highway 7 in Pickering/Whitby and the Farewell Street addition to the Port of Oshawa. Although the latter connection is similar to the section of Brock Road south of Bayly Street in Pickering, Farewell Street was elevated to a SGMN route as it connects to the commercial port. Through the Region’s ongoing Arterial Corridor Guidelines update, we will review arterial road connections in terms of goods movement, particularly for those that are feeder routes to/from Employment Areas.	No

Item	Comment	Response	Change to OPA Recommended
9.	<p>We are pleased to see emphasis placed on transportation demand management (TDM) measures. It is useful to note that many regions use development charges to fund TDM measures and also incorporate TDM standards for new developments. Durham Region may want to consider adopting this practice as well. Additionally, Metrolinx looks forward to working with the Region to expand the reach and effectiveness of the Smart Commute program and improve multi-modal connections to GO Stations.</p>	<p>Comment noted.</p> <p>The Region's upcoming Municipal Comprehensive Review (MCR) of the Regional Official Plan will be developing TDM related policies in more detail. As part of the MCR process, and as an action item recommended by the TMP, the Region intends to prepare TDM Development Guidelines. From this work, it is intended that policies related to TDM and improving mode share for transit and active transportation will be provided in a comprehensive manner.</p>	No



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: #2018-COW-122
Date: June 6, 2018

Subject:

Planning Application Processing Fees, File: F32-01

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Region's Planning Application Fee By-law be updated in accordance with the proposed fee schedule within Attachment 1 to this report;
 - B) That the Regional Solicitor be authorized to prepare the necessary by-law to incorporate amendments to the Planning Application Fee By-law;
 - C) That the new Planning Application Fee By-law come into effect on July 1, 2018; and
 - D) That a copy of Commissioner's Report #2018-COW-122 be forwarded to the Area Municipalities, the Conservation Authorities, and the Building Industry and Land Development Association (BILD), for their information.
-

Report:

1. Purpose

- 1.1 Section 69 of the *Planning Act* enables the Council of a municipality to establish a tariff of fees by-law for the processing of applications made in respect of planning matters. The tariff is designed to meet the anticipated costs to process each type of application.
- 1.2 The Region's current Planning Application Fee By-law contains 36 different types of

planning fees (refer to Attachment 1) and is reviewed every other year to ensure that the fees remain appropriate and reasonable.

- 1.3 The purpose of this report is to provide an overview of the 2018 fee review and to recommend certain changes to the Fee By-law to ensure that adequate fees are being charged to review planning applications.

2. Proposed Fee By-law Amendments

- 2.1 The review of fees has examined the anticipated cost to process each type of planning application based on staff time and resources. A comparative analysis of the Region's fees with other Regional municipalities in the Greater Golden Horseshoe (GGH) and the Region's eight area municipalities was also undertaken.
- 2.2 The analysis has confirmed that modest changes to the existing Fee By-law are warranted in order to better recover some of the costs associated with development application processing. The majority of the Region's fees are proposed to remain unchanged. A description of the recommended changes is provided below.

Area Municipal Official Plan Amendment (AMOPA) Fees

- 2.3 The current Fee By-law includes fees of \$2,000 for the Region's review of exempt AMOPA applications, and \$4,000 for the review of non-exempt AMOPA applications. An exempt application means one which is exempt from Regional approval.
- 2.4 The current fees (\$2,000 and \$4,000 respectively) are not sufficient to cover the costs to review these types of applications. Accordingly, it is recommended that the fee to review an exempt AMOPA application be increased to \$2,500, and that the fee to review a non-exempt AMOPA be increased to \$4,500.
- 2.5 The proposed updated fees are appropriate in comparison with those being charged in other Greater Golden Horseshoe (GGH) Regions.

Plan of Subdivision/Condominium Fees

- 2.6 The current Fee By-law includes fees of \$3,000 for the Region's review of delegated Plan of Subdivision applications, \$1,500 for the review of delegated Standard Plan of Condominium applications, and \$4,500 for the review of non-delegated Plan of Subdivision applications. A "non-delegated" Plan of Subdivision/Condominium is one that is located in one of the three northern municipalities in Durham Region (Brock, Scugog, or Uxbridge).

- 2.7 The current fees are not sufficient to cover the staff and administrative costs to review these types of applications. Accordingly, it is recommended that the fee to review a delegated Plan of Subdivision application be increased to \$4,000, the fee to review a delegated Standard Plan of Condominium application be increased to \$2,000, and the fee to review a non-delegated Plan of Subdivision application be increased to \$5,500. The proposed fees are also more consistent with those being charged in other GGH Regions.

Recirculation

- 2.8 No fee is currently collected for the re-circulation of new or updated plans/studies prior to draft approval of Plan of Subdivision/Condominium applications. It is recommended that a fee of \$1,000 be applied to cover the costs associated with this service. The proposed fee is consistent with those being charged in other GGH Regions.

Extension of Draft Approval

- 2.9 The extension of draft approval for non-delegated Plan of Subdivision/Condominium applications requires staff time and processing effort which is not currently captured by the existing fee by-law. It is recommended that a fee of \$1,500 be introduced for this process, consistent with those being charged in other GGH Regions.

Consent Applications

- 2.10 The current Fee By-law includes fees of \$300 for Regional staff's review of consent applications and \$150 for the processing of a tabled consent application. A tabled application means one where the Land Division Committee deferred its decision to a later hearing date.
- 2.11 The current tabling fee falls well short of the administrative and mailing costs associated with the processing and mailing of notices for rescheduled consent applications.
- 2.12 The existing consent commenting fee does not recover the anticipated review and clearance costs associated with Land Division Committee applications. Accordingly, it is recommended that the fee for Regional staff to review and comment on a consent application be increased to \$500, and that the fee to review a tabled consent application be increased to \$300.
- 2.13 The proposed fee by-law would also clarify that all tabled applications would be

subject to a tabling fee.

3. Housekeeping Matters

- 3.1 The Region of Durham currently accepts payment for Planning application fees by regular cheque. On several occasions Regional staff have processed regular cheques which have been returned as 'not-sufficient funds' (NSF) cheques. In some instances, considerable resources were utilized to recover these funds. Accordingly, it is recommended that the Region only accept payments made for Planning application fees by certified cheque, bank draft, or money order. This is consistent with the practices of other jurisdictions.

4. Consultation

- 4.1 Planning Division staff consulted with representatives from the Building Industry and Land Development Association (BILD) to discuss the proposed changes to the Fee By-law. BILD did not express any concerns with the proposed changes.

5. Conclusions

- 5.1 The 2018 review of the Region's Planning Application Fee By-law has concluded that modest changes are required to ensure that sufficient fees are charged to meet the anticipated costs to review the applications. The proposed changes compare favourably with fees charged by other GGH Regional municipalities. Staff have consulted with BILD on the proposed changes and will continue to liaise with BILD on future fee reviews.
- 5.2 It is recommended that the Regional Solicitor be authorized to prepare the necessary by-law to incorporate the recommended changes and that the new Fee By-law come into effect on July 1, 2018.

6. Attachments

Attachment #1: Region of Durham Planning Application Fee Schedule - Summary of Fees.

Respectfully submitted,

Original signed by

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

Attachment #1
 Region of Durham Planning Application Fee Schedule
 Summary of Fees (including Proposed Changes)

Regional Official Plan Amendment (ROPA)

Minor Regional Official Plan Amendment	\$7,000
Major Regional Official Plan Amendment	\$20,000
Reactivation Fee (following 3 years of ROPA inactivity)	\$2,500

Area Municipal Official Plan Amendment (AMOPA)

Review Fee	\$2,000	\$2,500
Approval Fee (non-exempt applications only)	\$4,000	\$4,500

Plan of Subdivision and Condominium

Non-Delegated Municipalities (Brock, Scugog and Uxbridge)

Application Fee	\$4,500	\$5,500
Fee per unit for units in excess of 50		\$100
Re-circulation/Review of Plans/Studies prior to Draft Approval		\$500
Revision/Amendment Fee		\$1,500
Extension of Draft Approval		\$1,500
Final Approval Fee (per phase)		\$1,125

Delegated Municipalities (Ajax, Clarington, Oshawa, Pickering, Whitby)

Subdivision Review Fee	\$3,000	\$4,000
Standard / Leasehold Condo Review Fee	\$1,500	\$2,000
Common Element Condo Review Fee		\$1,000
Phased Condo Review Fee		\$1,500
Vacant Land Condo Review Fee		\$3,000
Condominium Conversion Review Fee		\$1,500
Re-circulation/Review of Plans/Studies prior to Draft Approval		\$500
Revision/Redline/Amendment/Change of Conditions Review Fee		\$1,500
Standard Clearance Fee		\$1,000

Part-lot Control Exemption By-law Approval (Brock, Scugog, Uxbridge)

Approval Fee	\$250
Fee per unit for units in excess of 5	\$100

Part-lot Control Exemption Application (Ajax, Clarington, Oshawa, Pickering, Whitby)

Review Fee	\$500
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Privately Initiated Zoning By-law Amendment (not related to another Planning Division review)

Review Fee (Standard)	\$1,500
Review Fee (Minor)	\$500

Attachment #1
 Region of Durham Planning Application Fee Schedule
 Summary of Fees (including Proposed Changes)

Land Division Committee

Application Fee		\$1,000
Review Fee	\$300	\$500
Special Meeting		\$500
Tabling application (at applicant's request)	\$150	\$300
Stamping Fee		\$750
Re-stamping Fee		\$250

Other Fees

Prepare OMB Record		\$250
Non-potable request		\$500
"Type 1" MOECC Environmental Compliance Approval		\$300
"Type 2" MOECC Environmental Compliance Approval		\$1,000
Review Fee (MOECC Renewable Energy Approval)		\$1,000
Review Fee (MMAH Minister's Zoning Order)		\$1,000
Technical Study Peer Review administration fee		10% of Peer Review Costs

Please note:

- Words and numbers in **red** indicate items that have been added.
- Words and numbers with a ~~strikethrough~~ indicate items that have been deleted.
- Payment of any of the above fees are to be made by certified cheque, bank draft or money order only.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: #2018-COW-123
Date: June 6, 2018

Subject:

Durham Trail Coordinating Committee (DTCC) Membership Appointment,
File: A01-40

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the appointment of Mr. Ron Lalonde, as Area Municipal Citizen Volunteer from the Town of Whitby, be confirmed;
 - B) That Mr. Lalonde be advised of his appointment; and
 - C) That a copy of Commissioner's Report #2018-COW-123 be forwarded to the Town of Whitby and Durham Trail Coordinating Committee.
-

1. Report

- 1.1 In December of 2017, the Town of Whitby citizen volunteer member, Ms. Carol Slaughter, resigned from the DTCC.
- 1.2 In accordance with the DTCC Terms of Reference, the Town of Whitby appointed Mr. Ron Lalonde to the Committee as per the May 8, 2018 correspondence to the Region of Durham (refer to Attachment #1).
- 1.3 Accordingly, it is recommended that the appointment of Mr. Lalonde as the area municipal citizen volunteer for Whitby, be confirmed.

2. Attachments

Attachment #1: Town of Whitby correspondence, May 8, 2018.

Respectfully submitted,

Original signed by

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



Town of Whitby
Office of the Town Clerk
575 Rossland Road East, Whitby, ON L1N 2M8
www.whitby.ca

May 8, 2018

Sandra McEleney
DATC Staff Liaison
Regional Municipality of Durham
Planning and Economic Development Department
605 Rossland Road East, Fourth Floor
Whitby, ON L1N 6A3

Re: Whitby Representative on DATC

Ms. McEleney,

Please be advised that Whitby Town Council has advised that they are in agreement with the recommendation of the Chair of the Active Transportation and Safe Roads Advisory Committee (ATSRAC), Mr. Bruce MacDonald, that Mr. Ron LaLonde should be appointed as the Whitby DATC Representative.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ch. H.", written over a faint circular stamp.

Christopher Harris
Town Clerk
905.430.4315
clerk@whitby.ca

cc. Aimee Pugao, Planner II, Parks Planning (via email)
Chris Potvin, Staff Liaison, ATSRAC (via email)



Memorandum to Council

Office of the Town Clerk

To: Mayor and Members of Council
CC: M. Gaskell, Chief Administrative Officer
From: C. Harris, Town Clerk
Date: April 19, 2018
File #: CON-130
Subject: Whitby Representative Durham Active
Transportation Committee (DATC)

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

Mayor Mitchell and Members of Council,

Please find attached correspondence received from Carol Slaughter, DATC Whitby Representative, advising that she has resigned from her position as Whitby's representative on DATC, formally known as the Durham Trails Coordinating Committee (DTCC). Correspondence is also provided from Bruce MacDonald, Chair of the Whitby Active Transportation and Safe Roads Advisory Committee (ATSRAC) recommending that Ron LaLonde be appointed as Whitby's representative.

Please advise by end of day, Thursday, April 26, 2018 if you have any concerns with the appointment of Mr. LaLonde in this capacity. If no objections are received, a letter will be sent to the Durham Region advising of Council's agreement that Ron LaLonde be appointed as the Whitby representative on DATC.

Thank you,

Christopher Harris



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning & Economic Development
Report: #2018-COW-125
Date: June 6, 2018

Subject:

Durham Trail Coordinating Committee 2018 Regional Trail Network (RTN) Map Update
File: A01-40

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the 2018 Regional Trail Network Map be approved as shown in Attachment #1 to Commissioner's Report #2018-COW-125; and
 - B) That a copy of this report be forwarded to the Area Municipalities, Conservation Authorities and other primary trail providers.
-

Report:

1. Purpose

- 1.1 The Durham Trail Coordinating Committee (DTCC) is an advisory committee of Regional Council with a goal to expand, enhance and promote a public regional trail system connecting Durham's municipalities in support of active and healthy community lifestyles.
- 1.2 One of the activities of the DTCC is to advance the Regional Trail Network (RTN) as a key transportation and tourism component of the Active Transportation (AT) network, in partnership with Planning & Economic Development, Health and Works Department staff, and area municipal partners.
- 1.3 At its meeting of May 3, 2018 the DTCC discussed and recommended changes to the RTN. The purpose of this report is to recommend a few minor changes to the

RTN, including recognition of a future trail linkage connecting Uxbridge to Pickering through the Rouge National Urban Park.

2. Background

- 2.1 The RTN illustrates a comprehensive system of recreational trails, located primarily off road, that are implemented by area municipalities and other trails organizations and cross area municipal and watershed boundaries. There are three inter-regional trails: the Lake Ontario Waterfront Trail; the Oak Ridges Moraine Trail; and the Trans Canada Trail (The Great Trail), that form the backbone of the RTN. Other trails connect to these main trails.
- 2.2 Activities that take place on a trail can include walking, jogging, motorcycling, hiking, bicycling, mountain biking, snowmobile or ATV riding, backpacking, etc.
- 2.3 The primary purpose of this map is to identify a Region-wide recreation trail network, to inform opportunities for collaboration and to assist with priority setting for trail planning and building activities across jurisdictions. The RTN Map was last updated in 2015.

3. Updated Network

- 3.1 The DTCC work plan includes updating the RTN based on the most recent data available.
- 3.2 To accomplish this, the DTCC Working Group, which includes staff from each of the local area municipalities, collaborated with Planning & Economic Development and Parks Canada staff to generate the proposed changes to the RTN (refer to Attachment #1).
- 3.3 For 2018, the key changes to the RTN reflect the following:
 - In Brock, the “Beaver River Wetlands Trail” has been renamed the “Beaver River Trail” to correspond with the facility that was completed in 2017;
 - In Uxbridge and Pickering, the Rouge National Urban Park has been added;
 - Following consultation with the Rouge National Urban Park stakeholders, a proposed trail linkage connecting Uxbridge to Pickering through the Park has been included to reflect the need for a future trail link through this area; and
 - In Scugog, a proposed trail link has been added between Port Perry and a section of the TransCanada Trail in Uxbridge, along Scugog Line 8.

3.4 The precise alignment of the Proposed Linkages, shown as dashed lines and arrows, will be determined through detailed studies, or at the time of trail planning and development.

4. Conclusion

4.1 The process for updating and maintaining an accurate map of the RTN will continue to take place as required.

4.2 Area municipal partners and conservation authorities are encouraged to continue their implementation of the RTN through their respective trail planning activities.

4.3 It is recommended that:

- i) The 2018 RTN Map as shown in Attachment 1, be approved; and
- ii) A copy of this report and the 2018 RTN Map be forwarded to the area municipalities, conservation authorities and primary trail providers.

5. Attachment

Attachment #1: 2018 RTN Map

Respectfully submitted,

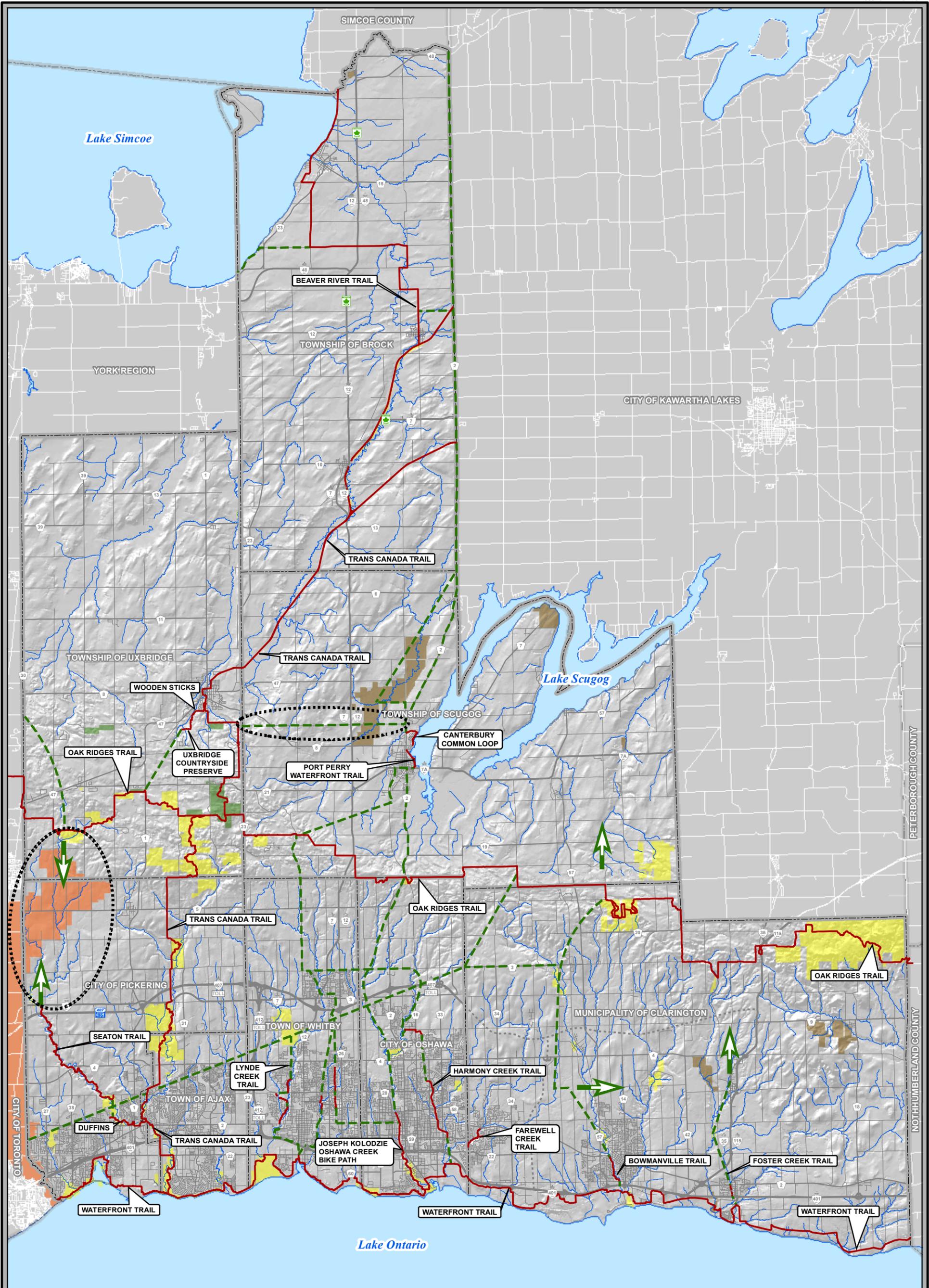
Original signed by

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



DURHAM REGIONAL TRAIL NETWORK (2018)-DRAFT



- REGIONAL TRAIL NETWORK**
- Existing Trail
 - - - Proposed Linkage
 - ➔ Potential Trail Need

NATURAL AREAS

- Rouge National Urban Park
- Conservation Land
- Regional Forest
- MNR Owned Land

This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region hereby disclaims all representations and warranties. Digital cartography, geographic analysis and compilation by The Regional Municipality of Durham, Planning Division, Data Mapping and Graphics April, 2018.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: #2018-COW-126
Date: June 6, 2018

Subject:

Durham Region's Response to the Province's Draft Agricultural Impact Assessment Guidance Document, File D23-01-01

Agricultural Impact Assessment Guidance – Environmental Bill of Rights Registry #013-2454

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That Report #2018-COW-126 be endorsed and submitted to the Ministry of Agriculture, Food and Rural Affairs as Durham Region's response to Environmental Bill of Rights Registry #013-2454 regarding Agricultural Impact Assessment (AIA) Guidance, including the following key comments and recommendations, that the Province:
- i) Include a section in the guidance document clarifying the role of the Province, municipalities, other planning authorities, and key stakeholders involved in Agricultural Impact Assessments, similar to other provincial guidance documents;
 - ii) Provide further information and examples of instances where an Agricultural Impact Assessment is not required but should be considered, such as for excess soil applications, and further details and examples of AIA requirements specific to non-agricultural uses in prime agricultural areas;
 - iii) Better align and provide cross-references, as appropriate, to other relevant guidance documents as well as amend other guidance documents, where feasible, to reference the AIA Guidance Document and ensure consistent

- messaging across provincial planning guidance documents;
- iv) Provide further direction on appropriate scale and scope of AIAs and consultation requirements, in particular, distinguishing between requirements for large scale projects verses smaller, site specific projects;
 - v) Provide further explanation on how AIAs can be streamlined with other processes and studies and provide greater detail and examples of instances where this would be logical and/or desirable;
 - vi) Better articulate the level of consultation and engagement with the agricultural community that is appropriate to the scope of the proposal and does not duplicate mandatory consultation requirements;
 - vii) Encourage the establishment of Agricultural Advisory Committees by municipalities with prime agricultural lands where they don't exist as appropriate representative bodies to provide input on AIAs; and
 - viii) Provide further details regarding how the recommendations of an AIA are to be implemented and better distinguish the recommended measures in AIAs by project type, scope and identify the implementing agency for each measure.
- B) That this report be forwarded to the Ontario Ministry of Agriculture, Food and Rural Affairs, Durham area municipalities and the Durham Agricultural Advisory Committee for information.
-

Report:

1. Purpose

- 1.1 On March 15, 2018 the Province released a policy proposal notice for public consultation on the Environmental Bill of Rights Registry (EBR) for a draft Agricultural Impact Assessment (AIA) Guidance document.
- 1.2 The purpose of this report is to provide an overview of the draft Agricultural Impact Assessment Guidance document and respond to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) in advance of its July 13, 2018 commenting deadline.

2. Background

- 2.1 The Provincial Policy Statement, 2014 requires that prime agricultural areas be

protected for long-term use for agriculture.

- 2.2 An AIA is a study that evaluates the potential impacts of non-agricultural development on agricultural operations, and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.
- 2.3 AIAs are a tool to help achieve the policy requirements of the PPS including for the evaluation of the expansion of settlement areas into prime agricultural areas. The PPS also requires that impacts from new or expanding non-agricultural uses on surrounding agricultural operations and lands be mitigated to the extent feasible, and that sites utilized for aggregate extraction in prime agricultural areas be rehabilitated back to an agricultural condition.
- 2.4 The 2017 Growth Plan, Greenbelt Plan, and Oak Ridges Moraine Conservation Plan have policy requirements for AIAs that provide support for the long term prosperity of agriculture. AIAs are required for certain types of development including, settlement area boundary expansions, infrastructure, and mineral aggregate operations within prime agricultural areas. Where AIAs are not required by the provincial plans, they are encouraged as a tool to identify and evaluate the potential impacts of non-agricultural development on agriculture and suggest recommendations to avoid, or mitigate impacts to agriculture.
- 2.5 The completion of an AIA would be needed as part of a Municipal Comprehensive Review, only if it is demonstrated that a settlement boundary expansion is required in order to accommodate forecasted growth to 2041 following the application of the provincial Land Needs Assessment Methodology. The AIA would then be used to determine the location of such an expansion based on the principles of avoiding, minimizing or mitigating impacts on the Agricultural System.
- 2.6 The Province has developed a draft AIA Guidance document. The complete document can be found here:

<http://www.omafra.gov.on.ca/english/landuse/aiagd.pdf>
- 2.7 Regional staff participated in webinars on the draft AIA Guidance document hosted by the Province.
- 2.8 Durham Agricultural Advisory Committee (DAAC) members were invited to attend a webinar for the farming community on the draft AIA guidance document hosted by the Province on March 28, 2018. Regional staff also provided a presentation to

DAAC at its meeting on April 10, 2018. DAAC considered the matter at its regularly scheduled meeting on May 8, 2018 but did not express any concerns.

- 2.9 The deadline for comment on the draft AIA Guidance document is July 13, 2018. It should be noted that the consultation period for this guidance document is longer than what has previously been provided by the Province for recent EBR postings. Regional staff are satisfied that the longer time frame has provided sufficient opportunity to review and provide comments within the allocated timeframe.

3. Overview of the Draft Agricultural Impact Assessment Guidance Document

- 3.1 The purpose of the AIA Guidance document is to assist municipalities, qualified assessment professionals, aggregate producers, development proponents, landowners and other stakeholders in meeting provincial requirements for undertaking an AIA.

- 3.2 The draft AIA Guidance document provides:

- a. A clear definition of an AIA and provincial requirements;
- b. A framework and technical guidelines and information to guide the structure and contents for AIAs; and
- c. Best practices for mitigation measures and resources to avoid where possible, minimize and mitigate impacts on agriculture (including agricultural lands and operations and the surrounding agri-food sector) and support the implementation of AIA recommendations.

4. Regional Comments on the Draft AIA Guidance Document

- 4.1 The following are staff's comments on the draft AIA Guidance document. Additional technical comments are also contained in Attachment #1.

- 4.2 Roles and Responsibilities

Unlike many of the other recent provincial planning guidance documents, the draft AIA guidance document does not outline the roles and responsibilities for the various stakeholders. **It is recommended that the Province include a section upfront in the guidance document clearly outlining the role of the Province, municipalities, other planning authorities, and key stakeholders in Agricultural Impact Assessments. In particular, better clarification is needed on the provincial role in reviewing AIAs.**

4.3 AIAs for Non-Agricultural Uses and Recommended AIAs

The draft guidance document provides detailed information on AIA requirements for settlement area boundary expansions, mineral aggregate resource extraction and infrastructure projects. AIAs for other purposes such as for proposals for non-agricultural uses in prime agricultural areas are only touched upon lightly. Additionally, AIAs are recommended as a tool for protecting the agricultural area and can be used in other circumstances where not mandated at the discretion of the municipality. Through the consultation process on the draft guidance document, placement of excess soil was raised as an instance where it might be appropriate for municipalities to request an AIA. **It is recommended that further details be provided on AIA requirements for non-agricultural uses in prime agricultural areas as well as for other instances where an AIA may not be required but could be requested, such as for the placement of excess soil.**

4.4 Alignment with other guidance documents

AIAs are required or recommended in a number of instances. While the draft AIA Guidance document contains a lot of supplemental information and links, it would be helpful if it contained detailed cross-references to other related guidance materials such as the Municipal Comprehensive Review guidelines and the Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe. **It is recommended that the Province ensure alignment with other relevant guidance documents, as well as amend other guidance documents where appropriate and feasible to reference the AIA Guidance and ensure consistent messaging. It should also be clarified, in the case of settlement area expansions, how agricultural considerations should be balanced with other priorities that are to be considered through the feasibility assessment process of a Municipal Comprehensive Review, such as environmental and servicing considerations.**

4.5 Scale and Scope of AIAs

The draft AIA Guidance document does not provide any clear distinction around differences in the scale and scope of AIAs depending on the proposal. In particular, distinguishing between appropriate scale and scope for large scale projects verses smaller, site specific projects for components such as consultation. **It is recommended that further direction on appropriate scale and scope of AIAs and consultation requirements be provided with examples.**

4.6 The Draft AIA Guidance document indicates that AIAs can be streamlined with other processes and studies. Where similar studies have been undertaken in the area or in the undertaking of an environmental assessment are provided as examples. **It is recommended that within the AIA Guidance document, additional examples of instances where this would be desirable, such as combining the AIA with a Planning Rationale Report for a site specific development application, would be helpful.**

4.7 Consultation

Typically, the preparation of studies in support of development applications relies on secondary research and information. The AIA Guidance document suggests that consultation with key stakeholders such as agricultural advisory committees, local agricultural organizations, and farmers be undertaken to inform the preparation of AIAs. However, there are also legislated public consultation requirements for planning applications, aggregate resource applications, and environmental assessments. It is unclear what the difference is between the input that would be received through, for example, the Planning Act consultation on a site specific project and consultation for the preparation of an AIA for that same project. Additional consultation with the agricultural community may be appropriate for large scale exercises like municipal comprehensive reviews, or aggregate extraction proposals but may be less practical or burdensome for small, site specific applications. Balance is needed to avoid overburdening the agricultural community with requests for input, while ensuring that the agricultural community has an opportunity to be meaningfully consulted and engaged. **It is recommended that the AIA guidance document better articulate the level of consultation and engagement with the agricultural community that is appropriate to the scope of the proposal and does not duplicate mandatory consultation requirements.**

4.8 The AIA Guidance document encourages consultation with agricultural advisory committees where they exist. **It is recommended that the Province encourage municipalities with prime agricultural lands to establish Agricultural Advisory Committees comprised of broad representation from the local agricultural community.** It is suggested that direction could be provided on how consultation should take place where agricultural advisory committees do not exist. In addition, an upper-tier agricultural advisory committee, if one exists, should be consulted on local municipal AIAs in a two-tier planning system if an agricultural advisory committee does not exist at the lower-tier.

4.9 Implementation of AIA Recommendations

The AIA Guidance document provides many examples of measures that an AIA might recommend to avoid, minimize, and mitigate impacts on the Agricultural System. Examples provided include, implementing official plan policies and programs to support agriculture, planning and supporting the agri-food network, edge planning, road safety education, and accommodating farm vehicles in road design. The vast majority of measures appear to be best practice approaches that could be adopted by municipalities, or that could be recommended through larger municipally-led AIAs or projects and are less applicable as recommendations from an AIA for privately-initiated applications. **It is recommended that the Province provide further details regarding how the recommendations of an AIA are to be implemented and better distinguish the recommended measures in AIAs by project type, scope and identify the implementing agency for each measure.**

5. Conclusion and Next Steps

- 5.1 On March 15, 2018, the Province released a policy proposal notice on the Environmental Bill of Rights Registry (EBR) for a draft Agricultural Impact Assessment Guidance document.
- 5.2 Staff will continue to monitor this matter and report back to Council as necessary following the release of a final AIA Guidance document.
- 5.3 It is recommended that this report be forwarded to the Ontario Ministry of Agriculture, Food and Rural Affairs, Durham area municipalities, and the Durham Agricultural Advisory Committee for their information.

6. Attachments

Attachment #1: Regional staff comments on EBR Posting #013-2454 – Agricultural Impact Assessment Guidance

Respectfully submitted,

Original signed by

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

**Regional Staff (Specific/Technical) Comments on Draft Agricultural Impact Assessment Guidance Document
Environmental Bill of Rights Registry Posting No. 013-2454**

Section	Comment
General	<ul style="list-style-type: none"> - Where referencing the Provincial Policy Statement and Provincial Land Use Plans, the Provincial Policy Statement should come first in the ordering. - Sub-bullets and sub-section numbering should be used for greater readability. - Consideration should be given to having separate sections in the document for settlement area expansions, aggregate extraction, and infrastructure.
1.0 Overview	<ul style="list-style-type: none"> - Page 3, in the second paragraph, “GGH” should not be abbreviated in the first instance of the use of the term. - This section provides good coverage of the Growth Plan but should provide more content on the Greenbelt Plan. - Page 4, the second paragraph indicates “AIAs are required for certain types of development within the GGH. Where an AIA is not required in land use policies (e.g. in areas outside the GGH)...”. This statement should be better clarified, likely to reference the provincial plans rather than the GGH. - Page 6, the use of abbreviations/acronyms in the table becomes confusing for the reader. - Page 8, the last sentence of the second paragraph indicates that and AIA “may” include detailed pre-extraction information of the mineral aggregate site. AIAs should include this information. Stronger language is needed. - Page 10, indicates that municipalities can conduct a peer review if there is in-house capacity. Will the Province be providing a training or certification program that allows municipal staff to be trained to review AIAs? - Page 10, Section 1.8, educational requirements should be incorporated into the bulleted list of qualifications. - Page 11, the last paragraph provides information on data to be used in the preparation of AIAs. This should be incorporated into the Technical Guidelines in the following Section 2.0.

Section	Comment
<p>2.0 Technical AIA Guidelines</p>	<ul style="list-style-type: none"> - Page 12, the first bullet under Purpose of the Study could become the first sub-bullet of the third bullet. - Page 13, under “Description and Location” first word should likely be “These”. - Page 15, under “Municipal Requirements”, the words “municipal, regional, or local” could be replaced with “all applicable”. - Page 18, Figure 1 should clearly label primary and secondary study areas. - Page 20, The list of data should include agri-food network mapping.
<p>Section 3.0 Mitigation Measures</p>	<ul style="list-style-type: none"> - Page 41, consider including link to BC Guide to Edge Planning under the Edge Planning Section rather than the Secondary Planning and Subdivision Design Section. - Page 45, baseline data should include photographs and a detailed analysis of “pre-extraction” conditions in order to ensure the site is rehabilitated accordingly. Cumulative impacts should be considered where there is a concentration of aggregate extraction sites in the area. - Page 50, better guidance is needed on what considerations should take precedence in balancing priorities.
<p>Section 4.0 Background</p>	<ul style="list-style-type: none"> - Section 4.0 Background should be moved to the beginning of the document to set out and provide the policy framework upfront.

Resolutions from Advisory Committees

Durham Trail Co-ordinating Advisory Committee

1. Bruce McDonald and John Fisher, Durham Mountain Biking Association (DMBA),
re: BUILD, RIDE, RESPECT, Dagmar North Trail

That we recommend to the Committee of the Whole for approval and subsequent recommendation to Regional Council:

That the request of the Durham Mountain Biking Association regarding a letter of support for a new Trail on Lake Ridge Road along with parking on the side of the road allowance of an unopened municipal boundary road, at zero cost to Durham Region, be endorsed, as this reflects the goals of the Region of Durham for active transportation.



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2018-INFO-84
Date: May 18, 2017

Subject:

Investment Attraction Successes

Recommendation:

Receive for information

Report:

1. Purpose

1.1 During the 2018 budget process, questions were asked about the opportunities and successes arising from the Region's Foreign Direct Investment (FDI) program. The purpose of this report is to highlight the new investment and jobs that have come to Durham Region over the past five years through the efforts of the Region's Economic Development team under the FDI program. The countries of focus under the FDI program are China, Germany, Brazil and the USA.

2. New Investment and Jobs in Durham Region

2.1 For any investment attraction program, it typically takes a number of years for the efforts to pay dividends. As a result of on-going work each year, Durham Region is now realizing job and assessment growth from both global and local markets as outlined below.

China

2.2 In May of 2012, a delegation from the Region conducted a business mission to China to explore economic and business development opportunities.

- 2.3 The types of opportunities that presented themselves included: enhanced ties to government; partnerships for Durham's educational institutions; and prospects for new economic development and tourism growth. While the initial mission was a success, additional trade missions were needed to build the relationships and the momentum from the initial visit.
- 2.4 The Economic Development team has developed strong business and government relationships in China resulting in the following new investments:
- 2.5 **Pengyuan Holdings** – is a holding company derived from the sale of stocks from YC Cable, which is one of the largest cable companies in China, and the only one on the public stock market. The holding company is owned by Mr. Yang, Chairman and Mr. Yu, CEO. Pengyuan has made the following investments in Durham since 2016:

- a. Besnovo (formerly BRIC Engineering Systems) – In late 2016, Economic Development staff visited Cleeve Technology in Oshawa and learned about their subsidiary company, BRIC, that required \$10 million to commercialize their new laser technology.

The new laser technology removes paint from aircraft without the use of harmful chemicals. Regulations require aircraft to be stripped of paint every four to seven years as part of the government's preventative maintenance and safety program. Currently, the industry uses solvents which can be harmful to the environment.

Within six months after introducing Pengyuan Holdings to the President of Cleeve Technologies, a partnership was formed with each partner being a 50% shareholder.

In January 2018, BRIC was renamed Besnovo and relocated to a temporary site in Ajax. Within the first 12 months of the partnership, 16 new high tech jobs have been created. By 2020, it is expected that a 40,000 sq. ft. facility will be built in Durham with an additional 80 new jobs.

- b. Brican Flight Systems - Mr. Yu was introduced to Brican in July 2017 as a potential investment opportunity. Brican is an Unmanned Aerial Vehicle (UAV) company from Brampton which required a \$9 million investment in order to commercialize and bring their product to market.

Pengyuan Holdings has since signed a partnership with Brican that included a requirement for the company to open their facility in Durham Region. Expectation date for full build out is 2020 with an 80,000 sq. ft. facility and over 100 new jobs.

- c. Artificial Intelligence (AI) Company - Pengyuan Holdings is currently in negotiations with an AI company as part of its conglomerate of companies to be located in Durham Region.
- 2.6 At present, Pengyuan Holdings is looking for employment land in Durham to house the above three companies. Specifically, lands are required to accommodate a 100,000 sq.ft. office building to contain the world headquarters for Besnovo, Brican and the AI company. These lands would also accommodate the 40,000 sq.ft. of manufacturing space for Besnovo; the 80,000 sq.ft. facility for Brican; and space for the AI company. Approximately 300 jobs are projected in total.
 - 2.7 Pengyuan Holdings has expressed that it wants the three companies to be operated as Canadian companies with full employment by the Canadian labour force.
 - 2.8 **Canada China Innovation City Corporation (CCIC)** – CCIC refers to a community of innovation and expertise where academia, research institutions, industry, healthcare, government and not-for-profit organizations work together to cultivate ideas, and identify and transform technological discoveries into the marketplace. CCIC’s mandate is to play a leadership role in the programming, design, construction and management of the overall development. CCIC is committed to incubator and acceleration programs for high potential entrepreneurs, start-ups and small-medium sized enterprises (SMEs) from the Chinese market.
 - 2.9 Mr. James Jiang, President of Canada Menergy Corporation, headquartered in Richmond Hill, met with Durham Economic Development staff in 2015 at Menergy’s regional headquarters in Nanjing, China. As the project lead and a key investor in the CCIC, discussions ensued about opportunities in the Seaton Innovation Corridor. In 2017, CCIC signed a deal to purchase 56 acres in the Seaton Innovation Corridor.

2.10 As stated in the CCIC Business Plan, Phase I has a goal to bring the first 15 leading investors with a total investment of \$500 million and 1,500 jobs. Timeline:

- 2016-2017: Site selection, land acquisition, design and planning.
- 2018-2019: Construction.
- 2020: Full operation.

2.11 According to the CCIC Business Plan, Phase II has a larger vision with a goal to expand the project to the total of 200 companies, with an investment of \$1.5 billion and the creation of 5,000 jobs. Timeline:

- 2020: Design and planning.
- 2021-2023: Construction.
- 2024: Full operation.

2.12 Phase III of the CCIC Business Plan contemplates the purchase of more land in Durham with a goal of expanding the project to a total of 500 companies, with a further investment of \$3 billion and the creation of an additional 8,500 jobs.

Timeline:

- 2024: Design and planning.
- 2025-2026: Construction.
- 2027: Full operation.

2.13 Many leading Chinese technology companies have expressed interest in participating in the CCIC development. As of December 2017, the following ten companies have signed a Memorandum of Understanding to be the first within CCIC.

- Menergy Corporation
 - Fully integrated geothermal heating and cooling company performing all aspects of geothermal projects including design, soil analysis, manufacturing, installation and maintenance for some of the largest geothermal projects in the world.
- Chengdu Tecbond Biological Products Co. Ltd.
 - High-tech enterprise focusing on veterinary biological products research, development, production, sales and technical services.
- Beijing Crystal Digital Technology Co. Ltd.
 - Computer graphics image processing technology company, providing creative design, production of digital image and hardware and software

integration services.

- Nanjing Standard Cloud Technologies Co. Ltd.
 - High-speed storage and cloud service provider, focusing on high-speed networks, high-speed storage technology research, application and promotion.
- Jiangsu Delin Environmental Protection Technology Co. Ltd.
 - High-tech and software company focusing on development, production and sales of water environment monitoring instrumentation.
- Nanjing TYCHO Information Technology Co. Ltd.
 - Technical research and development company in the design and production of a number of railway safety monitoring products by using a complete high-speed digital ultrasonic testing technology.
- Jiayuan Electric
 - Company focuses on research and development of pure electric vehicles, parts and production, with a mass production and sales of mini electric vehicles.
- Nanjing Chuangneng Power Science & Technology Development Co. Ltd.
 - A high-tech enterprise engaged in energy saving and environmental protection technology.
- Odin Technology (Nanjing)
 - Company focuses on the research & development of commercial display technology.
- Kanion Pharmaceutical Ltd
 - One of the largest traditional Chinese medicine companies focusing on developing and manufacturing innovative medicines and generic pharmaceuticals.

2.14 **Hans Steel** – In mid-2014, Economic Development staff assisted a China-based company, Qingdao Wuxiao Group, in expanding to North America, specifically Durham Region. The company manufactures steel structures such as power transmission and telecommunications towers.

2.15 In June 2015, Hans Steel Canada, with the Qingdao Wuxiao Group as a shareholder, took possession of 6 Sangster Road in the Uxbridge Industrial Park. The property had an existing building with a gross floor area of approximately 85,000 sq.ft. Hans Steel expanded to 120,000 sq. ft. within one year of operations, adding approximately 40 employees.

-
- 2.16 **Beijing Future Science Park (BFSP)** - In Spring 2017, Spark Centre staff joined the Region of Durham's business mission to China that resulted in Spark signing an MOU with the BFSP.
- 2.17 Part of the agreement includes reciprocal office space whereby Spark Centre now has a furnished office in the BFSP to be utilized by Spark Centre clients. In September 2017, one of Spark's clients travelled to China and used the office space while working with companies and advisors of the BFSP. This entrepreneur found the mission to be very valuable and has since developed partnerships and relationships that can be used to grow his global presence.
- 2.18 The BFSP also provided \$40,000 to Spark's 2017 Ignite Competition in the "Scale-Up" category" with the intent of attracting the winner to work with companies in the BFSP and/or surrounding areas. Spark is working with BFSP to have this financial contribution remain an annual sponsorship.
- 2.19 The BFSP is located in a suburb of Beijing called Changping. In 2012, Durham Region signed an MOU with Changping to develop a business relationship. The new partnership with Spark and the BFSP continues to build on Durham Region's FDI efforts in China, and Spark's vision for greater global outreach.
- 2.20 Two of Spark's clients will be travelling to China in May 2018, in search of supply chain, technology exchange, and investment. The Region of Durham's in-market consultant in Wuxi, China will coordinate the visit to ensure appropriate and suitable meetings are arranged. The delegation will also travel to the BFSP in Changping with pre-arranged meetings.

Germany

- 2.21 **Jürgen Löhrke GmbH** – This company selected Durham Region as the North American Headquarters for their new subsidiary, LOEHRKE Process Hygiene Inc.
- 2.22 LOEHRKE is a well-established German company specializing in the engineering, production and installation of specialized equipment and machinery which sanitizes packaging production lines for most major global food and beverage producers.
- 2.23 Durham Region Economic Development staff provided LOEHRKE with market research and support throughout their search for the ideal location for their new headquarters.

- 2.24 Loehrke has leased 1,000 sq. ft. of space for a sales and technical office in Whitby. A North American Sales Manager has been hired with the expectation of hiring five additional support staff within one year. The near-term (two year) vision is to build a manufacturing facility to serve their newly acquired North American clients, with an additional 40 jobs.

Brazil

- 2.25 **Menvia** – is a technology company that markets a coin-sized blue-tooth sensor and app that can be used for a variety of purposes from automatically scanning inventory, to tracking a lost or stolen wallet.
- 2.26 In 2016, Menvia’s CEO, Felipe Plets participated in Spark Centre’s Soft Landing Program and is currently in the process of obtaining a start-up visa. Mr. Plets expects to arrive in Durham in the Fall 2018.
- 2.27 **bLive** - is a technology company focused on mapping and understanding any process in which data must be immediately and reliably provided to customers. It offers simple ways to collect information with RFID and customized systems, with no need of expensive equipment and little or no training.
- 2.28 In 2016, the CEO, Roberto Xavier participated in Spark Centre’s Soft Landing Program and is currently in the process of obtaining a start-up visa. Mr. Xavier expects to arrive in Durham in the Fall 2018.

United States

- 2.29 **Gordon Food Services (GFS)** – is a major American food distributor which has purchased land in Ajax and is currently constructing a 330,000 sq. ft. state-of-the-art food service distribution facility to service customers across Eastern Ontario and Eastern Canada.
- 2.30 GFS anticipates the facility to be operational in Fall 2019. The facility will create hundreds of new jobs in the logistics and warehousing services in Durham Region

Other

- 2.31 **Nucleom** – is a Quebec based company which has received a contract with OPG – Darlington Nuclear Generating Station. The company offers a range of services in the non-destructive testing of materials.

2.32 Nucleom has leased 2,800 sq.ft. of office and lab space in Pickering and has hired 15 employees.

2.33 Summary

2.34 The chart below summarizes the new investment and jobs brought to Durham Region through the efforts of the FDI program:

2013 to Q1-2018

No.	Company Name	Sector	# sq. ft	# of current Jobs	# projected new jobs within 2 years	# new Long-term # jobs – up to 10 years
1	Besnovo	Aerospace	40,000	16	400	
2	Brican Flight Systems	Aerospace	80,000	2	100	
3	Pengyuan Holdings	Office	100,000	2	80	
4	CCIC	Technology	TBD	1	1,500	13,500
5	Hans Steel	Steel	120,000	40		
6	Löhrke	Food Processing	1,000 sq. f.t - office TBD sq. ft. facility	5	40	
7	Menvia	Technology	Spark Centre	1		
8	bLive	Technology	Spark Centre	1		
9	Gordon Food Services	Food Distribution	330,000		200-300	

10	Nucleom	Energy	2,800	15		
	TOTAL		Approx. 454,020 sq. ft	83 jobs	2,320 jobs	13,500 jobs

2.35 Approximately 454,000 sq. ft. of FDI-related industrial and office space is being built or has been leased in Durham Region. Additional space will be built in the near term representing the creation of over 2,400 jobs from the FDI program since 2013.

2.36 By 2027, it is expected that an additional 13,500 jobs will be added to the Durham economy.

3. Opportunities

3.1 The Region's Economic Development team is exploring other opportunities for attracting investment to Durham Region. The Nuremberg project, approved by Regional Council in April 2018, is an example of a new initiative to promote Durham and attract investment from foreign companies.

3.2 A review of the FDI strategy will be undertaken at the end of 2018 to determine if markets selected in 2013 are still relevant today. As an example, the reduced corporate tax rate in the United States needs to be considered in determining whether the U.S. continues to be a feasible market for attracting investment to Canada.

3.3 With the launch of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), other European countries that have a strong focus on doing business in North America will be examined.

3.4 The Comprehensive and Progressive Agreement for the Trans-Pacific Partnership (CPTPP) is a new free trade agreement between Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam. It is one of the largest free trade agreements in the world and will provide enhanced market access to key Asian markets. These countries will also be investigated to seek new opportunities for attracting additional FDI to Durham Region.

4. Conclusion

- 4.1 The Region's FDI program is beginning to pay dividends. From 2013 to Q1-2018, approximately 454,000 sq. ft. of industrial and office space is being built or leased in Durham Region. Within this five-year time frame, many new jobs have been created. By 2020, over 2,400 jobs will have been added to the Durham economy, along with an expected 13,500 jobs by 2027.
- 4.2 The Region's Economic Development team will continue to nurture the many prospects they have acquired to date, and will continue to generate new leads through continued participation in trade shows and global business missions. Working closely with the area municipal economic development offices remains a top priority to ensure a team approach while working to attract investment to Durham.
- 4.3 Through the efforts of the area municipal economic development offices, Durham Region also continues to see new investments and jobs being created from companies such as Toyota (Eastern Canada Parts Distribution Centre); Kubota; Red Crest Office Developments; Durham Live; Behar Group; Metrolinx (East Rail Maintenance Facility); and WiHub.
- 4.4 Durham offers a competitive business climate, talented labour force, interconnected infrastructure, and an unmatched quality of life. Durham's five post-secondary institutions also play an active and vital role in creating and maintaining our competitive advantage.
- 4.5 A copy of this report will be circulated to the area municipalities for their information.

Respectfully submitted,

Original signed by

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2018-COW-141
Date: June 6, 2018

Subject:

Durham Region's Supply of "Market Ready" Employment Land, File: A01-07

Recommendation:

Receive for information

Report:

1. Purpose and Background

1.1 The purpose of this report is to provide Council with a summary of the review undertaken by the Region, in cooperation with the Durham Economic Development Partnership (DEDP), to more accurately quantify the supply of designated employment lands in the southern area municipalities that are serviced by water supply and sanitary sewage and are considered by economic developers as "market ready". A review of market-ready employment lands in the three northern area municipalities is also provided.

1.2 In December 2015, Commissioner's Report #2015-P-67 provided an inventory of employment land for planning purposes. This employment land inventory (ELI) identified approximately 920 ha (2,273 acres) of vacant employment lands that are fully serviced with water supply and sewer services, i.e. shovel ready.

2. Review of Available Serviced Market Ready Employment Lands for Attracting Investment to the Region – Southern Area Municipalities

2.1 The 2015 ELI report commented, based on the raw number of approximately 920 ha (2,273 acres), there was an adequate supply of vacant employment lands in the Region serviced by Regional infrastructure for water supply and sanitary sewage.

Economic Development officers across the Region, however, questioned the findings, in part, because not all the vacant, serviced lands (900 ha) are for sale or otherwise on the market.

- 2.2 Over the course of 2017-2018, Regional and area municipal economic development staff developed a definition of “market ready” to apply to employment land parcels that are serviced with water supply and sanitary sewage services.
- 2.3 In order to arrive at an indicator of “market readiness”, criteria were developed to further categorize the 900 ha (2,273 acres) of vacant employment lands identified as serviced by water and sewer in the ELI. The criteria were:
 - a. For sale immediately;
 - b. For sale within two years;
 - c. For sale within three to five years;
 - d. For sale with conditional offers;
 - e. For sale beyond five years;
 - f. Not for sale – owner not willing to sell;
 - g. Not for sale – owner using for their future expansion;
 - h. Not for sale – site plan applications submitted for site;
 - i. Not for sale – being developed as “build to suit”; and
 - j. Not for sale – expected to be utilized by planned roads/infrastructure.
- 2.4 Area municipal economic development and planning staff were provided with the Region’s ELI database and were tasked with providing additional information for each of the total land area for the vacant, serviced land parcels, based on the above criteria for their respective municipality. The data is current as of April 1, 2018.
- 2.5 Once the data was returned from the area municipalities, the categories were combined to respect any sensitivity that arose from the data, for mapping purposes. Attachment #1 to this report provides a summary of the vacant, fully serviced (by water supply and sanitary sewage) lands within the lakeshore municipalities that were categorized.
- 2.6 Of the approximately 900 ha (2,224 acres) that originally formed part of the ELI for vacant, serviced land, approximately 190 ha (470 acres) of that supply was identified as having either an active site plan application on the site, or are currently being marketed as “Build to Suit” (e.g. Durham Live and Gordon Food Services). This 190 ha (470 acres) was removed from consideration of being available. There

were also some additional sites that have now been identified as “Built” and were removed from the vacant, serviced inventory for the purposes of this review. Therefore, the remaining supply of vacant, serviced “shovel ready” employment land is 730 ha (1,800 acres). The results (rounded) are:

- 150 ha (370 acres) are “market/shovel ready” as determined by this exercise, including for sale within five years;
- 50 ha (123 acres) are expected to be for sale, beyond five years; and
- 530 ha (1,310 acres) are considered not for sale at this time, with no indication of when they might be for sale.

- 2.7 Attachment #2 to this report provides the location of the “market ready” lands, as defined by this report for the southern area municipalities and illustrates that a only small portion of the vacant serviced employment lands (approximately 150 ha of the 730 ha or 21%) are market ready and available for sale in the within the next few years. Again, this information is based on what was provided to the Region by the area municipalities and has not been independently confirmed by Regional staff.
- 2.8 This report does not deal with the amount and location of vacant “unserved” employment lands in the Region. In recent months, questions have been raised about increasing the supply of serviced employment land. Additional work will be undertaken to examine how this can happen, taking into account what was included in the 2018 Development Charge Background Study and corresponding Bylaw (to be in effect as of July 1, 2018). Examples of projects soon to be, or currently underway, that will increase the supply of serviced employment lands include the Courtice Trunk Sanitary Sewer, Seaton water and sewer projects, the West Whitby trunk sanitary sewage system, and sanitary sewer services for lands within Brooklin.
- 2.9 It is the role of the Region to provide the major trunk water supply and sanitary sewage services to employment areas. However, there are many other factors that influence “market readiness” of employment land parcels besides municipal water and sewer. Other services are required in order to develop employment lands. These services include area municipal roads, local water and sewer services, storm sewers, stormwater management facilities, electricity, natural gas, and telecommunication services. As illustrated in Attachment #2, the willingness of property owners to sell their serviced, shovel ready land is an important factor influencing market readiness and the level of investment in Durham Region.

3. Market Ready Employment Lands – Northern Area Municipalities

3.1 A review of vacant employment lands in Rural Employment Areas and within the Urban Area boundaries was undertaken for Brock, Scugog and Uxbridge, in consultation with the respective CAO's offices and the Region's Rural Economic Development staff. It was found that:

- In the Township of Brock, there are approximately 13 ha (32 acres) of vacant, serviced land contained within Sunderland and Cannington;
- The Port Perry Employment Area in the Township of Scugog is not currently serviced. Local road improvements along Line 6 included the installation of a watermain last year which currently can provide water services. Approximately 85 ha (210 acres) of vacant land is market ready as determined by using a similar exercise for the southern area municipalities, and 47 ha (116 acres) of vacant land is not considered for sale at this time; and
- In the Township of Uxbridge, the Industrial Park in Uxville is serviced by water supply only. Less than 1 ha (2.5 acres) of vacant land would be considered market ready, determined using a similar exercise for the southern area municipalities and 14 ha (35 acres) of vacant land is not considered for sale at this time.

4. Conclusion and Next Steps

4.1 While there are approximately 150 ha (370 acres) of serviced employment lands in the lakeshore area municipalities identified as "market ready" or for sale in the short-term, there are also approximately 530 ha (1,310 acres) of employment land identified through this review that are serviced with Regional water and sewer services, but not for sale at this time. These are lands that have major infrastructure services provided, but are not available to the marketplace for a variety of reasons.

4.2 A future report will be provided to Council, at the time of consideration of the reserve fund balances and related infrastructure and renewal projects in 2019. In the meantime, it may also be noted that the 2018 Development Charge Study identified several additional projects that aim to build Regional spine services for water and sewer to facilitate the servicing of additional employment lands across the Region.

- 4.3 Regional Economic Development & Tourism staff in cooperation with the DEDP, will continue to monitor the availability of serviced employment lands that are market ready, and work with property owners to bring their serviced land to the market.
- 4.4 This report was prepared in consultation with the Works and Finance Departments.

5. Attachments

Attachment #1: Status of Vacant, Serviced, Employment Area Lands

Attachment #2: Location of Vacant, Serviced, Employment Area Lands, by category

Respectfully submitted,

Original signed by

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

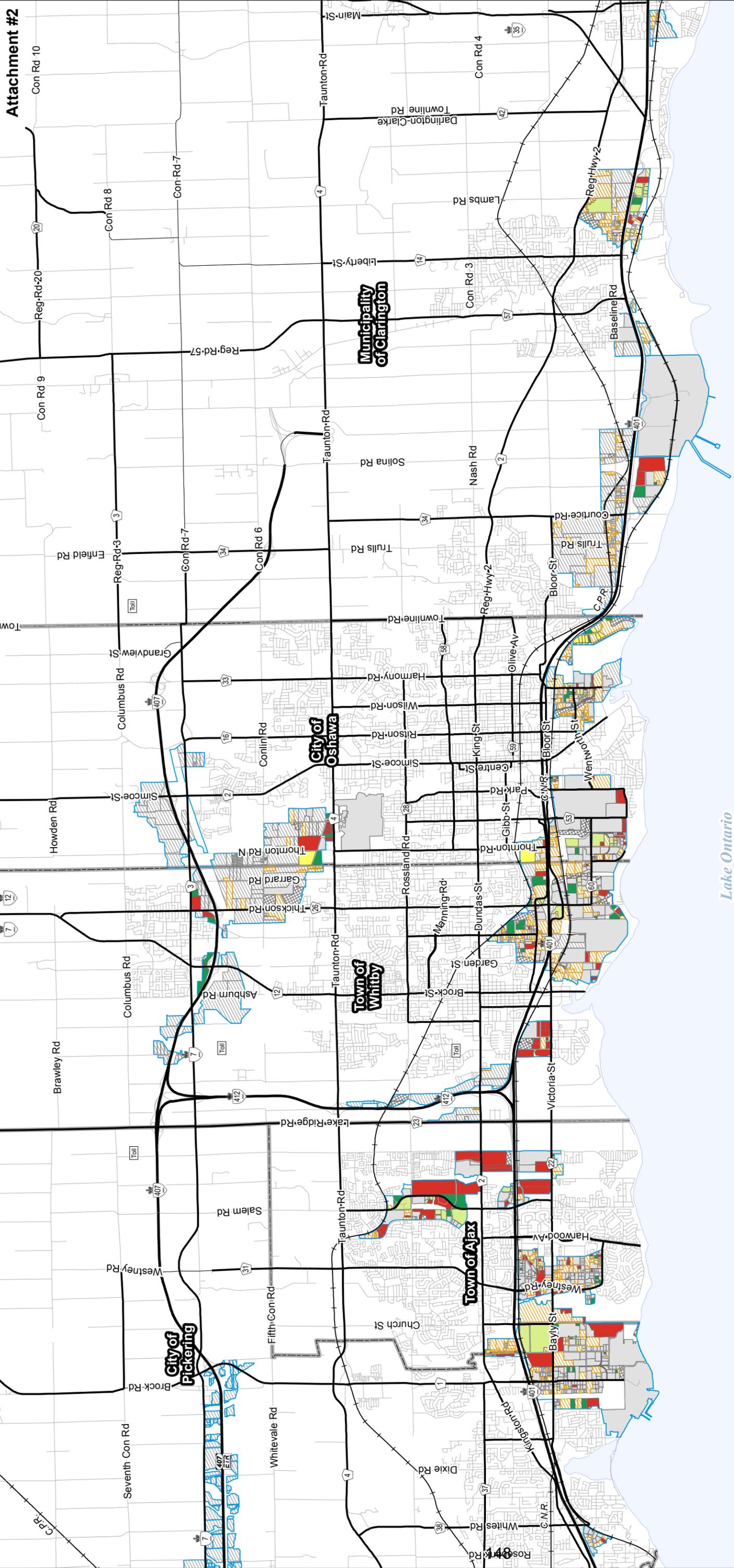
Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

Attachment #1

Summary of Vacant, Serviced (water supply and sanitary sewage) Employment Lands
in the Lakeshore Area Municipalities

Municipality	Market-Ready Employment Land (ha)	For Sale beyond 5 Years Employment Land (ha)	Not for Sale at this time Employment Land (ha)	Sub-Total (ha)	Site Plan/Build to Suit (ha)	Total (ha)
Pickering	14	0.24	84	98	67	166
Ajax	33	0	253	287	39	326
Whitby	63	0	83	145	11	156
Oshawa	26	49	62	137	26	163
Clarington	16	0	49	65	46	111
Total	152	49	532	733	189	922

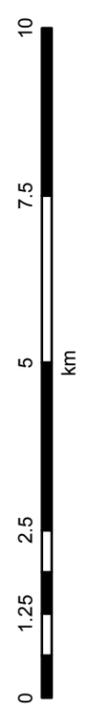


Market Ready Employment Land Inventory

- Legend:**
- Employment Area
 - Site plan submitted / Built to suit
 - Vacant Land (Unserviced)
 - Vacant Land (Serviced):
 - Market ready
 - For sale beyond 5yrs
 - Not for sale at this time

- Other Employment Land (Serviced / Unserviced):**
- Built
 - Underutilized
 - Undevelopable

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The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2018-INFO-73
Date: May 18, 2018

Subject:

Update on the Transition of Diversion Programs under the Waste-Free Ontario Act

Recommendations:

Receive for information.

Report:

1. Purpose

1.1 The purpose of this report is to update Regional Municipality of Durham (Region) Council on the transition of diversion programs for tires, waste electronics and electrical equipment (WEEE) and municipal hazardous and special waste (MHSW) under the Waste-free Ontario Act.

2. Background

2.1 As reported in Report #2017-COW-206, the Province of Ontario (Ontario) passed the Waste-Free Ontario Act (WFOA) in November 2016. This new legislation will enable the transition to full producer responsibility whereby producers are responsible for the end of life management of the designated products and packaging they produce and sell in Ontario. Full or extended producer responsibility (EPR) is intended to first apply to used tires, WEEE, and MHSW, and then to paper products and packaging (e.g. blue box materials).

-
- 2.2 The WFOA has been developed in a manner whereby other materials may be designated for full EPR in the future (e.g. mattresses, appliances, etc.).
- 2.3 In response to the new legislation, the Association of Municipalities of Ontario (AMO), the Municipal Waste Association (MWA), the Regional Public Works Commissioners of Ontario (RPWCO), and the City of Toronto formed the Municipal Resource Recovery and Research Collaborative (M3RC). The primary focus of M3RC is to advocate for a timely and smooth transition to EPR and to ensure municipal priorities such as service standards to residents are protected. Regional staff are actively involved in RPWCO and M3RC.

3. Used Tire Program

- 3.1 The Used Tires Program currently operated by Ontario Tire Stewardship (OTS), is the first program to transition to full EPR under the Waste-Free Ontario Act legislation.
- 3.2 The Ministry of Environment and Climate Change (MOECC) released a draft used tire regulation (O.Reg 225/18) for consultation on December 1, 2017. M3RC provided comments by the January 22, 2018 comment deadline. M3RC also submitted comments on the wind-up plan for the current used tires program.
- 3.3 Ontario Regulation 225/18 was finalized on April 9, 2018 and outlines how tire producers are to provide tire collection sites. It does not mandate municipalities to act as tire collectors, but provides for the option for municipalities to continue participating as tire collectors, without having to register and pay fees as tire collectors.
- 3.4 The new tire regulation is scheduled to come fully into force on January 1, 2019 and is not expected to have a significant impact on current collection operations at the Region's waste management facilities. Residents and farmers will continue to be able to drop off, free of charge, up to four tires at a time at waste management facilities or at various retail locations that will be advertised to the public. The tires may be on or off rims.
- 3.5 Under the new regulation, OTS will cease to exist and tire producers will have individual tire collection targets and other regulatory requirements. Tire producers may choose to form or join a Producer Responsibility Organization to assist with meeting the regulatory obligations
- 3.6 Staff will continue to work with all stakeholders and monitor the transition of this program to full EPR.
- 3.7 For more information on the direction letters from the Resource Productivity and Recovery Authority, please visit <https://rpra.ca/tires>.

- 3.8 For more information on the Ontario Regulation 225/18, please visit <https://www.ontario.ca/laws/regulation/r18225>.

4. Waste Electronics and Electrical Equipment Program (WEEE)

- 4.1 The WEEE program currently operated by Ontario Electronic Stewardship (OES) is the second program that will transition to full EPR under the Waste-Free Ontario Act legislation. The Region collects WEEE materials under this program free of charge at its waste management facilities, in its curbside collection program, in its multi-residential collection program and in special collection community events scheduled annually with local municipalities.
- 4.2 The Minister of Environment and Climate Change (MOECC) issued a direction letter to OES on February 8, 2018 directing them to develop a “wind-up plan” for the WEEE program by December 31, 2018 with the program to cease operation on June 30, 2020.
- 4.3 It is anticipated that the MOECC will consult on regulations for the full EPR of waste electronics in 2018 and early 2019 with a new regulation to come into force on July 1, 2020. It is anticipated that the new regulation may increase the need for waste electronics recycling and expand the opportunity for the Region’s involvement as a collector, including collecting WEEE at the planned Clarington MHSW depot and at future eco-stations in the Region.
- 4.4 Staff will continue to participate actively in the discussions for the new regulation and the Region will continue to collect WEEE materials free of charge at its waste management facilities, in its curbside collection program, in its multi-residential collection program, and at special collection community events scheduled annually with local municipalities until the new regulation comes into force.
- 4.5 For more information on the MOECC’s direction letter, please visit <https://www.rpra.ca/weee-program/windup>.

5. Municipal Hazardous and Special Waste Program (MHSW)

- 5.1 The MHSW program will be the third program to transition to full EPR.
- 5.2 On April 12, 2018 the Minister of the Environment and Climate Change (Minister) directed Stewardship Ontario (SO) to develop a “wind-up plan” for the current MHSW program operated by SO as the Industry Funding Organization for some MHSW materials so that producers could develop their own Industry Stewardship Plans (ISPs).

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- 5.3 The MHSW program will be somewhat complex to transition to full EPR due to the number of parties currently managing MHSW materials. In addition, there are three organizations already operating their own ISPs and, therefore, do not have to develop wind up plans. They include the Automotive Materials Stewardship (automotive fluids and containers); the Product Care Association (paint, pesticides solvents and fertilizers); and SodaStream Canada (SodaStream cylinders). These three ISPs do not have to cease operations, but they will have to comply with any new requirements under new regulations.
- 5.4 M3RC submitted a letter to the Minister on March 20, 2018 expressing support for the wind up of the existing MHSW plan and requesting that new MHSW regulations include all materials identified in existing regulations rather than only the current small subset of materials.
- 5.5 SO's wind-up plan must be submitted by June 30, 2019 after consultation with all stakeholders. The MHSW program SO is currently operating will cease on December 31, 2020 and the new regulated program will commence on January 1, 2021.
- 5.6 Staff will continue to work with other stakeholders and monitor the transition to full EPR through participation in M3RC.
- 5.7 For more information on the direction letters, please visit <https://www.rpra.ca/municipal-hazardous-or-special-waste-mhsw-program-wind-up>.

6. Conclusion

- 6.1 Although the details of the full extended producer responsibility programs for tires, electronics and household hazardous wastes will be set out in future regulations, the transition is not expected to have a significant impact on the Regional Municipality of Durham's current diversion program for these items. However, there may be more requirements for reporting on and administering the program.
- 6.2 At this time, it is understood that the Regional Municipality of Durham will continue its current role with collection of these materials. Demand for services at the Regional Municipality of Durham's waste management facilities will continue including the new Municipal Hazardous and Special Waste Depot in the Municipality of Clarington.
- 6.3 The Regional Municipality of Durham will also continue co-hosting seasonal community collection events with the local municipalities.

6.4 Regional staff will provide further updates to Regional Council as more information becomes available.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2018-INFO-74
Date: May 18, 2018

Subject:

Update on the Provincial Food and Organic Waste Framework

Recommendations:

Receive for information.

Report:

1. Purpose

1.1 The purpose of this report is to update Regional Municipality of Durham (Region) Council on the Ministry of Environment and Climate Change's (MOECC) Food and Organic Waste Framework (Framework).

2. Background

2.1 In 2016, the Provincial Government of Ontario passed new legislation to support a circular economy through the *Waste-Free Ontario Act, 2016*. The Act includes a strategy to address organics management in Ontario through an Organics Action Plan.

2.2 In January 2017, the MOECC began a limited one-year pre-consultation process, in which Regional staff actively participated to develop a Framework document outlining the details and timelines of the Organics Action Plan for later and wider stakeholder consultation.

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- 2.3 The Framework document was released for consultation on November 16, 2017. Municipal comments were provided by the Municipal Resource Recovery and Research Collaborative (M3RC) by the January 15, 2018 comment deadline.
- 2.4 The Region also provided comments to the MOECC on the proposed Framework in the January 10, 2018 Report #2018-COW-11.
- 2.5 The Framework was released in its final version on April 30, 2018 and confirmed the November 2017 document as well as the actions and implementation schedule.
- 2.6 For more information and a copy of the Food and Organic Waste Framework, please visit https://www.ontario.ca/page/food_and_organic_waste_framework.

3. Food and Organic Waste Framework

- 3.1 The Framework is divided into two parts. Part A is the “Food and Organic Waste Action Plan” which outlines strategic commitments to be taken by the Province to address food and organic waste. Part B is the “Food and Organic Waste Policy Statement” under the Resource Recovery and Circular Economy Act, 2016, which provides direction to the Province, municipalities, producers, industrial, commercial and institutional sector (e.g. retailers, manufacturers, hospitals, schools), the waste management sector and others to further the provincial interest in waste reduction and resource recovery as it related to food and organic waste.
- 3.2 The following are the four objectives directly from the Framework:
- a) Reduce food and organic waste – preventing food from becoming waste is a critical first step and has the greatest positive impact on the environment, the economy and society;
 - b) Recover resources from food and organic waste – increasing resource recovery, in particular, from multi-unit residential buildings and the IC&I sector will help the Province reach its zero waste and zero greenhouse gas emission goals;
 - c) Support resource recovery infrastructure – turning food and organic waste into valuable products recognizes the economic benefits of a circular economy; and
 - d) Promote beneficial uses of recovered resources – supporting end-products and sustainable markets for organic materials is critical.

4. Part A: Food and Organic Waste Action Plan

4.1 The Food and Organic Waste Action Plan outlines steps the Province will take to achieve each objective established in the Framework.

4.2 Specific actions include working with partners to develop educational tools to support food waste reduction:

- efforts to reduce surplus food through donation;
- amending the 3Rs regulations to increase resource recovery in the Industrial, Commercial and Institutional (IC&I) sector including multi-residential buildings;
- working with other government agencies, at all levels to align efforts, where possible, on preventing and reducing food waste, developing data collection mechanisms for measuring progress, streamlining the environmental approvals process; and
- review regulatory requirements for the use of compost, digestate and organics recovered through mixed waste processing technologies.

4.3 A key part of the Food and Organic Waste Action Plan is an organics disposal ban to be phased in starting in 2022.

5. Part B: Food and Organic Waste Policy Statement

5.1 The Food and Organic Waste Policy Statement is the first resource recovery and waste reduction policy statement issued under the new legislation. Persons or entities performing duties related to food and organic waste must ensure their actions are consistent with all applicable policy statements. For municipalities, this includes ensuring that official plans are consistent with applicable resource recovery and waste reduction policy statements.

5.2 The Food and Organic Waste Policy Statement establishes a food recovery hierarchy. Persons engaging in waste reduction and resource recovery activities should consider prioritizing their activities according to the following steps, in order of importance:

- a. Reduce: prevent and reduce food and organic waste at the source;
- b. Feed People: safely rescue and redirect surplus food before it becomes waste; and
- c. Resource recovery: recover food and organic waste for a beneficial use.

- 5.3 The Policy Statement further sets sector-specific waste reduction and resource recovery targets for food and organic waste. The target for urban municipalities, like the Region, is 70 per cent waste reduction and resource recovery of food and organic waste generated by single family dwellings by 2023. The multi-residential sector in Southern Ontario (including the Region) has a goal of 50 per cent waste reduction and resource recovery of food and organic waste by 2025.
- 5.4 Municipalities are responsible for increasing resource recovery from the residential sector by maintaining or enhancing existing curbside collection programs for food and leaf and yard waste. The Framework supports mixed waste processing as a method to support the recovery of additional food and organic waste to meet the provincial targets.
- 5.5 The Framework also sets food and organic waste recovery targets for the industrial, commercial and institutional (IC&I) sector in Ontario. This sector, which includes schools, hospitals, retail establishments and restaurants, will have to meet diversion targets between 50 and 70 per cent by 2025 depending on the size of the establishment. These new organics diversion targets for IC&I may create opportunities for synergies and partnerships for the Region's organic strategy moving forward on a full cost recovery basis.

6. Discussion

- 6.1 The Resource Recovery and Circular Economy Act (RRCEA) requires consideration and consistency with all applicable provincial policy statements in resource recovery or waste management policies and programs. Further, a municipality's Official Plan must also be consistent with resource recovery and waste reduction policy statements. This is important to the Region because the Region will be obligated to consider and be consistent with the Food and Organic Waste Policy Statement in all waste management decisions, including the requirement to capture 70 per cent of available organics and the proposed landfill ban.

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- 6.2 While the Framework has performance targets, it does not include funding opportunities to help municipalities meet them. The Ministry has indicated that funding from the Cap and Trade program will be available for a wide variety of greenhouse gas reduction activities including organics recovery and diversion. However, no specific funding for recovering organics or meeting a landfill ban is identified. There may also be business opportunities to market organics processing capacity to other sectors such as multi-residential buildings, local businesses, local municipalities and the Region's farming community that will now have to meet the organics diversion targets and a future disposal ban.
- 6.3 The Food and Organic Waste Policy Statement acknowledges the growth in compostable products and packaging and the need for producers of the packaging and municipalities to work together to manage these materials when they become waste. Producers of compostable products and packaging must ensure the materials are certified compostable by a third party and engage in consumer education on the proper way to participate in municipal resource recovery programs for compostable products and packaging. However, there is currently no plan to designate compostable products and packaging for full extended producer responsibility.
- 6.4 The policy statement recognizes municipal advocacy by including provisions that organic packaging and products with identifiable brands (branded organics) be designated in the future under the Waste-Free Ontario Act for extended producer responsibility to help provide funding to offset the costs of organics municipal diversion programs.
- 6.5 Based on studies completed by the Ontario Waste Management Association, additional organics processing capacity will be required in Ontario to meet the anticipated demand when the diversion targets are implemented. This need will have to be met if the Organic Waste Action Plan is to succeed. If approved, staff's proposed organics management plan with anaerobic digestion with mixed-waste pre-sorting will help address this need in the Region.

6.6 As a proactive measure to help the Region's IC&I sector meet the Action Plan's requirements, staff is also planning to participate with the Recycling Council of Ontario on a unique pilot project to gain information on the centralized collection and re-distribution of usable food and the capture of food and organic waste from the IC&I sector for organics processing. In addition, staff will work with local municipalities and the local farming community to determine and evaluate options for assisting these stakeholders to also meet their Organic Waste Action Plan requirements.

7. Conclusion

- 7.1 Under the Resource Recovery and Circular Economy Act, municipalities must adhere to provincial policy statements developed to enhance resource recovery and waste reduction. The Food and Organic Waste Framework includes a requirement for the Regional Municipality of Durham to recover 70 percent of organics from its waste stream by 2023 and proposes an organics landfill ban to be phased in starting in 2022.
- 7.2 The Food and Organic Waste Framework will require additional focus and resources from the Regional Municipality of Durham to meet the provincial target of 70 per cent diversion of organics from disposal.
- 7.3 Now that Framework has been finalized, staff will continue with strategic focus on organics management and emphasis on resident education, promotion and enforcement of the Regional Municipality of Durham's organics management programs.
- 7.4 An organics management plan will be necessary to address the requirements for the Regional Municipality of Durham as well as local businesses and institutions to meet the Food and Organic Waste Framework's recovery and landfill targets.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2018-INFO-75
Date: May 18, 2018

Subject:

Update on the Status of the Transition to Full Extended Producer Responsibility for the Blue Box Program and Impacts of China's National Sword Campaign on the Blue Box Program

Recommendations:

Receive for information.

Report:

1. Purpose

1.1 The purpose of this report is to provide the Regional Municipality of Durham (Region) Council with an update on the status of the work undertaken over the last year to amend the Blue Box Program Plan to allow for transition to full producer responsibility. This report also provides an update on China's National Sword Campaign and the impact of both of these initiatives on the Region's operations.

2. Background

2.1 The Blue Box program, which is managed by municipalities, was initially funded in three parts equally by municipalities, the Province of Ontario, and industry stakeholders. However, the funding formula for this very successful program was changed by the Province of Ontario (Province) under the Waste Diversion Act (2002) and has since required municipalities and industry to share equally in the net program costs. Through various mechanisms, including Association of Municipalities of Ontario (AMO) Waste Task Force, municipalities have expressed opinion that producers of Blue Box products and packaging should be 100 per cent responsible for the Blue Box program, just as they are in many other jurisdictions.

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- 2.2 Municipalities and other stakeholders have been advocating for full producer responsibility for the Blue Box Program for a number of years. The current cost-share model reimburses municipalities approximately 50 per cent of the net costs of providing residential blue box services. It is estimated that moving to 100 per cent producer funding for blue box services will save Ontario municipalities approximately \$130 million annually and could save the Region approximately \$5 million net per year
- 2.3 In November 2016, the Waste Diversion Act was repealed and replaced by the Waste-Free Ontario Act. The new legislation proposed transition of the responsibility for the Blue Box Program from the current approximate 50 percent cost sharing model between municipalities and producers to 100 percent cost of the program to be paid by the producers and importers of products and packaging managed by the Blue Box program. This framework, referred to as Extended Producer Responsibility (EPR), transfers program delivery responsibilities entirely to producers. Under this proposed change, producers would be responsible for the entire operation and financial costs of operating the Blue Box Program.
- 2.4 In response to the new legislation, the Association of Municipalities of Ontario (AMO), the Municipal Waste Association (MWA), the Regional Public Works Commissioners of Ontario (RPWCO), and the City of Toronto formed the Municipal Resource Recovery and Research Collaborative (M3RC) to advocate for a timely and smooth transition to EPR and to ensure municipal priorities such as service standards to residents are protected. Regional staff is actively involved in RPWCO and M3RC.
- 2.5 Given the financial and operational complexity of the blue box transition to full producer responsibility, municipalities worked with Stewardship Ontario (SO) to develop common ground on transition principles and together requested the Minister's direction to amend the current Blue Box Program Plan as an interim step to full producer responsibility by 2023. This request was made via a joint letter submitted on July 7, 2017.
- 2.6 On August 14, 2017, the Minister issued a letter to SO directing the organization to work collaboratively with municipalities to develop an Amended Blue Box Program Plan as a first step to full producer responsibility. The amended plan was to be submitted to the Minister for review on February 15, 2018.

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- 2.7 Given the tight deadline, SO began a condensed consultation process in October 2017 with a draft Amended Blue Box Program Plan released for comment on December 19, 2017. After review, municipalities, service industry and environmental non-government organizations provided comments on the amended plan and, in particular, that the proposed amended plan did not meet the agreed upon transition principles or the Minister's direction and could not be supported.
- 2.8 Regional staff fully participated in the work of the negotiation committee representing municipalities and attended numerous consultations meetings.

3. Current Transition Status

- 3.1 SO did not submit an Amended Blue Box Program Plan as directed by the Minister by the February 15, 2018 deadline. Instead, SO has proposed continued dialogue and enhanced consultation with municipalities and others to continue to work on plan amendments to move the blue box transition forward as the Minister and municipalities intended.
- 3.2 To date, discussions have continued between SO and M3RC. The focus of these discussions has been on whether there is still an opportunity to continue with an Amended Blue Box Program Plan or should the Province proceed directly to a new regulation.

4. Next Steps

- 4.1 Regional staff continues to work with SO and M3RC to seek opportunities and commonality on issues that further the transition of the current blue box model to full producer responsibility. However, given the recent experience with SO and the significant challenges, staff will continue to advocate directly with the Ministry of the Environment and Climate Change (Ministry) on the new extended producer responsibility regulation for printed paper and packaging for implementation by the original transition date of 2023. M3RC members will lead this effort.
- 4.2 As collection and processing contracts approach expiry, staff will continue with procuring contracts that best meet the Region's long term needs. Early termination clauses have been included in some contracts and this will expand to all new contracts to allow for immediate transition to full EPR for blue box materials should regulations be finalized during the term of any contract.

5. Financial Implications

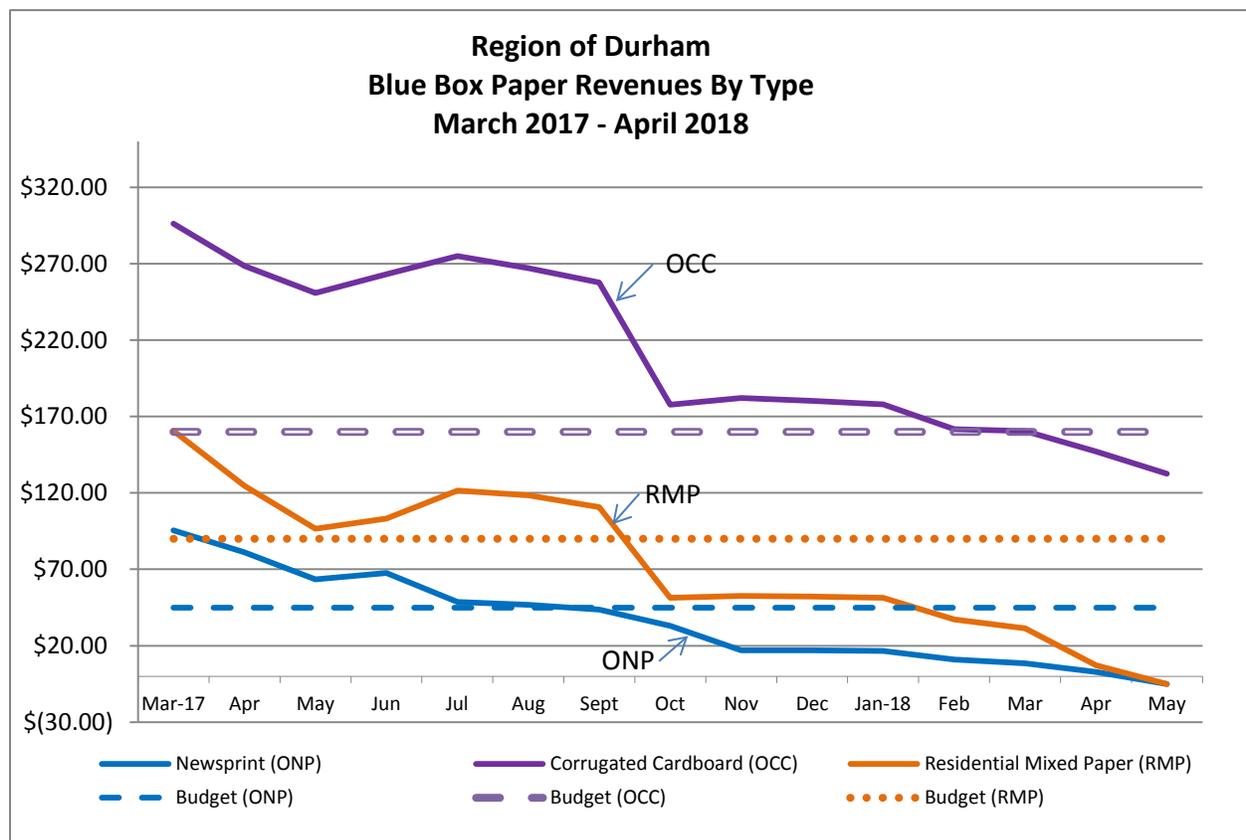
- 5.1 In anticipation of a blue box transition to full EPR starting in 2020, the contract for the operation and maintenance of the Region's Material Recovery Facility (MRF) was extended in 2017 for three additional years (Report #2017-COW-179) and the contract for the collection of recycling, organics and residual waste in the Townships of Uxbridge, Scugog and Brock and the Municipality of Clarington was extended for two years (Report #2018-COW-23).
- 5.2 Under the current regulatory framework, Durham Region will continue to pay approximately 50 per cent of the net costs to manage paper and packaging developed and marketed by producers and bear 100 per cent of the risks of market complexities such as the China's National Sword Campaign and other challenging market conditions.

6. Impacts of China's National Sword Campaign on the Region's Blue Box Recycling Program

- 6.1 As reported to Regional Council in Report 2018-INFO-19 (Attachment #1), the China National Sword Campaign is impacting recycling programs across the globe. Under this initiative, China no longer accepts many classes of materials such as plastics and mixed paper for recycling and is enforcing a very strict contamination rate of 0.5% for the recyclable materials that are accepted.
- 6.2 The contamination standard set by China is virtually unattainable for the majority of North American material recovery facilities using existing technology and this is impacting nearly all mixed paper/newsprint exports to China from North America.
- 6.3 Since the Region markets plastics, aluminum, steel and glass to North American markets, newsprint and mixed paper are the only commodities being impacted by China's National Sword Campaign at this time.

- 6.4 The market price for mixed paper decreased from \$160/tonne in March 2017 to \$31/tonne in March 2018. The market price for newsprint decreased from \$95/tonne to \$8.50/tonne over the same time period.
- 6.5 Although difficult to predict, and given the present market conditions, it is highly unlikely that paper revenue will rebound in 2018 or if the significant price decreases will continue and potentially expand to other commodities.
- 6.6 Table 1 below is a snapshot of the last one year period and illustrates Durham’s significant revenue decline resulting from difficult marketing conditions for paper materials collected from the Blue Box program. In particular, the significant decline commenced in October 2017, coinciding with China’s full enforcement of the quality standards for materials.

Table 1



- 6.7 The Region may need to pay our existing and limited end markets to take this material in the very near future as other municipalities such as the City of Toronto and Peel and York Regions are now paying a fee to manage these materials, including a “clean-up fee”.

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- 6.8 The priority for the Region is to continue moving this material to end markets for use and avoiding the need to send to disposal.
 - 6.9 Storing this paper material in anticipation of a rebound in market pricing is not practicable due to the fire hazard it presents and the deterioration in product quality/color that quickly occurs.
 - 6.10 Recent investment in the Material Recovery Facility to upgrade the container line sorting equipment has further improved the facility's sorting capabilities. As a result of these improvements, the Region has been able to continue marketing and moving material to markets due to the high quality and clean material being produced. Continued promotion and education to residents on acceptable items and proper sorting is critical to maintaining the quality of recyclable materials to ensure an end markets and optimum revenues.

7. Conclusion

- 7.1 In light of stalled progress to transition to full extended producer responsibility (EPR) under an Amended Blue Box Program Plan, the Regional Municipality of Durham will maintain a 'business-as-usual' approach with respect to tendering contracts for the collection, processing of blue box material, marketing and market development for blue box materials and undertaking capital upgrades to the Region's aging Material Recovery Facility (MRF). All future blue box related contracts will now include off-ramp provisions or termination clauses that will protect the Regional Municipality of Durham and facilitate timely transition to full extended producer responsibility.
- 7.2 The extra costs which the Regional Municipality of Durham has incurred to date to modify and extend existing collection and processing contracts to prepare for the transition will be reimbursed at approximately 50 per cent by industry funding under the existing Blue Box Program Plan arrangements.
- 7.3 The Regional Municipality of Durham's Blue Box material, collected from the Region's two-stream Blue Box program continues to be among the cleanest in Ontario and is still being sold to local and international recycling end markets.

- 7.4 To date, the Regional Municipality of Durham has only been financially impacted negatively on the mixed paper and newsprint recovered from the Blue Box program as a result of the China National Sword Campaign. That said, revenue decreases or other marketing difficulties could begin to impact the Regional Municipality of Durham's ability to move material to end markets as the Chinese import restrictions continue and possibly expand.
- 7.5 Regional staff will continue to pursue alternative market opportunities for Durham's Blue Box material and was recently approached by some companies to investigate the potential to use residuals from the material recovery facility for energy and cement production.
- 7.6 Finally, in light of the above, it is critical that the Regional Municipality of Durham continue its residential and school recycling education programs to ensure maximum participation and material quality.
- 7.7 Staff will continue to provide updates to Regional Council as more information becomes available.

8. Attachments

Attachment #1: Impact of China National Sword Import Policy Change for Mixed Paper and Other Recyclables, Report #2018-INFO-19

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

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



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2018-INFO-19
Date: February 2, 2018

Subject:

Impact of Chinese National Sword Import Policy Change for Mixed Paper and Other Recyclables

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 This report provides an update on China's 'National Sword 2017' campaign to cut the illegal smuggling of 'foreign waste' and other products, and, at the same time, strictly enforce a policy of not accepting shipments of certain recyclables if they exceed set contamination limits.

2. Background

2.1 In recent years, Chinese processors paid the highest price for recycled newsprint. This has attracted brokers that purchase from the Regional Municipality of Durham (Region), and most other municipalities, and focus paper shipments to China causing the closure of many North American and European end-market mills.

2.2 In July 2017, the Chinese government's National Sword Campaign banned certain waste materials from being imported and imposed a strict new limit of 0.3 per cent contamination for all remaining recyclables imported into China.

2.3 The import of recyclable material that was overly contaminated had previously been the subject of Chinese government intervention. In 2013, China implemented a program known as Operation Green Fence, which was an aggressive inspection effort to lower the amount of contaminated recyclables and waste being sent to China.

- 2.4 The new 'National Sword' standard for recyclable materials is not attainable for a majority of North American material recovery facilities using existing technology, and has virtually impacted all newsprint exports to China from North America. Although the new contamination limits are imposed on an assortment of recyclable materials marketed to China, the Region is only affected by the limits placed by China on newsprint because the Region's plastics, aluminum, steel and glass are currently marketed to North American markets.

3. Discussion

- 3.1 The impact of this change to the Region's diversion program is significant as newsprint currently accounts for over 50 per cent of the material processed at the Region's Material Recovery Facility (MRF). The MRF recovers approximately 500 tonnes of newsprint weekly, representing 24,000 tonnes annually. This situation is not unique to the Region, as the new contamination limit on recycled newsprint exported to China impacts all material recovery facilities across North America and Europe. The amount of waste newsprint generated in Canada is a fraction of that generated in the US and Europe also destined to China.
- 3.2 The potential loss of newsprint markets impacts operating costs. Prior to the changes in Chinese recycling quality standards, newsprint was generating approximately \$40 per metric tonne in revenues.
- 3.3 In 2017, the Region budgeted approximately \$1.0 million in newsprint revenues. To date, actual revenues have kept on pace with the budget.
- 3.4 The Region's paper revenue may decline in 2018 as the negative impacts on newsprint revenue from the 'National Sword' campaign are just beginning to emerge. An estimation of the decline is not possible at this time.
- 3.5 The Regional Municipality of York (York) staff recently advised their Council that the following contingencies have been developed for newsprint generated from York's Blue Box Program: 1) Move as much as possible - even if there is a cost involved; 2) Store material as space permits without creating a fire hazard, and; 3) Ship material to contracted energy from waste facilities (excluding the Durham York Energy Facility).
- 3.6 Regional staff is also taking steps to minimize negative impacts of China's new policy, including having its MRF contractor reassign staffing to maximize removal of contamination from newsprint. Although the Region produces clean paper, the stringent 0.3 per cent contamination rate established under the China 'National Sword' standards are virtually impossible to meet for any municipal processor of Ontario's Blue Box materials.

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- 3.7 Canada Fibers Inc., the Region's contractor for marketing newsprint (and the only firm that has bid on our newsprint material) has a processing facility in Oshawa where they are able to undertake a secondary clean up of the material, at their cost, to attempt to meet the new stringent Chinese import standards.
- 3.8 The Region will be working with Canada Fibers Inc. to ensure continued movement of paper to end markets, at the lowest net costs, to ensure minimal disruption of Blue Box service.
- 3.9 It is expected that the revenue generated from newsprint may decline through 2018 and, depending on other "cleaner" and competing waste newsprint feed stocks from other sources around the world, there may be a net cost to move newsprint to end markets. This is not new; in 1988, a series of events caused by over-supply, mills on strike, and mill closures resulted in many municipalities paying to move materials to end markets.
- 3.10 More recently, in 2008, the significant global market downturn resulted in the loss of some key end markets for recyclable materials and caused significant problems to move materials to end markets and declining revenues for recyclable materials.
- 3.11 In 2018, Regional staff is projecting growth in revenues for steel, aluminum and cardboard. This revenue growth may offset any declining revenues in newsprint.

4. Conclusion

- 4.1 The potential impact of this change to the Region's diversion program is significant as newsprint currently accounts for over 50 per cent of the material processed at Durham Region's Material Recovery Facility. It is expected that the revenue generated from newsprint may decline through 2018 but may be offset by growth of revenues in steel, aluminum and cardboard.
- 4.2 At this time, Blue Box collection and processing operations have not been disrupted by the Chinese policy change.
- 4.3 Staff will continue to monitor this developing situation and work with other municipalities and our contractors, to identify alternative marketing opportunities and help minimize any negative service impacts to the Region.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-143
Date: June 6, 2018

Subject:

Blue Box Litter Issues

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That staff be authorized to initiate a pilot project to investigate the impact of combining an education program on reducing Blue Box related litter with provision of additional Blue Boxes and to report back to Regional Council on the results.
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Report:

1. Purpose

- 1.1 The intent of this document is to provide context and suggestions on the options available to address the issues with materials spilling from the Blue Box.

2. Background

- 2.1 At its meeting of April 11, 2018, Regional Council directed staff to investigate solutions to keeping materials within a Blue Box contained on windy days to reduce the likelihood of spillage/litter.

2.2 In June 2014, the Regional Municipality of Durham's (Region) Works Committee received Report #2014-WR-4, titled "Information Report on Various Strategies Used or Tested by Other Municipalities for the Mitigation of Litter from Blue Box Set Outs." The report details and shares municipal experiences on Blue Box litter mitigation options as well as alternatives to the Blue Box, such as carts and bags.

3. Discussion

- 3.1 Blue Box litter occurs when Blue Boxes have reached their capacity and cannot contain their recyclables. Blue Box litter also occurs during certain weather conditions, such as the recent wind storms experienced in the Region. Staff previously reported that in 2016, the Province introduced the Waste Free Ontario Act with the objective to transition the responsibility for the Blue Box Program from the municipalities to the private sector. This transition is expected to occur in 2023. Further details are provided in Report #2018-COW-75. As such, an easy to implement and low cost solution to Blue Box litter would be prudent.
- 3.2 Blue Box capacity can be addressed in two ways: increased frequency of collection or increased container capacity. Essentially, all Blue Box litter mitigation strategies tested to date have addressed Blue Box capacity including a variety of Blue Box sizes and carts. Blue Box lids/covers or bags have also been tested.
- 3.3 The overflow issue can be addressed through coordination of increased education/public outreach and a Blue Box related litter reduction campaign. This action would not impact collection costs. Where container capacity results in material overflow, increasing the number or size of existing Blue Boxes for residents could be part of the solution. This would be a simple solution at a cost shared 50 per cent by stewards, and perhaps partially funded by CIF.
- 3.4 A pilot project to reduce Blue Box related litter through education on proper combined use with a provision of additional bins to residents, on an as needed basis, could help to address the problem. Staff will work with local municipalities to determine the best location for such a pilot.
- 3.5 Blue Box lids have not worked in the past because they come off and become part of the litter problem. Attached lids introduce pinch point hazards to recycling collectors. Mesh covers have also not worked because they encourage residents to overfill their blue boxes so only one Blue Box needs to be taken to the curb when the recycling volume actually requires two boxes. This leads to increased litter when the recycling collector pulls back the mesh cover and the compacted recycling bounces out of the Blue Box onto the ground.

- 3.6 In the meantime, staff is working with the engineering department of the University of Ontario Institute of Technology and its wind tunnel to develop and test wind and other environmental factors that may contribute to litter from blue boxes. Staff will update Regional Council on the outcomes of this investigation.

4. Financial Implications

- 4.1 Providing residents in the pilot area with extra Blue Boxes, on an as needed basis, represents a cost of approximately five dollars per Blue Box to the Region. This cost would be cost shared 50 per cent by Blue Box stewards. The Continuous Improvement Fund, operated by Stewardship Ontario on behalf of Ontario's Blue Box Program Plan could be leveraged to cover part of the Region's costs.
- 4.2 In order to expand current education and promote a Blue Box related litter reduction campaign, funding will be proposed in the 2019 Waste Management Budget.

5. Conclusion

- 5.1 Given the Province's plan to transition the Blue Box program from municipalities to industry, staff does not recommend making significant investment in the Blue Box program at this time. As such, a pilot project to assess the impact of education and provision of extra Blue Boxes to residents would be a low cost and easy to implement method of reducing Blue Box litter.
- 5.2 Staff will report back to Regional Council on the results and, if successful, the financial implications of a Region-wide expansion. Staff will also report back on any results of its Blue Box wind tunnel experiments at the University of Ontario Institute of Technology.
- 5.3 Funding in the order of \$20,000 will be requested for the Blue Box litter education campaign in the 2019 budget.

5.4 This report has been reviewed by the Finance Department and the Acting Commissioner concurs with the recommendations.

Respectfully submitted,

Original signed by:

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-144
Date: June 6, 2018

Subject:

Service Delivery Options for New Developments Accessed by Private Roads that do not Meet Design Standards for Municipal Waste Management Services

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That staff be authorized to consult with area municipalities, developers and service providers to evaluate options available for new developments to meet the standards in By-Law 46-2011, A By-Law to Regulate the Provision of Waste Management Services Under the Jurisdiction of the Regional Municipality of Durham, for the provision of municipal solid waste collection services for new residential developments on private roads; and
 - B) That staff be directed to investigate options, including alternative collection service arrangements and associated financial implications following consultation with affected stakeholders, to address residential developments on private roads that do not meet the current guidelines for municipal collection, and report back to Council.
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Report:

1. Purpose

- 1.1 The purpose of this report is to provide an overview of the challenges of providing municipal waste collection in new residential developments on private roadways, and to start the dialogue to develop options and solutions to overcome these challenges.

2. Background

- 2.1 The Regional Municipality of Durham (Region) provides waste, Blue Box, Green Bin, leaf and yard waste, and ancillary residential solid non-hazardous waste collection (waste collection services) to all its local municipalities, except the City of Oshawa (Oshawa) and the Town of Whitby (Whitby) where the Region provides only residential and multi-residential Blue Box collection. Oshawa and Whitby provide the balance of the residential solid non-hazardous waste collection services in their respective municipalities with their own municipal forces or by contracting out.
- 2.2 In 2011, Council approved By-Law 46-2011, A By-Law to Regulate the Provision of Waste Management Services Under the Jurisdiction of the Regional Municipality of Durham, which was developed in consultation with area municipalities. Schedule “P” of the By-law includes engineering design standards for waste collection services for developments on private roads.
- 2.3 The Region currently uses collection vehicles with dimensions up to 2.98 metres in width and 11.54 metres in length. These dimensions require minimum 13 metre turning radii and a minimum 6.5 metre roadway width to ensure safe vehicle access and the protection of people and property.
- 2.4 New developments that meet the above design guidelines receive municipal waste services. New developments that do not meet the guidelines must obtain private waste services, and may not receive the same level of service for recycling and organics collection. Once developments are turned over to condominium corporations, cost implications often force them to limit their waste management services to garbage collection only. This impacts the Region’s ability to divert waste from disposal.
- 2.5 The average cost for private waste collection service ranges from \$40-\$80 per dwelling unit, per month depending on the level of service purchased. As a result, many developments with private waste collection do not have recycling, organics or other diversion services. Following occupancy, several condominium corporations with private roads have asked the Region for municipal waste collection services, but since they do not meet the Region’s guidelines for municipal collection, they have been denied.
- 2.6 As collection in Whitby and Oshawa is under their respective local jurisdiction, the Region services only developments approved for municipal collection by Whitby or Oshawa. This becomes an issue because Whitby denies waste collection service to all developments with private roadways, regardless if they meet the Region’s guidelines. Since Whitby is responsible for all solid waste collection services except for recycling, the Region has followed suit and will not provide recycling collection services to any development with private roadways in Whitby.
- 2.7 On April 30, 2018, the Province released its Food and Organic Waste Framework which outlines the Province’s plan to mandate organics diversion and to phase in a

ban on organics from disposal beginning in 2022. Durham has a Green Bin organics diversion program and is further preparing for upcoming changes with its anaerobic digestion and mixed waste pre-sorting study that will address the organics material presently not collected, as well as capturing organics from its multi-residential sector. The framework will have significant cost impacts to privately serviced developments that do not have organics collection programs.

3. Discussion

- 3.1 Developments that do not meet the Region's municipal waste guidelines have the effect of placing the burden of waste collection onto condominium corporations. Developers and builders have no obligation for waste management services post construction. This has caused confusion for residents in developments with substandard private roads when they learn that they will not be receiving municipal waste management services. In addition, private waste collection companies often do not ensure that collected waste is separated to meet diversion objectives.
- 3.2 The Region should provide standardized services to all of its residents. Municipal property taxes are collected for municipal waste management services. Since there is no tax rebate to offset private collection, some condominium corporations are, in essence, paying twice for waste management services.
- 3.3 The Region's current development review process provides the opportunity for waste staff to comment on residential development applications and advise on the guidelines for municipal waste service. Although there are mandated requirements to ensure that facilities are provided for the storage and collection of garbage for developments on private roads, there is no ability to require Regional collection and adherence to the Region's guidelines.
- 3.4 Staff has been working with local municipalities to seek compliance with Regional waste collection guidelines in all new residential developments. However, local municipal staff also lacks the authority to require designs that exceed the Ontario Building Code.
- 3.5 Waste collection vehicles have been getting larger over time due to light weighting of truck bodies and business needs which require larger payloads. Increasing vehicle sizes over time conflicts with the trend toward small private roadways.
- 3.6 There is a need for open dialogue with service providers and local municipalities to investigate the possibility of alternate service delivery models. One option may include smaller waste collection vehicles. However, servicing individual developments scattered across the Region with dedicated smaller trucks may be logistically inefficient and could be costly to the Region's taxpayers.

4. Conclusion

- 4.1 Regional staff recommends consulting with local municipalities to evaluate options for all new residential developments on private roads, to meet the municipal solid

waste collection standard in By-Law 46-2011.

- 4.2 In order to address cases where the Region's waste management guidelines cannot be met, Regional staff requests the authority to investigate options, including alternative collection service arrangements and associated financial implications following consultation with affected stakeholders, to address residential developments on private roads that do not meet the current guidelines for municipal collection, and report back to Council.
- 4.3 This report has been reviewed by staff from the Planning and Economic Development Department and Legal Services – Corporate Services Department.

Respectfully submitted,

Original signed by:

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works and Acting Commissioner of Finance
Report: #2018-COW-146
Date: June 6, 2018

Subject:

Request for Information #RFI-1158-207 for Mixed Waste Transfer and Pre-sorting, Organics Processing, and Beneficial Use of By-Products/End Products

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That anaerobic digestion with a mixed waste transfer and pre-sort facility be approved as the preferred technologies for the Regional Municipality of Durham's long-term organics management strategy;
- B) That the development of a Phased Project Implementation Plan be authorized in order to consider the merits of a first phase with a transfer station capable of accommodating pre-sort capabilities;
- C) That future business analysis of a mixed waste pre-sort, and organics processing service delivery approach for a potential long-term organics management solution, be limited to either i) a private sector service contract or ii) a design-build-operate and maintain public-private partnership (P3) contract;
- D) That staff be directed to explore options, including confidential non-binding and procedurally fair discussions with interested partners including Request for Information Respondents, regarding partnerships, joint ventures, public-private partnership, co-ownership, or other forms of participation in order to bring available market and other financial information forward for consideration by Regional Council regarding a potential relationship as part of the long term Organics Management Strategy, and more specifically an anaerobic digestion facility;
- E) That an investigation of the benefits from Regional use of the potential energy and other by-products and environmental attributes be undertaken and compared to those benefits that may be realized through potential business partnerships;

- F) That the following additional technical and financial consulting, assistance and advisory services be retained to assist with continuing due diligence efforts, organics management project scope and characterization, and Regional Council reporting / recommendations with funding from the previously approved Organics Management Project funding:
- a) The award of the next phase of the GHD contract, at a cost not to exceed \$100,000:
 - b) Financial and business advisory services at a cost not to exceed \$75,000; and
 - c) External legal advice at a cost not to exceed \$65,000.
- G) That staff proceed with the procurement of an interim five-year solution to ensure continuous organics processing services for the Regional Municipality of Durham, with contract extensions and/or processing service expansion options which will ensure adequate flexibility for the transition to a new long-term Organics Management Strategy; and
- H) That staff be authorized to apply for the maximum available additional funding under the Green Municipal Fund Program (\$175,000 was received to date to offset study costs) in order to offset costs of recommended additional consulting study noted in Recommendation E), and, to continue to explore other grant funding opportunities.
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Report:

1. Purpose

- 1.1 This report responds to direction by Regional Municipality of Durham (Region) Council in June 2017 through Report #2017-COW-180, to provide an update on the following:

“That Regional Council authorize the Finance Department to initiate a Request for Information (RFI) to identify potential organics management proposals with Works and Finance Department staff to report back to Regional Council with the assessment from the RFI results and an updated business case in 2017.”

2. Background

- 2.1 The following 19 organizations provided responses to RFI-1158-2017:
- StormFisher Ltd, RRT Design and Construction, Hitachi Zosen Inova USA LLC, Engineered Compost Systems and EllisDon (consortium)
 - PurEnergy Inc.

- CCI BioEnergy Inc.
 - Suez Canada Waste Services Inc.
 - 3Wayste North America Technologies Inc.
 - Organic Waste Systems
 - Anaergia Inc.
 - W.S. Nicholls Construction Ltd.
 - Waste Robotics
 - Waste Management Canada Corp.
 - Bio-En Power Inc.
 - Miller Waste Systems Inc.
 - Canada Fibers Ltd.
 - Renewable Carbon Management LLC
 - Walker Environmental
 - Veolia Water Technologies Canada
 - Char Technologies Inc.
 - GM Canada
 - Veridian Corporation and Enbridge Gas Distribution
- 2.2 On March 23, 2018, an information report (#2018-INFO-45) was presented that provided an overview of the three primary organics management methods used in Ontario. On May 2, 2018, an information report (#2018-COW-98) provided an update on the assessment of the RFI responses.
- 2.3 On May 23, 2018, a Special Council Information Session was held to discuss organics management technologies, the current solid waste system in the Region, and other technical information received in response to the RFI.

Diversion

- 2.4 On January 23, 2008, Regional Municipality of Durham (Region) Council directed that:

“The Region of Durham agrees to continue to support an aggressive residual garbage diversion and recycling program in order to achieve and/or exceed on or before December 2010, a 70 percent diversion recycling rate for the entire Region and that such aggressive programs shall continue beyond 2010.”

- 2.5 This direction was consistent with the waste diversion objectives utilized in the Environmental Assessment (EA) for the Durham York Energy Centre (DYEC) which assumed a 60 per cent diversion rate at the start of commercial operations and projected to reach 70 per cent diversion by 2020. In 2017, the Region achieved a 54 per cent diversion rate.
- 2.6 In March 2009, the Golder Associates Ltd. report “The Regional Municipality of Durham 70 per cent Waste Diversion Study” (Report #2009-WR-5) indicated that the incremental diversion initiatives available were challenging and expensive to implement, and would not achieve the Region’s 70 per cent diversion goal. The subsequent studies and waste composition audits substantiated that the greatest diversion potential from garbage bags and multi-residential waste would be from the organic materials.
- 2.7 Attachment #1 illustrates the Region’s diversion rate and waste composition of the garbage bags.

Growth

- 2.8 The Region is projected to experience significant growth. The multi-residential sector presents an opportunity for a new waste diversion process. Table 1 identifies mixed waste projections as a result of this growth that will require pre-sorting, processing, and disposal.

Table 1: Residual Mixed Waste Projections (tonnes per year)

Year	2017	2021	2026	2031	2036	2041
Single Family (SF)	81,800	89,300	103,000	117,000	126,000	135,000
Multi Residential (MR)	13,800	14,900	17,000	19,400	21,100	22,800
Total	95,600	104,200	120,000	136,400	147,100	157,800

Note: Assumes constant tonnage per household over 2019 to 2041.

DYEC Expansion

- 2.9 The DYEC was permitted to process 140,000 tonnes of waste per year. This capacity is split as 110,000 tonnes for the Region and 30,000 tonnes for the Regional Municipality of York (York). At the planning and design stages, the DYEC capacity was estimated to serve the Region’s waste disposal needs for up to 15 years, based on the population growth, waste generation levels, and diversion rates. Due to higher than expected growth, greater waste generation, and lower diversion rates, the DYEC capacity was exceeded the first year of operations in 2016.

- 2.10 The DYEC is designed with the oversized components necessary to permit an expansion without affecting the ongoing operations (receiving area, pit, auxiliary tanks, and stack). The expansion (to 250,000 tonnes per year) would require a Ministry of the Environment and Climate Change (MOECC) scoped EA and the construction costs to undertake the expansion would be approximately \$200 million. The Power Purchase Agreement (PPA) acknowledges that the DYEC is expandable and that “The Generation Facility will initially have a generating capacity of approximately 20 Megawatts (MW) with future expansions up to a maximum of 45 MW.” In the event that an expansion is implemented, a new schedule in the PPA would be required for an updated per-kilowatt hour (KWh) revenue amount. However, the existing PPA only provides preferred pricing (currently 8.31 cents per KWh) up to the 13.9 MW name-plate capacity, and any additional electricity generation above 13.9 MW is subject to market rates.
- 2.11 The DYEC achieved commercial operations in 2016. In 2017, the Region and York (Owners) needed to bypass waste as a result of insufficient processing capacity to meet the Owners’ disposal needs. The implementation of an updated Organics Management System has been assessed as the only viable option to divert waste from the DYEC and address the need to process the growing volume of waste generated in the Region. Staff evaluation of the current system indicates that without the diversion of organic material from the Region’s waste, the expansion of the DYEC would need to be considered in the near future and preparation of application for an EA amendment should commence in 2019, subject to a business case being prepared. The most current waste generation projections for 2018 indicate that the insufficient DYEC capacity necessitates up to 10,000 tonnes of waste to be landfilled.

Legislation

- 2.12 Meeting the Provincial objectives in the new Waste Free Ontario Act and the Climate Change Mitigation and Low-Carbon Economy Act provides both challenges and opportunities to the Region. In 2016, the Provincial government passed new legislation to support a circular economy through the Resource Recovery and Circular Economy Act (RRCEA). Included in the RRCEA, is a strategy to address organics management through the Organics Action Plan (OAP). The Food and Organic Waste Framework was released in April 2018 and included the OAP which supported a food and organics waste ban with phase-in anticipated to commence by 2022. Further, the OAP prescribes various targets for the recovery of organics from the curbside (70 per cent) and multi-residential dwellings (50 per cent) by 2023 and 2025, respectively. The Provincial framework also emphasizes reduction and reuse of waste as priorities initiatives.
- 2.13 The Waste Diversion Transition Act, 2016, allows the four existing Ontario stewardship programs (Blue Box, Used Tires, Waste Electrical and Electronic Equipment, and Municipal Hazardous and Special Wastes) to eventually wind down and cease operations after new full Extended Producer Responsibility (EPR) regulations are implemented under the RRCEA.

- 2.14 Under full EPR, producers will be required to:
- Assume complete responsibility, financial and operational, for the collection, transfer, and processing of designated wastes including Blue Box materials;
 - Meet stringent recovery rates for designated products and packaging sold in Ontario;
 - Seek new packaging approaches to reduce waste generation; and
 - Educate the public and involve stakeholders in participating in the new Blue Box Program.
- 2.15 The Climate Change Mitigation and Low Carbon Economy Act received Royal Assent on May 18, 2016, with the associated regulations, established Ontario's Cap and Trade program with an effective date of January 1, 2017. The Cap and Trade program presents additional uncertainties as well as potential opportunities related to solid waste management.
- 2.16 Mandatory emitters, have a compliance obligation and are required to remit a total number of emission allowances or related equivalent compliance instruments equal to the carbon dioxide-equivalent (CO₂e) emissions created during the compliance period. Over the initial 2017 to 2020 compliance period, some mandatory emitters, including the DYEC, are receiving free emission allowances under the program with all entities responsible for truing-up their emissions in 2021.
- 2.17 Additional clarity will be required around the creation and possible uses of carbon offsets, as the Province currently proposes that offset credits can only be generated through projects/initiatives that are not already included within regulated sectors (only in non-capped sectors). As discussed in Section 5, it is anticipated that future carbon offset protocols may provide opportunities for Regional participation within solid waste management (organics management and / or digestion). Clear and reliable price signals will be essential to inform project evaluation and associated quantification of offset financial benefits and it is important that the MOECC ensures the proposed organics landfill ban will not eliminate offset opportunities related to potential organics processing.

Organics Management Technology Review

- 2.18 Regional staff have been working on the development of an Organics Management Strategy since 2011. Feasibility studies, waste composition analysis, market capacity scans, and technology review have been undertaken and reported on.
- 2.19 In 2011, Regional Council directed staff to complete a preliminary investigation of Anaerobic Digestion (AD). The resulting report, dated November 29, 2013, concluded that AD is a proven technology that could be implemented, provided

the Region generates sufficient organic waste to support developing its own facility.

- 2.20 In 2014, a Request for Information (RFI) #677-2014 for organics technologies, issued by staff, received 10 responses (reported in the 2015 Annual Solid Waste Management Servicing and Financing Study, Report #2015-J-8) for waste pre-sorting and AD solutions, and confirmed that the Region does generate sufficient organic waste to support the development of its own AD solution.
- 2.21 In response to the Food and Organics Waste Framework, a comprehensive organics management option assessment was completed which confirmed that: mixed waste pre-sorting offers the best solution for capturing and diverting organics and that there is a range of AD processing technologies which could be adopted for the Region's organic waste stream.

Existing Organics Management Merchant Capacity

- 2.22 Recently, both the City of Toronto and the Region of Peel completed an RFP process for securing organic food waste processing capacity through a service contract. Both Toronto and Peel received very limited responses clearly demonstrating that there is no merchant capacity currently available in Ontario, and they have determined that the best option from an economic and environmental point of view is to proceed with a regionally established facility.
- 2.23 However, several Respondents through the Region's recent RFI did indicate a willingness to provide a private sector service delivery contract option including private sector infrastructure build. In such a scenario, any service delivery model (private service contract or public private partnership) would be anticipated to require a guaranteed waste organic feedstock commitment from the Region.

Organics Management Request for Information Responses

- 2.24 At the May 2, 2018, Committee of the Whole meeting, staff brought forward an information report (#2018-INFO-45) that summarized the responses received on the subject RFI. The findings are summarized as follows:
- There is significant interest in participating in the Region's Organic Management Strategy.
 - Anaerobic digestion (AD) was a preferred technology for organics management among many of the Respondents.
 - There is potential for a number of business relationships although further details are needed to assess the viability of such options.
 - There are a variety of service delivery models that Respondents were open to.

- Beneficial use of by-products is viable, subject to assuring end markets for such products.
- Only two Respondents expressed an interest in the beneficial use of by-products and one Respondent proposed a potential partnership for the use of the by-products.
- RFI Respondents identified a number of factors that require further analysis and or clarification, including but not limited to additional mixed waste composition analysis and location of the mixed waste transfer and pre-sorting facility (which impacts capital and haulage costs). The majority of Respondents wanted a facility inside the Region on land provided by the Region.
- The RFI Respondents recommended that the Region should undertake additional organics quality testing on the Organic Fraction of the Mixed Waste (OFMW) from the approved pilot study to assist with determining the most appropriate end use for the end product.
- A 20-year solution (and beyond) was noted by some Respondents as appropriate, while others indicated need for proper sizing and using a phased approach to accommodate changes in tonnages and compositions over time.
- Merchant capacity to accommodate a projected 20 year requirement is not currently available but there is a willingness to provide capacity through a private sector infrastructure build.
- Some Respondents indicated that a site provided by the Region inside the Region is desirable but not necessary.

3. RFI Technology Assessment

- 3.1 The GHD technical memo which supports the following assessment is included at Attachment # 2.

Mixed Waste Transfer and Pre-sort

- 3.2 Ten RFI Respondents expressed an interest in mixed-waste transfer and pre-sorting systems, and six of the ten Respondents provided detailed responses to the technical questions. A number of Respondents indicated that these types of facilities are expandable either physically or operationally.
- 3.3 The majority of Respondents indicated a preference for a facility inside the Region on land provided by the Region. One Respondent has a private mixed waste pre-sorting facility outside of the Region's boundaries with a transfer function within the Region's boundaries and they expressed interest in accepting

the Region's organics.

- 3.4 At the November 28, 2013, Joint Works and Finance and Administration Committee meeting, consideration was given to a proposal to construct a centralized transfer station at the Garrard Road site at an estimated cost of \$7.0 million (Report #2013-J-38: The 2014 Annual Solid Waste Management Servicing and Financing Study). The Committee referred the recommendation back to staff for consideration of options to include more than one transfer site. Subsequently, as part of the 2015 Annual Solid Waste Management Servicing and Financing Study (Report #2015-J-8), the scope was expanded to create a transfer station that incorporated multi-material pre-sort technology.
- 3.5 Mixed waste transfer and pre-sort systems generally receive waste from collection vehicles, the system then opens the garbage bags, removes any hazardous or dangerous materials using equipment or manual sorting, and then utilizes mechanical equipment to remove and sort organics. The mass balance assessment of the anticipated organics recovery from the pre-sort is illustrated in Table 2.

Table 2: Total Projected Recoverable Organic Material (tonnes per year)⁽¹⁾⁽²⁾

Year	2017	2021	2026	2031	2036	2041
Mixed Waste	36,300	39,600	45,600	51,800	55,900	60,000
Source Separated Organics	28,400	31,000	35,900	40,900	44,000	47,200
Total	64,700	70,600	81,500	92,700	99,900	107,200

Notes:

1. Assumes constant tonnage per household over 2019 to 2041.
2. Estimates do not include any additional sources of organics other than what is collected in the Region's current systems.

- 3.6 Once organics are removed from the mixed waste stream, the remaining material is sent through mechanical automated equipment that can sort and remove a variety of additional products: metals, aluminum, fibres, different grades of plastics, and glass. These separated commodities are sent to their respective recyclables' market to reduce the use of raw materials in manufacturing. The estimated mass-balance assessment of the pre-sort for recyclables is illustrated in Table 3.

Table 3: Estimated Recoverable Recyclables from Mixed Waste (tonnes per year) ⁽¹⁾⁽²⁾⁽³⁾

Year	2017	2021	2026	2031	2036	2041
Ferrous Metals*	300	300	400	500	500	500
Non-Ferrous Metals*	500	500	600	700	700	800
Polyethylene Terephthalate (PET)	1000	1,100	1,200	1,400	1,500	1,600
High-density polyethylene (HDPE)	300	300	400	400	400	500
Rigid Mixed Plastic Containers	300	300	400	400	500	500
Total	2,400	2,500	3,000	3,400	3,600	3,900

Notes:

1. Assumes constant tonnage per household over 2019 to 2041.
 2. Ferrous and non-ferrous metals that were previously recovered at the DYEC would be recovered at the Mixed Waste Transfer and Pre-sort Facility once operational.
 3. As part of the 2018 Solid Waste Servicing and Financing Study, Region Council authorized a composition study to be undertaken in 2018 to sample the existing mixed waste stream.
- 3.7 The mixed waste transfer and pre-sort system would divert materials currently processed at the DYEC and create capacity necessary to accommodate the absolute increase in waste garbage created by population growth, higher waste generation rates, and waste composition changes. The diversion rate could also be increased to surpass 70 per cent for waste generated by single family and multi-residential units.
- 3.8 The additional benefits of the mixed waste transfer and pre-sort system in relation to the DYEC operations are as follows:
- Removing organics from the residual waste sent to the DYEC may improve the electricity produced per tonne of waste;
 - Removing metals and glass, which do not contribute to the generation of electricity, will increase the capacity for combustible materials at the DYEC;
 - The pre-sort process will be an additional screening of waste composition and removal, prior to being processed at the DYEC; and,
 - The pre-sort process will produce a more homogeneous refuse-derived fuel, which will be better processed at the DYEC.

- 3.9 The mixed waste transfer and pre-sort system would be considered a standalone facility that could be co-located with an organics processing facility or at a separate site. This could be accommodated through a phased implementation with the mixed waste transfer and pre-sort facility being constructed in advance of the organic processing facility. With a number of Respondents indicating that co-location of the mixed waste transfer and pre-sorting facility and organics processing facility could achieve some cost savings, this is a further consideration to be examined.

Organics Processing

- 3.10 The assessment indicated that the technologies outlined by Respondents through RFI #1158-207 are either aerobic or anaerobic, and were considered proven with experience through existing reference facilities. The majority of the submissions indicated utilization of AD technology and there were no alternative innovative technologies proposed.
- 3.11 Report #2017-COW-180, dated June 7, 2017, indicated that the mixed waste transfer and pre-sort with the AD technology was best suited to meet the project drivers. AD is a viable and proven technology. As previously reported, there are 14 facilities in North America and 93 facilities in Europe that currently treat Source Separated Organics (SSO) and/or the OFMW by AD processing.
- 3.12 The timeframe that was identified by the Respondents to have an operational AD facility was between 18 months and four years from notice to proceed. In advance of the Region's organics processing contract expiring in 2019, an interim service delivery contract will be necessary to facilitate an organized transition for organics processing up to five years (2023).

4. Financial Implications and Risk Assessment

- 4.1 The following sections provide an overview of the updated preliminary business case based on additional information as received through the RFI process. The cost analysis should still be considered preliminary given there a notable amount of additional information that is still required in addition to continued uncertainty around final regulations related to organics management, energy and carbon markets.

Updated Preliminary Operating and Capital Cost Estimates

- 4.2 This report provides updated, yet still preliminary, cost estimates associated with potentially expanding the Region's organics processing capability to include either an aerobic (in-vessel) or AD organics processing facility, including a facility for transfer and pre-sort of mixed waste:
- The up-front capital costs for transfer/pre-sort and organics processing are estimated at \$160 to \$170 million, including land, for both organics processing options (not including biogas upgrading facility). Sensitivity

analysis suggests that the capital costs could range from \$120 million to \$200 million;

- The facility operating and maintenance costs during the first year of operations are estimated at \$21.3 million to \$21.9 million (including annual lifecycle costs and net of recycling revenues and excluding all other revenues) for AD and in-vessel respectively. This could increase by an additional \$21 million ranging upward to \$26 million per year for debenture financing costs as necessary to finance the initial capital investment (not including biogas capital). This compares to the approximate \$7.6 million expenditure per year related to the Region's existing organics processing arrangement assumed under status quo; and
- Combined annual operating expense and debenture servicing costs would range from \$42.1 million to \$42.8 million in the first year, assuming a \$165 million capital project.

Table 5: Expanded Organics Solutions: Updated Preliminary Capital Cost Estimates

	AD (\$ millions)	In-Vessel ⁽²⁾ (\$ millions)
Land		
Pre-Sort/Transfer Facility	2.3	2.3
Organics Processing Facility	2.3	2.3
Land Sub-Total	<u>4.5</u>	<u>4.5</u>
Capital		
Pre-Sort/Transfer Facility	42.9	42.9
Organics Processing Facility	117.9	117.9
Capital Sub-Total	<u>160.8</u>	<u>160.8</u>
Total Estimated Capital Cost ⁽¹⁾⁽³⁾	<u><u>165.3</u></u>	<u><u>165.3</u></u>

Notes:

1. Costs expressed as gross costs in nominal/inflated dollars. No debt financing or biogas upgrade capital costs included.
2. Updated costing for in-vessel capital from June 2017 analysis (decline of \$42.2 million) attributed to reduction in assumed cost for capacity.
3. Presented as base capital costs where sensitivity range for pre-sort/transfer and organics processing facility capital ranges from approximately \$120 to \$200 million (not including land).

- 4.3 As part of this updated June 2018 preliminary analysis, operating and capital cost estimates have been refined as additional information has become available, including, but not limited to:

- Information from RFI-158-2017 has been used to refine life-cycle costing;
- Contract pricing, escalators and market pricing benchmarks have been updated with most recent data available and the base year for analysis moved to 2018;
- Tonnage assumptions have been updated based on 2017 actuals and include updated household growth projections;
- Revised design tonnage assumptions and related costing for the in-vessel organics processing option to account for processing amendments; and
- Updated information on potential revenues associated with pre-sort and both in-vessel composting and anaerobic digestion systems.

Updated Preliminary Business Case Analysis

- 4.4 Both the AD and in-vessel organics options were further assessed using a business case approach over a 20-year period, which included consideration of:
- Upfront capital and ongoing lifecycle maintenance costs, related to a pre-sort/transfer facility and organics processing facility, based on assumed processing capacity requirements as well as cost of land;
 - Annual operating costs associated with pre-sort/transfer functions and organics processing based on estimated tonnage throughput;
 - The estimated capital and operating costs would be incurred regardless of which service delivery model (i.e. public or private sector participant made the capital and operating investments); and
 - Potential revenues which may offset costs of capital and operating.
- 4.5 Table 6 provides an overview of potential first year operating expenditures for the Status Quo scenario versus the two organics processing options. As indicated, the Status Quo option acknowledges that the 70 per cent diversion target cannot be achieved.

Table 6: Status Quo Compared to Expanded Organics Processing – Annual Preliminary Cost for 2022 First Year of Operations (Nominal Dollars)

	Status Quo (32,100 tonnes) (\$ millions)	AD (72,900 tonnes) (\$ millions)	In-Vessel (72,900 tonnes) (\$ millions)
<u>Pre-Sort/Transfer Costs:</u>			
Annual Pre-Sort Transfer Costs	-	10.3	10.3
Less: Recycling and EPR Revenues	(0.4)	(1.5)	(1.5)
Total Pre-Sort/Transfer Operations	(0.4)	8.7	8.7
<u>Processing Costs:</u>			
Annual Processing Costs	6.6	9.6	9.6
Other Costs (By-product management, disposal) ⁽³⁾	1.4	3.0	3.7
Total Processing and Other Costs	8.0	12.6	13.2
Debt Service Payment	-	20.8	20.8
Net Operating Cost	7.6	42.1	42.8

Notes:

1. Assumes no biogas system capital or operating costs and no leaf and yard waste processing costs. No revenues included for recyclable materials, biogas, and excess capacity sales.
 2. Projected organics tonnages are for the first year of assumed operations (2022). Debenture based on cost sensitivities outlined, could result in annual debt servicing cost upwards of \$26 million.
 3. Includes transfer of residuals for disposal at DYEC and/or landfill, where applicable
- 4.6 Table 7 demonstrates that the AD alternative may achieve the Region's diversion objectives at a minimally-lower net present value cost (\$8.8 million, in 2018 dollars) when compared to in-vessel organics composting over a 20-year period operating. As identified, both options will require significant upfront capital and ongoing operating and debt servicing costs. The primary net cost difference between the AD and in-vessel options is their respective management and disposal of processing digestate/compost. Table 7 also compares a merchant capacity scenario at \$200/tonne of processing capacity.

Table 7: Net Present Value (2018 Dollars) – Preliminary Base Cost Scenario

Total	Anaerobic Digestion	In-Vessel Composting	Merchant Capacity
Base Cost Scenario	\$ (325.7)	\$ (334.5)	\$ (300.20)
High Capital Cost Scenario	\$ (369.3)	\$ (378.1)	\$ (311.81)
Low Capital Cost Scenario	\$ (282.2)	\$ (291.0)	\$ (288.58)

Notes:

1. Net present values based solely on capital cost and do not include any revenues for recyclable material, excess capacity sales, biogas or other by-products. Haulage costs and leaf and yard processing are not included.
2. Capital cost, operating and lifecycle cost for biogas upgrading not included.
3. Merchant capacity scenario assumes \$200/tonne for organics processing. A reduction to \$150/tonne would improve scenario results by \$58 million (2018 dollars).

5. Risk Considerations and Potential Cost Impacts

5.1 Consideration and assessment of potential risks, impacts and mitigation options are important at the pre-approval stage of any project. Given the scale, scope and complexity of an organics management processing system, Regional staff undertook an initial assessment of potential risks, which included:

- Capital construction, lifecycle and operating cost ranges;
- Facility location, scale, sizing and feedstock supply volumes related to household growth and tonnage forecasts;
- Feedstock composition, including the quality or mixture of waste organics, which impacts processing, potential marketable by-product opportunities, and operating costs;
- Location and haulage;
- Potential implications to DYEC operations due to put-or-pay obligations, electricity generation revenues and compliance obligations; and
- Emerging or evolving markets for by-products and environmental attributes, including:
 - Recyclable materials recovered through the pre-sorting processing;
 - Biogas as created through the AD process and its possible end-uses;
 - Digestate or compost created through organics processing; and
 - Creation of compliance-based and/or marketable carbon credits

recognizing GHG emission reductions.

Capital Construction and Operating Costs Sensitivities

- 5.2 As expected, capital and operating costs are the primary cost drivers for the options being examined. A +/-25 per cent change to the design cost-per-tonne to pre-sort/transfer and organics processing infrastructure has a total incremental impact of +/- \$43.6 million (2018 dollars) under either option (not including biogas upgrading capital in AD costs). Similarly, +/-25 per cent change to operating costs for pre-sort/transfer and organics processing has an incremental facility operating impact of +/- \$60.2 million (2018 dollars) under either option.
- 5.3 Costs can be impacted by numerous factors including, but not limited to, variations in technology options, pre-sorting and/or processing capabilities and requirements (i.e. odor control, storage for by-products), capacity sizing, inflationary factors and siting requirements including potential servicing. The range of costs was based on feedback received through the RFI process highlighting uncertainty around project details until such time that more detailed design specifications and costing are developed.

Facility Sizing, Capacity, and Utilization Sensitivity Analysis

- 5.4 Consistent with the June 2017 preliminary business case, this updated analysis assumes 110,000 tonnes of organics processing capacity for both AD and in-vessel options which align closely with the 20 year projected processing requirements (adjustment made to in-vessel sizing for accommodating process amendments). The pre-sort/transfer facility is assumed at 160,000 tonnes of capacity, similar to the June 2017 analysis.
- 5.5 A key risk to the updated business case analysis relates to tonnage projections which are driven by household growth projections. A lower growth scenario (historical average 10-year household growth) would impact the updated preliminary business case in a number of ways:
- Decline in projected SSO and mixed waste tonnage with absolute tonnages in 2041 declining by 17 per cent;
 - Resultant decline in RNG output (under AD option) by approximately one million cubic metres (m³) over a 20-year operating period and gross foregone revenues of \$7 million (2018 dollars) assuming a preferred industry rate of \$21/GJ, or \$0.79/m³(compared to current market rate of approximately \$0.11/m³); and
 - Decline in total digestate/compost tonnage output of 14 per cent with potential foregone revenues where marketable opportunities exist.
- 5.6 Additional risks exist around potential revenue from assumed sales of excess capacity. Some Respondents indicated excess capacity could be filled with

tonnage from other municipalities and the private sector with others suggested not oversizing at all to meet external processing requirements as securing volumes could be a challenge.

Feedstock Composition Sensitivity Analysis

- 5.7 The composition of the incoming feedstocks impacts evaluation of technology options given that organics may vary significantly and preprocessing and processing technologies not suitable for accommodating such inputs can result in facility underperformance.
- 5.8 Technical due diligence around waste composition, design criteria and performance specifications will yield additional information around potential by-product outputs and further work needed to determine, maximize and secure end-use market opportunities for marketable by-products. This can be accomplished through the RFI Respondents recommendation for the Region to undertake additional organics quality testing on the OFMW from the approved pilot study.

Outstanding Information: Location and Haulage/Collection Cost Implications

- 5.9 Given the potential locations for any future facility are unknown at this time, no haulage costs for organics were considered as part of the analysis (only transfer of residual wastes to DYEC and/or disposal to landfill, where applicable). Any future siting considerations for pre-sort/transfer or organics processing will require additional consideration of resultant cost and operational aspects in relation to collection (i.e. Regional collection routes and benefits of centralized location) and disposal of waste (i.e. proximity of organics processing solution being situated near point of disposal for residual wastes, namely DYEC). Further work is required as part of the detailed siting review, as described within the recommendations of the report.

Outstanding Information: Financial Implications on DYEC

- 5.10 Movement to an expanded organics management strategy with pre-sort capability impacts DYEC operations in a number of ways, including, but not limited to:
- There may be implications relating to the DYEC put-or-pay agreement and unused capacity. Under the co-owners agreement, the Region cannot recover the capital value of its DYEC investment and the Region will only receive a net operating fee unless selling its capacity to York. This would need to be considered along with possible terms of capacity commitment, future residue growth and capacity needs, alternative disposal options, potential expansion timing and business case. Total sales of the DYEC excess capacity over the base analysis period for either AD or In-vessel options is estimated at approximately \$2.1 million (2018 dollars), which

assumes full use of excess capacity at the DYEC; and

- Changes in composition of residual mixed waste to DYEC following pre-sort may impact electricity generation and power purchase revenues as well facility GHG emissions and associated compliance obligations of the DYEC under the Cap and Trade program.

Potential End-Product Revenue Opportunities and Challenges

- 5.11 The following end products of gas, heat, electricity, organic by-products, recycling and carbon credits will need to be fully assessed as outstanding information and emerging markets are developed:
- Biogas Production and Options for Utilization, including,
 - Compressed Natural Gas and Fueling of Vehicles;
 - Electricity Generation; and
 - RNG Contract Pricing Options;
 - Other Organics Processing By-Products;
 - Recycling Revenues; and
 - Carbon Offsets and Carbon Markets.
- 5.12 While these by-products may present revenue opportunities, there are a number of challenges associated with them which may not allow the full benefits to be realized. On February 23, 2018, Enbridge issued a Request for Proposals (RFP) for acceptance of RNG into their distribution system. Without a defined project and location, detailed output specifications and approval of Council, the Region was unable to submit a response to that RFP. However, Enbridge has noted that renewable content will play an increasing role in future compliance plans as RNG production facilities are developed and brought into commercial operation (EB-2017-0224) and as such, there may be future opportunities available to the Region under this approach.
- 5.13 Table 8 below highlights three of the key possible groups of by-products, potential opportunities, and challenges and concerns with realizing any revenue benefits. As such, further due diligence to assess the full range of uses, financial, technical, environmental and compliance based implications from a corporate perspective must be undertaken.

Table 8

A) Biogas Production and Options for Utilization

Use/Function	Description/Opportunities	Outstanding Requirements Considerations
Compressed Natural Gas (CNG) for Fueling of Vehicles	<ul style="list-style-type: none"> • Capture of methane and conversion to a high energy fuel • Natural gas currently priced less than gasoline and diesel fuel • Potential for material fuel and GHG emissions avoidance • Possible corporate synergies given fleets often well suited to CNG technologies • Possible grant funding opportunities (i.e. Green Commercial Vehicle Program) 	<ul style="list-style-type: none"> • Regulations and treatment for transportation uses of RNG compared to fossil fuel options not yet established in Canada • Requires consideration of: <ul style="list-style-type: none"> ○ projected outputs and supply availability ○ refueling infrastructure ○ vehicle costs (new or conversions) ○ siting study and approvals ○ feasibility study and business case • Implications regarding possible creation of environmental attributes through fuel displacement
Electricity Generation	<ul style="list-style-type: none"> • Utilization of Combined Heat and Power (CHP) technologies to simultaneously generate electricity and produce heat for other process or heating requirements • Potential to offset site load requirements under a net-metering arrangement • Beyond biogas CHP options can still be examined with natural gas as the primary fuel source 	<ul style="list-style-type: none"> • Requires consideration of: <ul style="list-style-type: none"> ○ sizing to site load requirements and connectivity requirements ○ potential utilization of produced heat ○ unit reliability and efficiency ○ degree of biogas fuel production, consideration of storage, maintenance and staffing requirements ○ Implications regarding possible creation of environmental attributes through fuel displacement • Province has moved away from standard-offer programs for electricity generation including renewable fuel sources but net metering still an option
Renewable Natural Gas (RNG) Supply to Distribution System and/or Contract Pricing Options	<ul style="list-style-type: none"> • Sales of RNG to gas distribution system under contract price • Possible use of RNG to offset usage requirements at other Enbridge-served locations • Possible direct sale of RNG to another Enbridge-served customer • Possible sales of RNG to outside the service area 	<ul style="list-style-type: none"> • At capital cost of \$3-11 million for upgrading facility, biogas option not viable at market rates (~\$0.11/m³). At preferred industry rate of \$21/GJ (\$0.79/m³), biogas option is viable with revenues exceeding costs • Requires consideration of: <ul style="list-style-type: none"> ○ location, projected outputs and possible contractual requirements to produce ○ siting, pipeline connection approvals, utility feasibility study and capacity ○ securing RNG purchase/sales agreement ○ mandatory injection facility through utility and alternative upgrade facility options

Use/Function	Description/Opportunities	Outstanding Requirements / Considerations
		<ul style="list-style-type: none"> ○ possible service and maintenance contract for upgrading facilities

B) Other Organics Processing By-Products

Use/Function	Description/Opportunities	Outstanding Requirements / Considerations
<p>Digestate (AD) and Compost (In-vessel)</p>	<ul style="list-style-type: none"> • AD can generate digestate end-products such as compost or liquid-fertilizer-type • Possible marketable opportunities for SSO-derived compost through In-vessel 	<ul style="list-style-type: none"> • Updated preliminary business case indicated: <ul style="list-style-type: none"> ○ marketable digestate and elimination of disposal cost would improve the AD option by ~\$22.1 million (2018 dollars); and ○ \$10/tonne for SSO-derived compost sales would improve the in-vessel option by ~\$2 million (2018 dollars) • Composted digestate from OFMW generally not suitable for beneficial use per regulations and OFMW-derived compost more contaminated • Digestate/compost outputs/opportunities will rely on: <ul style="list-style-type: none"> ○ process and technology ○ quality of materials ○ throughput tonnages ○ regulations and ability to secure end-markets • Due diligence needed around: <ul style="list-style-type: none"> ○ waste composition ○ design criteria ○ performance specifications ○ securing end-use market opportunities for by-products
<p>Recycling Revenues</p>	<ul style="list-style-type: none"> • Opportunities available for recyclable materials removed through the pre-sorting process 	<ul style="list-style-type: none"> • Mixed waste pre-sort will impact metals recovered at DYEC • Dependent on overall condition of materials and the willingness of markets to accept the materials. • Limited North American experience with recovery/sale of recyclable materials recovered from mixed waste • Determine waste composition/quality through ongoing studies to determine pre-sort equipment

Use/Function	Description/Opportunities	Outstanding Requirements / Considerations
		needs <ul style="list-style-type: none"> • Determine and secure end-use market opportunities given changing regulations and market shifts

C) Carbon Offsets and the Carbon Markets

Use/Function	Description/Opportunities	Outstanding Requirements / Considerations
Carbon Credits/Offsets	<ul style="list-style-type: none"> • Opportunities for organic waste digestion and organic waste management initiatives • Utilization of compliance-based offsets to meet obligations under the Cap and Trade program • Can be used as marketable compliance instruments 	<ul style="list-style-type: none"> • Protocols still outstanding from the Province • Detailed emissions lifecycle analysis and monitoring, quantification and validation processes are required • Pursuit of attributes must be assessed versus all other opportunities, including those which may require relinquishing right to attributes (i.e. grants, other contributions) • Credits not generally available for reduction/diversion initiatives what are required by mandate or regulation • Need to consider value of retaining credits versus transfer in exchange for grants or capital contributions

External Grant Funding Opportunities

5.14 There are a number of funding opportunities which may be available to apply toward the capital costs associated with various proposed organics management strategy initiatives. Most of the available funding programs currently available require detailed project scopes and design, project plans and siting information, summary of permits and approvals and other financial and technical specifications which are still to be determined. Furthermore, funding would generally not cover any increased operating costs associated with such initiatives. Staff will continue to monitor available program funding opportunities which could, subject to future availability and eligibility, assist in funding studies and/or any related capital infrastructure as part of the organics management strategy. It is recommended that Regional staff apply for any further eligible grants, including applying for the maximum available funding under the Green Municipal Fund (\$175,000 was received to date to offset study costs), for study costs.

Further Due Diligence Required on Siting, Capacity, Utilization and Phasing Potential

- 5.15 The RFI Respondents provided varied responses around sizing and capacity, including:
- That organics processing facilities can be built in a modular fashion and are expandable either physically or through non-infrastructure solutions (i.e. additional operational shifts to meet growth needs);
 - While the estimated tonnage assumptions contained in the RFI were considered sufficient and reasonable for RFI purposes, the recommendations around sizing to accommodate organics processing requirements ranged from sizing the processing facility to projected 2041 tonnages down to sizing to accommodate only current SSO and planned OFMW tonnages with ability to expand over time; and
 - Feedstock tonnage requirements for a private sector build of a processing facility would need to be guaranteed by the Region and cover fixed facility costs (put-or-pay contract).
- 5.16 While larger facilities can provide economies of scale (a lower cost-per-design tonne), a smaller facility may provide overall cost savings if the Region were unable to guarantee sufficient quantities of organics tonnages as input feedstocks. A number of Respondents indicated that co-location of the mixed waste transfer and pre-sorting facility and organics processing facility could achieve cost savings. These potential cost efficiencies will be explored as part of the recommended next steps if considering a phased project plan implementation.
- 5.17 Given the risks of around capacity, utilization, and siting (including location) as discussed above, and as outlined through RFI Respondents, a phased implementation may further improve the case for AD if a proper balance in economies of scale and affordability can be determined through siting and right-sizing due diligence. It is recommended that Regional staff conduct additional technical and financial due diligence on capacity requirements, sizing and utilization, with a view to exploring opportunities which could reduce up-front capital, related lifecycle and ongoing operations, and/or accommodate growth. A staged approach may also reduce uncertainties and risk around the current market and regulatory environment and need to secure feedstock commitments under a put-or-pay expectation.
- 5.18 As a first step and as part of a phased implementation strategy, it is recommended that an updated refined analysis for a centralized Regional-owned transfer station be completed, for consideration for construction in the near term. The transfer station would also consider accommodating pre-sort capabilities as part of an integrated solution.

Further Due Diligence on Impacts to DYEC

- 5.19 Given the potential impacts to the DYEC as discussed above, it is recommended that as the organics management strategy advances, further examination around downstream implications to the DYEC be considered and studied, including further consultation with York Region and Covanta, to provide a fulsome view of the impacts of pre-sort/transfer and organics processing on the Region's integrated waste management functions and the broader net program impacts realized as a result.

Further Due Diligence on Quantity and Quality of Feedstock Composition

- 5.20 In addition, due diligence is also recommended to determine the quantity and quality of the Region's mixed waste tonnages (currently underway) as well as to determine whether business partners exist and are willing to commit guaranteed tonnages to an organics processing solution within the Region. It is also important to determine if potential feedstock availability beyond the Region's tonnages could be secured without shared facility ownership/cost at a competitive price to the private sector market while also considering possible downstream DYEC implications as it relates to approval of outside materials (ECA). The RFI Respondents recommended that the Region should undertake additional organics quality testing on the OFMW from the approved pilot study to assist with determining the most appropriate end use for the end product. As identified in the 2018 Solid Waste Management Servicing and Financing Study, the Region is undertaking a mixed waste characterization processing pilot study with Canada Fibers Ltd. to provide key current data which could affect the organics management strategy business case.

Service Delivery: DBOM or Service Contract

- 5.21 The majority of RFI responses indicated that a Design-Build-Operate-Maintain (DBOM) model would be appropriate, although many were open to any preferred Regional approach, subject to appropriate contractual terms and risk balance. Respondents did indicate a willingness to provide a private sector service delivery contract approach including private sector infrastructure build. Any service delivery model (private service contract or public-private (P3) partnership), is likely to require a guaranteed waste feedstock commitment from the Region.
- 5.22 Assuming a DBOM structure, the Region would maintain facility ownership while design, construction, operation and maintenance of the facility is carried out per contractual specifications. This is generally the most widely used method of service delivery for organics processing facilities within the province (also to be used by Simcoe County and Peel Region for new facilities) and the underlying contracts allow for setting project performance and levying securities to ensure appropriate operating quality, monitoring, reporting and environmental standards are met. Furthermore, contractual arrangements which link the performance of

private sector operations to the facility that it designs and builds works to ensure the technical and operating risks are both transferred to the private sector partner.

- 5.23 Under a service contract, the asset is fully owned by the private sector and the Region would enter into a contract for processing for which the Region would commit volumes and be subject to a processing fee and be responsible for haulage and transportation. While the Region would retain the least amount of control over performance, it would also, under this business model, transfer most risk to the private sector.
- 5.24 Based on preliminary review, it is recommended that either DBOM or service contract delivery options be the preferred options, subject to appropriate risk balance, regulatory support and market factors. Given the various challenges and possible risks that may exist under either approach, it is necessary for the Region to secure suitable financial and business advisory services to ensure the development of appropriate contractual financial terms and conditions, commercial securities, risk balance and selection of service delivery parameters.

6. Business Partnership/Relationship

- 6.1 A business partnership may be beneficial in terms of shared financing, business case and/or economic development, depending upon details, shared objectives and the sharing of available benefits, obligations and risks. As indicated through the RFI process, several Respondents indicated a willingness to enter into some form of partnership with the Region as it relates to use of energy by-products although additional details around potential commitments, terms and partnership arrangement were not received.
- 6.2 In addition, the significant capital and operational costs to implement an organics management solution with AD technology creates an opportunity to enter a business partnership/joint venture, subject to suitable contractual terms and distribution of risks. Options for a business partnership/joint venture with a third party should be considered including but not limited to:
- Jointly procure an organics service delivery model;
 - Contribute capital and expertise to the project; and/or
 - Share environmental attributes and/or potential revenue streams arising from the project.
- 6.3 Through a process to be determined, staff will explore options including confidential non-binding and procedurally fair discussions with interested partners including RFI Respondents, with the Region regarding partnerships, joint ventures, P3, co-ownership or other forms of participation in order to bring available market and other financial information forward for consideration by

Regional Council regarding a potential relationship as part of the long term Organics Management strategy, and more specifically in the possible construction of an Anaerobic Digestion facility.

- 6.4 If there is a potential business case for the use of by-products and or carbon credits, then further due diligence must also be undertaken to determine if it would be more beneficial for the Region to retain and realize those benefits from a corporate use perspective, rather than transfer to a potential partner.
- 6.5 In response to part 5 of the RFI, several RFI Respondents indicated an interest in a business partnership/joint venture. Accordingly, the Region requires independent expert technical and financial advice to ensure an objective assessment of the viability, feasibility and definition of potential partnership options that the Region is prepared to consider. This upfront due diligence will also ensure the Region's risks are minimized, functional requirements are achieved, and opportunities and benefits are maximized (i.e. Regional benefits are not compromised by premature selection of a partner).

7. Conclusions

- 7.1 It is recognized that predicted growth and legislative changes will increase costs in a status quo scenario for organics management. In addition, status quo is not sustainable when considering additional factors such as lack of merchant capacity and corporate sustainability goals.
- 7.2 It is recommended that AD be selected as the preferred technology for the management of organic food waste. However, to inform the specific AD technology, output parameters, permitting needs and siting restrictions, the Region may also wish to understand the potential needs or preference of potential business partners. As such, it is recommended that staff research business models and partnership structures with commercial entities and utilities in order to determine the opportunities and related costs to transfer technological, operational and financial risks in organic and / or beneficial end use products and environmental attributes.
- 7.3 The advancements of this mixed waste pre-sort technology have been demonstrated at several existing facilities and may provide the Region with the solution to remove organics from the waste and increase its diversion rate beyond 70 per cent. The transfer mixed waste pre-sort facility could be constructed in advance of an organics processing solution subject to further business case analysis and consideration of RFI responses that indicated the co-location may provide cost and operating efficiencies.
- 7.4 The Food and Organic Waste Framework also sets food and organic waste recovery targets for the industrial, commercial and institutional (IC&I) sector in Ontario. This sector, which includes schools, hospitals, retail establishments and restaurants, will have to meet diversion targets between 50 and 70 per cent by

2025 depending on the size of the establishment. These new organics diversion targets for IC&I may create opportunities for synergies and partnerships for the Region's organic strategy moving forward. However, the Provincial framework also presents a challenge with regards to potential lower household waste generation given the Provincial emphasis on reduction and re use of waste.

- 7.5 The anticipated population growth pressures will create waste that must be either diverted (organics and recyclables) or disposed of. Without an increase in the diversion rate, the disposal capacity will need to be increased. It is evident that the status quo will not meet the Region's long-term waste diversion and management requirements.
- 7.6 The implementation of the mixed waste transfer and pre-sort is anticipated to achieve the 70 per cent diversion through the removal of the organic fraction in the garbage bag and the remaining metals and recyclable plastics.
- 7.7 Removing the black bag organics, metals and recyclable plastics will optimize capacity at the DYEC. Failure to increase the diversion rate to 70 per cent, and beyond, will require the Region to consider further disposal options, including expansion at the DYEC.
- 7.8 The anticipated Provincial legislation may introduce requirements that must be met by the Region. The Region may have to make decisions that ensure the waste management system is capable of meeting the new legislative requirements.
- 7.9 There is no existing merchant capacity to meet the Region's 20-year organic management needs. Several RFI Respondents expressed an interest in building organics management infrastructure but it is likely to require a long-term put or pay commitment.

8. Next Steps

- 8.1 It is recommended that staff continue to further investigate and conduct any necessary additional studies as outlined in this report.
- 8.2 Additional expert technical, financial and legal advisory services are recommended to be retained, as required, to assist with continuing due diligence and to refine the project scope as well as the financial and legal implications associated with the next phase of the strategy.
- 8.3 It is also recommended that staff will explore options including confidential, non-binding and procedurally fair discussions with interested partners including RFI Respondents regarding partnerships, joint ventures, P3, co-ownership or other forms of participation in order to bring available market and other financial information forward for consideration by Regional Council regarding a potential relationship as part of the long term Organics Management Strategy, and more specifically in the possible construction of an Anaerobic Digestion facility.

- 8.4 It is also recommended that staff develop a phased project plan for implementation in order to consider the merits of an early first phase to include a mixed waste transfer station capable of accommodating Pre-sort capabilities in advance of an organics management processing facility.
- 8.5 The procurement of an interim five-year solution is recommended to ensure continuous organics processing services for the Regional Municipality of Durham, with contract extensions and/or processing service expansion options which will ensure adequate flexibility for the transition to a new long-term Organics Management Strategy. Staff will initiate the procurement process to secure organics processing capacity to commence in 2019 and continue to at least 2023.
- 8.6 It is also recommended that staff will proceed to apply for the maximum available additional funding under the Green Municipal Fund program (\$175,000 was received to date to offset study costs) in order to offset costs of additional consulting study and to continue to explore other grant funding opportunities.
- 8.7 Staff will work toward reporting back on the outcomes of these next steps through the 2019 budget process as well as any ancillary reporting that may be required.

9. Attachments

- | | |
|---------------|--|
| Attachment #1 | Illustration of the Regional Municipality of Durham's Diversion Rates and Black Bag Composition |
| Attachment #2 | GHD Technical Memo dated May 25, 2018, and titled: RFI Submission Summary for Mixed Waste Transfer and Pre-sorting, Organics Processing and Beneficial use of By-Products/End Products |

Respectfully submitted,

Original signed by:

S. Siopis, P.Eng.
Commissioner of Works

Original signed by:

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

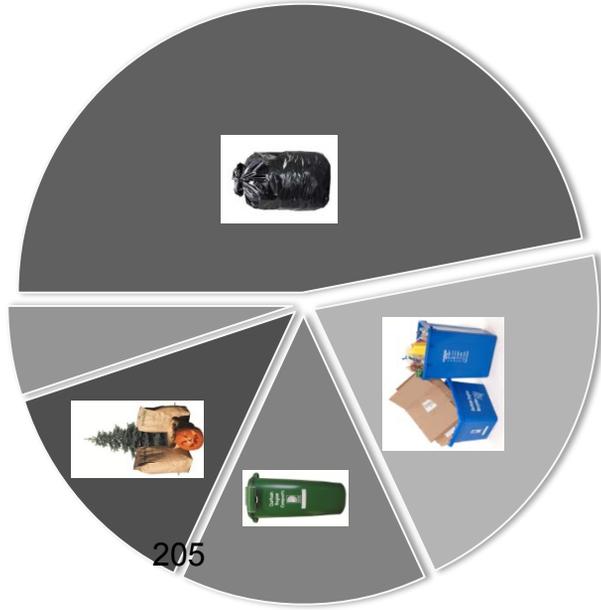
Recommended for Presentation to Committee

Original signed by:

G.H. Cubitt, MSW
Chief Administrative Officer

Durham's Residential Waste - 2017

Tonnes of Residential Waste Managed (2017)



■ Garbage - 47%

■ Recycling - 21%

■ Food Composting - 14%

■ Leaf & Yard Waste Composting - 13%

■ Other Diversion Programs - 5%

Overall Waste Diversion – 54%



Technical Memorandum

May 25, 2018

To: Mr. Gioseph Anello, MEng, PEng, PMP
 Manager of Waste Planning & Technical Services
 Regional Municipality of Durham

Ref. No.: 11116808

From: Michael Cant (GHD)/mg/10

Tel: 905-429-4971

Subject: RFI Submission Summary for Mixed Waste Transfer and Pre-sorting, Organics Processing and Beneficial use of By-Products/End Products.

1. Introduction

The Region of Durham (Region) released a Request for Information (RFI) on January 18, 2017 titled, Mixed Waste Transfer and Pre-sorting, Organics Processing and Beneficial use of By-Products/End Products.

Given that the Region's existing organics management contracts are ending in 2019 the Region is utilizing the RFI process to gather market information on potential organics management options. The RFI process involves the receipt and investigation of viable options for implementation of a long-term organics management plan and seeks information on cost-effective, proven and innovative technologies and commercial arrangements and/or potential business relationships, which would assist the Region in achieving its objectives, which include:

1. Discovering the options for the cost-effective receipt and transfer of municipal solid wastes (MSW) and organics, as well as operations for mixed waste pre-sorting to enhance organics and recyclable waste diversion from disposal for single family and/or multi-residential households. The transfer and mixed waste pre-sorting facilities may be co-located or in separate locations.
2. Implementing a future long-term organics processing strategy that maximizes system wide investment benefits while minimizing net integrated solid waste management system costs.
3. Obtaining relevant information on end markets, revenues and potential end-destinations for by-product opportunities, including compost/digestate, recovered energy, or other opportunities associated with residues related to enhanced organics diversion and processing options.
4. Meeting all regulatory requirements under the Climate Change Mitigation and Low-carbon Economy Act, 2016 and Waste Free Ontario Act, 2016, including the Waste Diversion Transition Act, 2016, Resource Recovery and Circular Economy Act, 2016 and the proposed Ontario Food and Organic Waste Framework, 2017 and while ensuring compliance, where applicable, with the Ontario Compost Quality Standards.
5. Assessing organic management options based upon an integrated solid waste management system-wide perspective and conduct technical, financial and business case analysis to support



recommendations to Regional Council by the spring of 2018, regarding a strategy for implementation of a sustainable and viable long-term organics management plan.

This memorandum summarizes the technical information in the 19 submissions received on February 1, 2018 through the RFI process.

It should be noted that of the 19 submissions received, 8 Respondents provided detailed responses to the technical and financial questions with the remaining providing various levels of response.

2. Part 1 – Respondent's Company Information

In total 19 submissions were received through the RFI process. Two of the submissions received were consortiums. The remaining 17 submissions received were from a variety of companies including waste management services providers, technology providers, a construction company and by-product/end product users. Of the 19 submissions, 16 are currently operating in Ontario, one in Quebec, one in the USA and one in Europe. The majority of the submissions provided general company information, current organic services provided, existing facility examples, the types of organic material handled, the by-products/end products produced, residual waste generated and odour management solutions. One of the 19 submissions did not provide specific information to the Region's RFI process.

3. Part 2 – Respondents General Information

3.1 Types of Option (s) or Approach (s) Proposed

As part of the RFI process Respondents were asked to provide their proposed option (s) or approach (s) to meet the Region's objectives. The Respondents could provide information on one or more of the three components which included:

- Mixed Waste Transfer and Pre-Sorting
- Organics Processing
- Beneficial Use of By-Products/End Products

A total of 10 Respondents expressed an interest in Mixed Waste Transfer and Pre-Sorting, Organics Processing and Beneficial Use of By-Products /End Products or a complete organics management approach. One Respondent expressed an interest in providing Mixed Waste Transfer and Pre-Sorting only. Four Respondents expressed an interest in providing Organics Processing and Beneficial Use of By-Products/End Products. Two Respondents expressed an interest in the Beneficial Use of By-Products/End Products only. One Respondent proposed a potential partnership for the use of the By-Products/End Products. 13 Respondents proposed AD as the potential organics processing technology. 3 of the 13 also proposed in-vessel as a potential option with one Respondent proposing in-vessel as their main organics processing technology.



3.2 Time Frames Proposed

The majority of the Respondents indicated that they could provide a 20 year solution to the Region. A number of respondents indicated a minimum term of 10 years depending on the service delivery model and contractual terms and conditions.

3.3 Waste Projections

A majority of the Respondents indicated that the waste projections provided are reasonable and they used them for the potential sizing of the facilities in their response.

A few Respondents indicated the importance of the waste and growth projections for determining facility sizing. The waste and growth projections should be revised to reflect the current 2017 data.

3.4 Intent to Oversize Organics Processing Facility

One Respondent indicated they would oversize the facilities to handle additional Industrial, Commercial and Institutional (IC&I) organics. Two Respondents indicated they would size the facility to the 2041 tonnages. Four Respondents indicated that they could handle IC&I organics but made no commitment to oversize the facility.

A number of respondents indicated that consideration should be given to phasing the development of the facilities with the possibility of some facility and site components being oversized up-front.

3.5 Service Delivery Model

A variety of response were received on the type of service delivery model the Respondents preferred. The majority indicated a preference for the P3 design build or Design Build Operate Maintain (DBOM) depending on appropriate risk balance and contractual terms. A number of respondents indicated they could provide financing. A number of Respondents indicated they would be interested in any of the service delivery models including a willingness to provide a private sector service delivery contract approach with private sector infrastructure build. Respondents indicated an expectation of guaranteed/put-or-pay tonnage commitments from the Region.

4. Part 3 – Respondent's Detailed Information Relating to Areas of Interest

4.1 Mixed Waste Transfer and Pre-Sorting

Of the 10 Respondents that expressed interest in Mixed Waste Transfer and Pre-Sorting, 6 provided detailed responses to the technical questions. The majority of Respondent's wanted a facility inside the Region on land provided by the Region. Two indicated that the Garrard Road lands would be of adequate size to accommodate the facility. One Respondent has a private mixed waste pre-sorting facility outside the Region with a transfer station in the Region. The potential land area required for the facility ranged from 1 ha to 8 ha. The initial capacity of the facility ranged from 96,000 to 200,000 tonnes. A number of Respondents indicated that their facility was expandable either physically or by adding shifts. A number of Respondents provided schematics and mass balances for the system being proposed.



The 6 detailed submissions provided a number of operating reference facilities for the mixed waste pre-sorting technology being proposed.

The timelines proposed for permitting and approvals ranged from 18 months to 4 years. Respondents indicated the schedule could be influenced by a number of factors including: availability of a site, pre-existing approvals on an existing site, regulatory requirements for the permitting of the facilities.

From the review of the RFI responses a number of factors were identified that require further clarification and/or analysis and included the following:

- Additional mixed waste composition analysis would be required in order to develop an accurate mass balance for a mixed waste pre-sorting facility. Some respondents used the composition data provided by the Region while others used their own assumptions on waste composition. The compositional data is used to determine the recyclables and organics that are available in the mixed waste stream.
- The location of the mixed waste transfer and pre-sorting facility has the potential to impact overall capital costs of the facility and the costs to haul waste from the curbside programs to the facility and the transfer of waste to the DYEC and the organics processing facility (if not co-located).
- Cost savings could be realized if mixed waste transfer and pre-sort facility and organics processing facility are located together.
- A majority of the respondents wanted the Region to provide the land for the mixed waste transfer and pre-sorting facility.

4.2 Organics Processing

Of the 14 Respondents that expressed interest in organics processing, 11 provided detailed responses to technical questions. 13 Respondents proposed AD as a potential organics processing technology. 3 of the 13 also proposed composting as a potential organics processing technology. One respondent proposed composting as the potential organics processing technology.

Five of the Respondents indicated that the SSO and OWFM should be processed separately at the organics processing facility. The majority of Respondents wanted a facility inside the Region on land provided by the Region. Some indicated Garrard Road would be large enough for organics processing but not a combined mixed waste transfer and pre-sorting facility and organics processing facility. A number of Respondents indicated that the facility could be adjacent to DYEC. Two proponents indicated the possibility of co-digestion at a Regional Water Pollution Control Plant. One Respondent has an approved facility (still to be constructed) outside the Region and would be interested in accepting the Region's organics. The land size required for the organics processing facility ranged from 2.5 ha to 8 ha.

The initial capacity proposed for the organics processing facility ranged from 61,000 tonnes to 108,000 tonnes. A majority of the Respondents indicated their facility is expandable. A majority of Respondents indicated that diaper, pet waste, etc. could be included in the organics stream. A number of Respondents indicated that the diapers, pet waste, etc. should be left in the mixed waste stream. A number of the Respondents indicated that co-location of the mixed waste transfer and pre-sorting facility and organics processing facility could achieve cost savings. A number of Respondents provided detailed



explanations of their odour control equipment. A number of Respondents provided schematics and mass balances for the organics processing system being proposed.

The timelines proposed for permitting and approvals ranged from 18 months to 4 years.

4.2.1 Technologies Submitted

Of the 13 submissions received for AD the following technology types were proposed:

- Wet AD - 4
- High Solids AD - 1
- Dry AD – 3
- Wet or Dry – 5

Three of the Respondents proposed either AD or composting as the organics processing technology. One respondent proposed composting as their preferred organics processing solution.

The 11 detailed submissions all provided a number of operating reference facilities for the organics processing technology being proposed.

Given that 13 of the 14 respondents provided AD as a solution it appears that the market prefers AD as the organics processing option for the Region's organics.

From the review of the RFI responses a number of factors were identified that require further clarification and/or analysis and included the following:

- The location of the organics processing facility has the potential to impact overall capital costs of the facility and the costs to transfer the organics to the organics processing facility (if not co-located).
- Cost savings could be realized if mixed waste transfer and pre-sort facility and organics processing facility are located together.
- A majority of the respondents wanted the Region to provide the land for the facility.
- A decision on the organics processing technology type should be made in advance of the procurement process.

4.3 By-Product/End-Product Opportunities

4.3.1 Digestate/Compost Opportunities

With in-vessel systems compost would be produced. Those proposing in-vessel composting indicated they could produce high quality compost that could be sold as a product from the Source Separated Organics (SSO). A number of respondents provided examples of facilities that they operated producing high quality compost. Some respondents indicated that the Organic Fraction of Mixed Waste (OFMW)



from the mixed waste pre-sorting facility may be more contaminated and a high quality end product may not be produced.

For those Respondents proposing AD, a digestate would be produced that could be used as a liquid fertilizer, a nutrient rich soil amendment or composted. Examples of facilities producing all three products were provided. One Respondent proposed a technology that would process the digestate into a biochar that could be sold for the cleaning of biogas or a soil amendment product.

Some respondents indicated that the OFMW may be more contaminated and a high quality compost or digestate product may not be produced.

From the review of the RFI responses it was identified that further clarification and/or analysis on the OFMW is required. The following is recommended:

- The Region should undertake additional organics quality testing on the OFMW from the approved pilot study to assist with determining the most appropriate end use for the end-product.

4.3.2 Biogas Utilization Opportunities

Biogas would not be produced by an in-vessel composting system. All the detailed AD submissions indicated that biogas would be produced from the facility. The potential use of the biogas ranged from power and heat recovery to cleaning and upgrading to Renewable Natural Gas (RNG) for injection into the pipeline. Some respondents also indicated that Compressed Natural Gas (CNG) could be produced to power vehicles.

From the review of the RFI responses it was identified that further analysis on the potential uses and revenue streams for the biogas should be explored.

From the review of the RFI responses it was clear that the potential for end-product uses will be a function of the provincial and federal regulations under development for both digestate and biogas use.

5. Pricing

The majority of the pricing provided in the RFI submissions was in the range of the pricing provided in the original financial analysis with some outliers above the high range of pricing. The cost ranges varied depending on the assumptions used by the respondents for facility sizing, technologies, ancillary facilities, storage requirements and by-product/end-product uses. This information should be reviewed by the Region's Project Team and used to update the Financial Analysis. Through the RFI process additional potential revenues from by-products have been identified and should be incorporated into the financial analysis as appropriate.

6. Conclusions

Based on the review of the Respondents submissions the following conclusions are provided:

- The Region has received a variety of potential options and approaches through the RFI process including:



- 10 complete approaches (information provided on all three components)
- 1 Mixed Waste Transfer and Pre-Sorting option with the mixed waste facility outside the Region and the transfer facility inside the Region
- 4 options providing Organics Processing and Beneficial Use of By-Products/End Products
- 2 options for Beneficial Use of By-Products/End Products only
- 1 potential partnership for the use of the By-Products/End Products
- Examples of current operating facilities in the size required by Region have been provided in a number of the responses.
- Significant interest has been expressed by the industry to provide the Region with a long-term organics management options and approaches.
- 8 of the Respondents provided detail responses to the RFI technical and financial questions which will assist the Region in further defining the Business Case for the project.
- Given that 13 of the 14 respondents provided AD as a solution it is appears that the market prefers AD as the organics processing approach for the Region's organics.
- The location of the mixed waste and pre-sorting facility and organics processing facility has the potential to impact overall capital costs of the facility (s) and the costs to transfer by-products and end-products to other facilities (if not co-located).
- Further analysis on the potential uses and revenue streams for the biogas should be undertaken.

7. Recommendations

Based on the review of the Respondents submissions the following recommendations are provided:

- Additional mixed waste composition analysis is required in order to develop an accurate mass balance for a mixed waste processing facility. This compositional data can be used to determine the recyclables and organics that are available in the mixed waste stream.
- The Region should undertake additional quality testing on the OFMW from the approved pilot study to assist with determining the most appropriate end use for the material.
- A decision on organics processing technology should be made in advance of any procurement process.



The Regional Municipality of Durham Information Report

From: Commissioner of Works and Commissioner of Planning and Economic Development
Report: #2018-INFO-79
Date: May 18, 2018

Subject:

Status Report on Water Quality in Private Wells in the Range Road/Ontoro Boulevard Area, in the Town of Ajax

Recommendations:

Receive for information.

Report:

1. Purpose

- 1.1 The purpose of this report is to provide an update on community concerns and seek direction regarding water quality in private wells in the Range Road/Ontoro Boulevard area, in the Town of Ajax (Ajax).
- 1.2 On March 7, 2018, Committee of the Whole provided the following direction:
 - a) That Report #2018-INFO-29 of the Commissioner of Works and Ana Marple's correspondence be referred to Works staff to allow staff to seek guidance from the Province as to the provision of municipal water to the residents in the Range Road/Ontoro Boulevard area;
 - b) That staff report back by May on potential options once guidance from the Province has been received; and
 - c) That a meeting be convened with the residents, local and Regional Councillors, Ajax Planning staff and other stakeholders as soon as further direction has been determined.

2. Background

- 2.1 The Range Road/Ontoro Boulevard community is located in the rural south eastern portion of Ajax, generally along the waterfront (Attachment #1). There are approximately 35 rural residential dwellings in the subject area.
- 2.2 The Urban Area Boundary is on the east side of the existing Lakeside residential community. Municipal sewer and water services terminate at the intersection of Ashbury Boulevard and Hoile Drive, next to Range Road.
- 2.3 All properties within the Range Road/Ontoro Boulevard community are located outside of the designated Urban Area Boundary of the Regional Official Plan and are within the Protected Countryside Area of the provincial Greenbelt Plan. The majority of the dwellings within this area are 400 metres to 800 metres east of the designated Urban Area boundary. Each dwelling is serviced with a private well and sewage disposal system.
- 2.4 Section 4.2.2.2 of the Greenbelt Plan, 2017 indicates the following:

The extension of *municipal or private communal sewage or water services* outside of a *settlement area* boundary shall only be permitted in the case of health issues or to service *existing uses* and the expansion thereof adjacent to the *settlement area*.

3. Guidance

- 3.1 In light of the above policy in the Greenbelt Plan, Regional staff sought guidance regarding the extension of municipal services to the Range Road/Ontoro Boulevard community by sending a letter to the Ministry of Environment and Climate Change (MOECC) and the Ministry of Municipal Affairs (MMA) on March 13, 2018 (Attachment #1). A response was received on April 16, 2018 from the Ministry of Municipal Affairs (Attachment #2). MMA staff noted in their response that the Greenbelt Plan does not define or further clarify what constitutes a “health issue” in the context of Section 4.2.2 of the Greenbelt Plan. However, it was recommended that “the Region consult with the Health Department or Medical Officer of Health and determine if the current status of water quality and/or quantity constitutes a health issue in this area”.

- 3.2 As noted previously, the Health Department reviewed historical well water quality information and reports, as well as the July 2017 MOECC water sample results. As the contaminants present in the groundwater may be removed by various treatment technologies, the Medical Officer of Health is of the opinion that the bar for declaring a health issue has not been met.
- 3.3 In the case of existing uses being “adjacent” to a settlement area, 33 of the 35 dwellings within the subject area are between 400 metres and 800 metres distant from the settlement area boundary, which Regional staff would not be consider “adjacent to a settlement area”.

4. Local Groundwater Conditions

- 4.1 A water well survey and water quality sampling program for the area conducted by staff from the Ministry of the Environment and Climate Change (MOECC) in 2017 noted various issues being faced by the residents.
- 4.2 A review of previous sampling and hydrogeological work conducted within the area was also assembled from information provided by the residents. A report commissioned by the residents by Jagger Hims Limited report (2008), noted the challenges faced by the residents include:
- groundwater yields from the geological units are typically low and in some cases are insufficient for domestic use;
 - the groundwater water in this area does not comply with the Ontario Drinking Water Quality Standards (ODWQS) for several parameters and there are health concerns with the water¹; and
 - there is no known opportunity to deepen or relocate the wells to provide a suitable supply of raw groundwater.
- 4.3 The Jagger Hims Limited report also noted that municipal water supply is recommended for the properties in the Range Road and Ontoro Boulevard area.
- 4.4 In addition, based on comments made by a local water treatment specialist attending a public information meeting with respect to this issue in April 2017, treatment of the existing groundwater has been tried and is challenging due to existing naturally occurring water quality and quantity conditions in the Range Road/Ontoro Boulevard area.

¹ It should be noted that the water sample results for which this statement is based on were collected prior to any treatment. Further, the ODWSOG do not apply to private wells, but may be used by private well owners to assess the acceptability of their water. Owners of private wells are responsible for ensuring the quality of their water supply and for the costs associated with water treatment.

4.5 It is important to note that the delegation and residents at the public information meeting in April 2017, have highlighted that they cannot drink, shower, cook or clean with the current water from their wells whether it is treated or not.

4.6 The delegation, Ms. Ana Marple, presented a treated water sample from her home at the Committee of the Whole meeting which was noticeably discoloured and turbid. The residents have presented this information in order to highlight the potential health issue which exists as the water cannot be used.

5. Municipal Servicing

5.1 Regional staff have reviewed the Municipal Class Environmental Assessment process. The extension of municipal services along an existing right-of-way or servicing corridor is considered a Schedule A project and may proceed subject to the obtaining the necessary approvals and completing the detailed design process. One of the approvals will be location approval on the right of ways owned by the Town of Ajax.

5.2 Should it be determined that water services be provided, then the construction of a watermain would need to be extended from the Lakeside residential community, easterly along Range Road to Lake Ridge Road, then southerly to Ontoro Boulevard, and then westerly (a total distance of approximately 1,450 m). The preliminary conceptual cost estimate for a watermain extension is in the order of \$2.0 million, subject to engineering for site specific conditions.

5.3 The extension of municipal services to the subject area has not been planned within the Region's Water Supply & Sanitary Sewerage Servicing and Financing Study therefore; there are no approved or planned capital funds. As noted in the Region's Water Supply System By-Law Number 89-2003, As Amended - Part VII: Extension of the Regional Water Supply System, Item 38, Extension of the Regional Water Supply System may be undertaken upon such terms and conditions as Regional Council may from time to time impose. Regional staff would recommend that the full cost be fully borne by the existing property owners who will receive the benefit of the service.

5.4 Should Regional Council decide to proceed with the necessary work to extend municipal services, it would need to be supported by a request from the existing property owners in the form of a local improvement valid petition. A local Council resolution from the Town of Ajax to support the project should also be provided.

-
- 5.5 In order to provide the extension of municipal services, the works would be subject to approvals under Ontario Regulation 586/06 under the Municipal Act, 2001. A petition would be required and supported by two-thirds (67 per cent) of the property owners, representing 50 per cent of the property value of the benefitting lands. In addition, the Regional Clerk must certify the results of the petition.
- 5.6 Upon receiving a current valid petition with respect to the works from the affected residents, Regional Council may consider all the facts and circumstances in making a determination as to the availability of the 'health issues' exception in Policy 4.2.2.2 of the Greenbelt Plan, 2017.
- 5.7 Upon review, the previous petitions did not meet the requirements under the Ontario Regulation 586/06. Report #2018-INFO-80 prepared by Corporate Services – Legal provides more information on this subject.
- 5.8 Once staff has been provided direction, then a meeting with the residents and stakeholders could be arranged.

6. Conclusion

- 6.1 Residents living on Range Road and Ontoro Boulevard continue to express concerns related to private well water quality and quantity. The properties are located outside of the Ajax Urban Area, within the Provincial Greenbelt Plan Area.
- 6.2 In order for Regional staff to initiate the implementation of municipal services for the existing property owners in this area, direction from Regional Council is required.
- 6.3 This report has been prepared in consultation with the Health, Planning & Economic Development, and Corporate Services-Legal Services Departments.

7. Attachments

Attachment #1: The Regional Municipality of Durham's letter dated March 13, 2018 to the Ministry of Environment and Climate Change and the Ministry of Municipal Affairs including site map of properties on Range Road and Ontoro Boulevard

Attachment #2: Reply letter from the Ministry of Municipal Affairs to the Regional Municipality of Durham dated April 16, 2018

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



**The Regional
Municipality of
Durham**

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March 13, 2018

Lisa Trevisan, Central Region Director
Ministry of the Environment and Climate Change
5775 Yonge Street, 8th Floor
North York, ON M2M 4J1

Laurie Miller, RPP
Director, Provincial Planning Policy Branch
Ministry of Municipal Affairs
777 Bay Street, 13th Floor
Toronto, ON M5G 2E5

Dear Ms. Trevisan and Ms. Miller:

**Re: Servicing of Properties Within the Greenbelt
Ontoro Boulevard and Range Road, Ajax**

Durham Regional Council has provided direction to staff to pursue the potential for servicing of properties in a defined area of existing residential development in the Town of Ajax that is within the Greenbelt, to address long-standing and deteriorating water quality and quantity issues. The area is shown on the attached map and includes residential properties fronting on Ontoro Boulevard and Range Road. As you are aware, the residents in this area are on private services and have experienced significant water quality and quantity issues that have been documented for many years.

MOECC staff have recently (2017) participated in a public meeting related to these issues and subsequently completed a water sampling program. In addition to the sampling program, MOECC received historical records and reports from the residents.

Based on the hydrogeotechnical characteristics of this area, there are limited options for the residents to rectify their private wells which continue to experience serious water quality and quantity problems. A report prepared by Jagger Hims Limited concludes that the residents cannot drill new wells in order to resolve their water issues. In addition, the existing residents have consulted water treatment specialists and employed various methods to treat

If you require this information in an accessible format, please contact 1-800-372-1102 ext. 3519.

Lisa Trevisan, MOECC and Laurie Miller, MMA
Re: Servicing of Properties Within the Greenbelt
Ontario Boulevard and Range Road, Ajax
Page 2 of 2

their well water; however, given the conditions in the area treatment options do not produce water that is useable for day-to-day activities. Some residences with water quantity are faced with challenges due to the amount required to improve the water quality (e.g. 4 units of raw water is required to produce 1 unit of treated water).

Based on current conditions, residents cannot use their water supply for practical functions, such as showering, laundry and cooking and therefore consider this a health issue.

The Region of Durham and the Town of Ajax are prepared to examine servicing options for this area in an attempt to alleviate the documented issues experienced by the residents of this area.

It is in that regard that we are writing to seek guidance on whether the province would object to the extension of municipal services to this area, relative to the Greenbelt Plan.

We would appreciate a response at your earliest convenience as staff have been asked to report back to Regional Council in the very near future on this urgent matter. If a meeting or telephone conversation would be helpful, please let us know.

Sincerely,



Susan Siopis, P.Eng.
Commissioner of Works

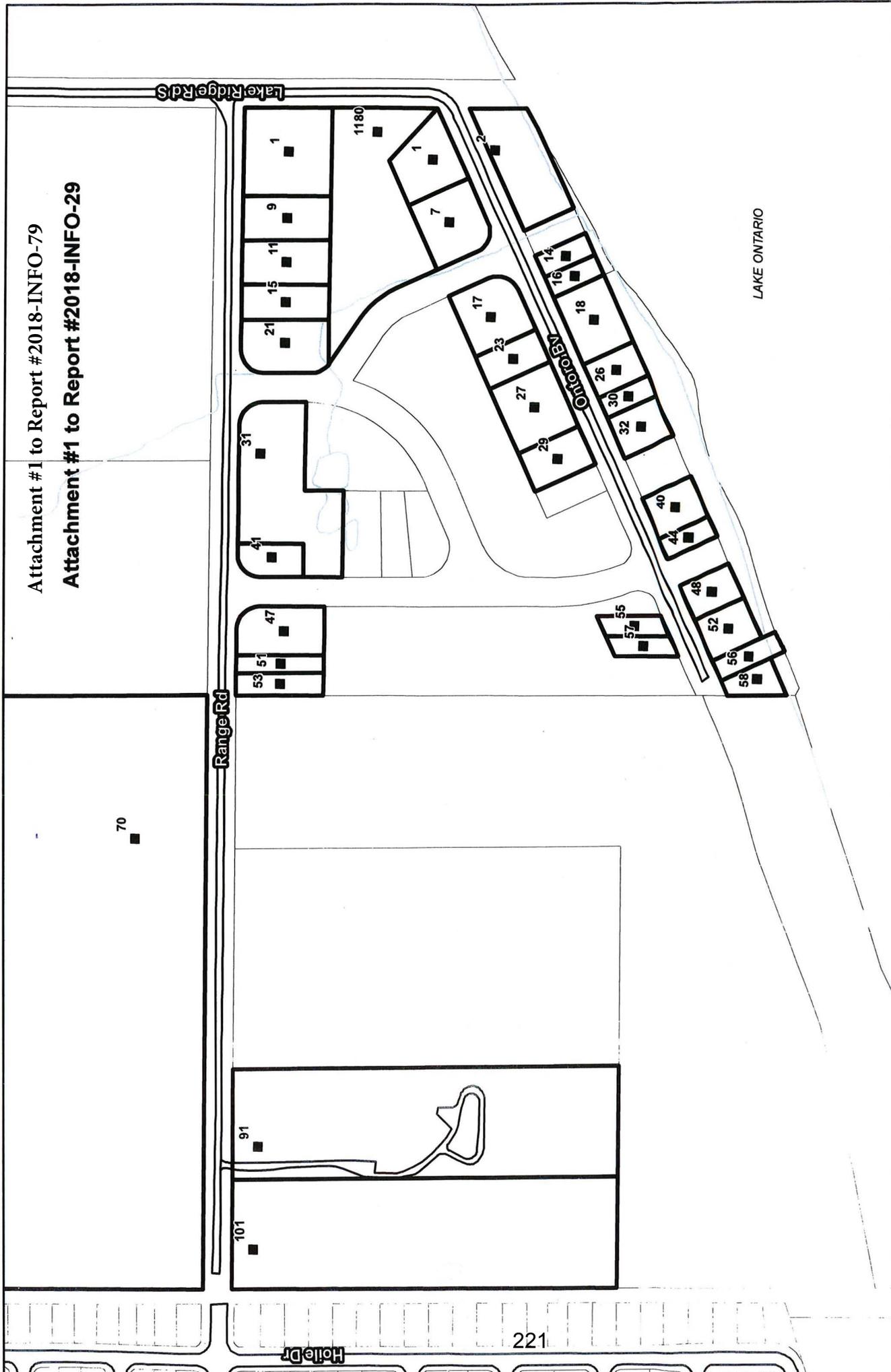


Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development

cc: Dr. Robert Kyle, Commissioner & Medical Officer of Health, Durham
Region

\attach

Attachment #1 to Report #2018-INFO-79
 Attachment #1 to Report #2018-INFO-29



The Regional Municipality of Durham
 Works Department
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Ontoro Blvd / Range Rd
 Town of Ajax

- Addresses With Existing Houses (35)



Map Date: February 1, 2017

**Ministry of
Municipal Affairs**

**Ministère des
Affaires municipales**

Ministry of Housing

Ministère du Logement



Municipal Services Office
Central Ontario
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Phone: 416-585-6226
Facsimile: 416-585-6882
Toll-Free: 1-800-668-0230

Bureau des services aux municipalités
du Centre de l'Ontario
777, rue Bay, 13^e étage
Toronto ON M5G 2E5
Téléphone : 416-585-6226
Télécopieur : 416-585-6882
Sans frais : 1-800-668-0230

April 16, 2018

Susan Siopis, P. Eng.
Commissioner of Works

Brian Bridgeman, RPP
Commissioner of Planning and Economic Development

The Regional Municipality of Durham
605 Rossland Road East
Whitby, ON L1N 6A3
905-668-7711

**RE: Servicing of Properties Within the Greenbelt
Ontoro Boulevard and Range Road, Town of Ajax**

Dear Ms. Siopis and Mr. Bridgeman:

Thank you for your letter, dated March 13, 2018, in which you request provincial guidance regarding the servicing of properties within the Greenbelt Plan area, generally located along Ontoro Boulevard and Range Road in the Town of Ajax. Please note, we have consulted with our colleagues at the Ministry of Environment and Climate Change (MOECC) on this matter and have considered their input in our response.

As you are aware, Section 4.2.2 of the Greenbelt Plan (2017) provides for sewage and water infrastructure within the Protected Countryside. In addition to identifying how such works should be carried out, the policies provide criteria for when considering the extension of municipal or private communal sewage or water services outside of a settlement area. Such criteria include the servicing of existing uses and expansions thereof adjacent to the settlement area or, in the case of health issues.

The Greenbelt Plan (2017) does not define or further clarify what constitutes a "health issue" in the context of Section 4.2.2. In this regard, it is recommended the Region should consult with its respective Health Department or Medical Officer of Health and determine if the current status of water quality and/or quantity constitutes a health issue in this area.

If the Region is of the opinion that a "health issue" does exist, then Section 4.2.2 of the Greenbelt Plan (2017) would permit the extension of municipal services to this area, in accordance with the provisions of the Plan.

Should you wish to discuss this matter further, please feel free to contact me directly by email at ross.lashbrook@ontario.ca or by phone at 416-585-6063.

Sincerely,



Ross Lashbrook
Manager, Community Planning and Development
Municipal Services Office – Central Ontario
Ministry of Municipal Affairs

- c. Lisa Trevisan, Director, Regional Offices – Central, MOECC
Laurie Miller, Director, Provincial Planning Policy Branch



The Regional Municipality of Durham Information Report

From: Director of Corporate Services – Legal Services
Report: #2018-INFO-80
Date: May 16, 2018

Subject:

Petition - Range Road/Ontoro Boulevard Area Construction of Watermain

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to provide a response to the question from Council as to whether the petition signed by 23 residents of the Range Road/Ontoro Boulevard area in 2005 with regards to the construction of a watermain to service their properties is still valid.

2. Background

2.1 Report 2018-INFO-29 included a petition that appears to be from 2011 and signed by 27 owners, in contrast to the 2005 petition signed by 23 owners, which was not available to be reviewed.

2.2 A valid petition with respect to a local improvement by-law must be in the form prescribed by Ontario Regulation 586/06 made under the *Municipal Act, 2001*. For example, the 2011 petition appears to have been sent to the Regional Chair and not filed with the Regional Clerk as required by the Regulation, and it does not appear to sufficiently describe the work proposed to be carried out. Based on the response from the Commissioner of Works to the 2005 petition, it appears that owner support for the works was insufficient to comply with the Regulation.

- 2.3 Moreover, The Regional Clerk may not be in a position to certify the results of either the 2005 or the 2011 petitions given the passage of time and dating of the information contained in the petitions. Accordingly, given the passage of time (13 years, 7 years, respectively) it would be advisable to do a fresh petition, containing up-to-date information, in connection with these proposed works to account for changes in ownership, opinion, and financial circumstances, among other matters.
- 2.4 Regardless of any issues with the form of the 2005 petition, the 2011 petition, or any forthcoming current, valid petition there remains the issue with conformity to the Greenbelt Plan. In the Commissioner of Works response to the 2005 petition, issues with respect to conformity with both the Greenbelt Plan and the Regional Official Plan were identified.

3. Conclusion

- 3.1 The 2005 petition does not appear to be a valid petition for the purposes of Ontario Regulation 586/06.

4. Attachments

Attachment #1: Correspondence from the Commissioner of Works, dated July 20, 2006

Respectfully submitted,

Original signed by

Jason Hunt
Director of Legal Services



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-99
Date: June 6, 2018

Subject:

Declaration of Lands as Surplus Located in the Right of Way at Dundas Street West (Highway 2) and future Desmond Newman Boulevard (formerly Coronation Road) in the Town of Whitby and Approval to Transfer the Surplus Land to the Town of Whitby

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That property, identified as Part 4 on Plan 40R-29934 in the Regional Municipality of Durham, Town of Whitby be declared surplus to Regional needs;
 - B) That Regional staff be granted authority to transfer the lands described in Recommendation A to the Town of Whitby for a nominal sum subject to any easements required; and
 - C) That authority be granted to the Regional Clerk and Regional Chair to execute any documents necessary to complete the conveyance to the Town of Whitby
-

Report:

1. Purpose

- 1.1 The purpose of this report is to declare a portion of right of way owned by the Regional Municipality of Durham (Region) surplus to the Region's requirements (Attachment #1) and to transfer this land to the Town of Whitby (Whitby) in accordance with the recommendations contained in this report for the future Desmond Newman Boulevard (formerly Coronation Road).

2. Background

- 2.1 The subject property, located at Dundas Street West (Highway 2) and future Desmond Newman Boulevard (formerly Coronation Road), Whitby is owned by the Region and is part of the right of way.
- 2.2 Whitby has approached the Region with a request to transfer a portion of the property to be used as part of Desmond Newman Boulevard. The transferred lands will remain as a road.

3. Discussion

- 3.1 The Region's By-law No. 52-95 established the procedures governing the sale of real property. The initial step in the disposal process is a declaration that the real property is surplus to the Region's requirements. Staff in the Works Department has confirmed that the Region has no requirement for this land, and it should be declared surplus to the Region's needs.
- 3.2 The property will be transferred to Whitby directly for a nominal sum, subject to any easements required.

4. Conclusion

- 4.1 Regional staff recommends that Part 4 on Plan 40R-29934 be declared surplus to the Regions needs and this land be conveyed to the Town of Whitby for a nominal sum.
- 4.2 This report has been reviewed by the Legal Services Division of the Corporate Services Department.

5. Attachments

Attachment No. 1: Map of Subject Land

Respectfully submitted,

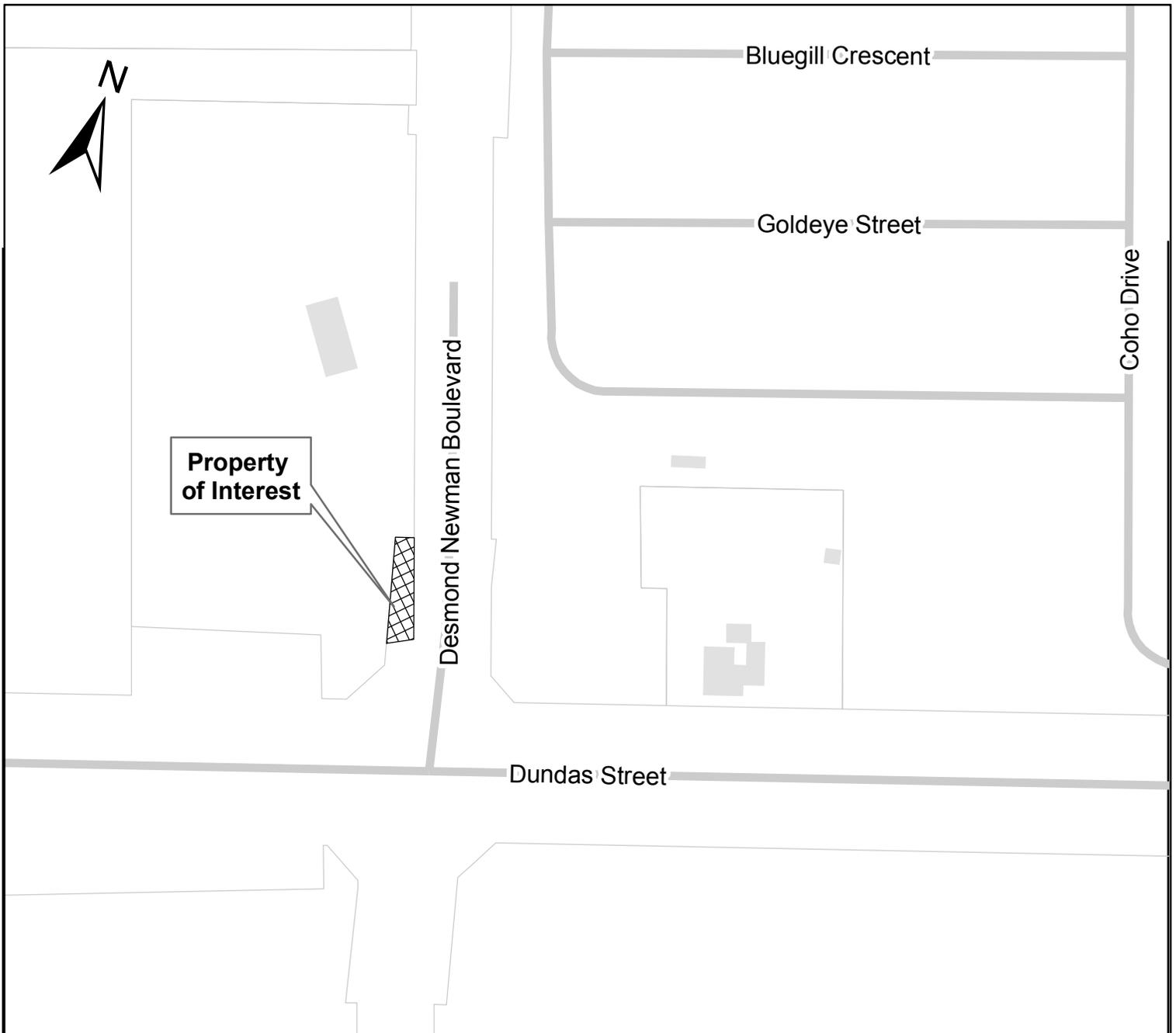
Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



**Attachment No. 1: Map of Subject Lands
Lands to be Transferred to the Town of Whitby
Part 4 on 40R-29934**

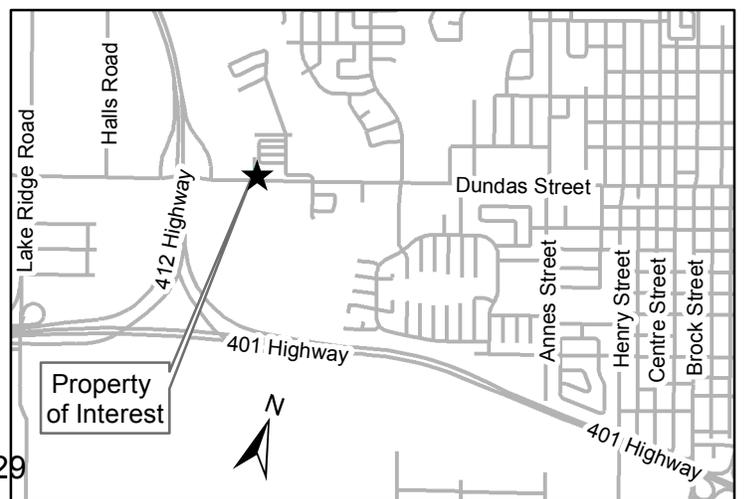


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The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-100
Date: June 6, 2018

Subject:

Clean Water Act, 2006 Section 34 Proposed Revisions to Policies in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan and updates to the Toronto and Region Assessment Report

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the proposed mapping and text revisions to the Toronto and Region Assessment Report and policy revisions in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan, prepared by the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee be endorsed;
- B) That the *Clean Water Act*, 2006, Section 34 Amendment which includes proposed revisions to the Transition Provision, as well as Policies T-8, GEN-1, SWG-3, SNO-1, SAL-10, SAL-12, SAL-13, and REC-1 in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan and the associated explanatory text prepared by the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee be endorsed; and
- C) That a letter be submitted to the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee indicating that the Regional Municipality of Durham endorses the proposed revisions in Toronto and Region Assessment Report and the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan.

Report:**1. Purpose**

- 1.1 This report provides a summary of the proposed revisions to policies in the Credit Valley, Toronto and Region, Central Lake Ontario (CTC) Source Protection Plan (SPP) and proposed revisions to mapping and text contained within the Toronto and Region Assessment Report (Assessment Report).

2. Background

- 2.1 The CTC SPP came into effect on December 31, 2015 and is now in its third year of implementation. The Regional Municipality of Durham (Durham) was involved in the preparation of the CTC SPP throughout its development between 2001 and 2014.
- 2.2 The proposed revisions to the CTC SPP and Assessment Report will be implemented under Section 34 within the *Clean Water Act, 2006*.
- 2.3 Durham is divided into three Source Protection Regions:
- the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Region (CTC);
 - the South Georgian Bay Lake Simcoe Source Protection Region (SGBLS); and
 - the Trent Conservation Coalition Source Protection Region (TCC).

3. Amendments to the CTC Source Protection Plan

- 3.1 *The Clean Water Act, 2006* enables source protection plans and assessment reports to be revised using one of four methods:
- A locally initiated amendment under Section 34;
 - A minister ordered amendment under Section 35;
 - An update resulting from the review under Section 36; or
 - An amendment under Section 51 of O. Reg. 287/07 for minor and administrative revisions.
- 3.2 The method used will depend on factors such as the level of complexity of the revisions and the time sensitivity.

- 3.3 Prior to conducting public consultation on a Section 34 Amendment, the *Clean Water Act, 2006* requires that source protection authorities obtain a municipal council resolution from each municipality affected by the amendments. A municipality may be considered “affected” if it is located within a geographic area related to the amendments, and/or the municipality is responsible for taking actions or implementing policies related to the amendments.
- 3.4 The CTC Source Protection Committee authorized the formation of an Amendments Working Group (Amendments WG) to work with staff and municipal partners to develop recommendations for amendments to the CTC Source Protection Plan. Durham’s Risk Management Official (RMO) and Planning staff have been engaged in the amendments process through the Amendments WG.

4. Policy Amendments in the CTC Source Protection Plan

Transition Policy

- 4.1 The CTC Source Protection Plan includes a transition policy which outlines circumstances where a “future” drinking water threat activity, that would otherwise be prohibited, may be considered as “existing”, even if the activity has not yet commenced. The policy’s intent is to allow development applications in transition to proceed while drinking water threats are managed under the “existing threat” policies. Revisions to this policy clarify when a threat can be considered “existing” for in-progress development proposals and when a water balance is needed for development applications in transition. Additionally, the proposed policy specifies that, for applications in transition that would result in an increase of impervious surface, a water balance assessment, or equivalent, is still generally required. Based on the scale and location of development, the Planning Approval Authority has a certain level of flexibility regarding water balance requirements.

Timeline T-8

- 4.2 The CTC SPP requires Official Plans be amended for conformity within five years from the date the SPP is effective (December 2020). The Province released the Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) in May 2017 and requires Durham to review and update the Regional Official Plan by July 2022. Proposed amendments to this policy aligns the timing of source protection Official Plan amendments with Growth Plan conformity timeline requirements. Based on this proposed change, Regional staff will incorporate any required Official Plan policy amendments into the upcoming municipal comprehensive review process of the Regional Official Plan.

Policy GEN-1

- 4.3 This existing policy manages existing and future activities within vulnerable areas where the activity is or would be a significant drinking water threat as designated under Section 59 of the *Clean Water Act, 2006*. RMOs are required to screen applications for works proposed under the Planning Act, the Condominium Act, and the Building Code Act, 1992 as amended, excluding residential uses. The revised policy provides clear direction allowing RMOs the autonomy to determine the site specific land uses that are subject to Section 59 notices.

Policy SWG-3

- 4.4 This existing policy is a land use planning policy for future septic systems, including holding tanks, governed under the Building Code Act, 1992, as amended. The current policy prohibits a septic system on a vacant lot where there is no municipal sewer connection available. Revisions to the policy are necessary to ensure that permits can be granted in areas where municipal servicing is not available.

Policy SNO-1

- 4.5 The above noted policy addresses existing and future significant drinking water threats as a result of snow storage. The policy prohibits the future storage of snow where it is a significant drinking water threat. The revised policy includes provisions to manage any future instances of snow storage outside of the Wellhead Protection Area-A (WHPA-A is the 100 metre radius of a municipal well). The revised policy will apply to the Issue Contributing Areas for sodium and chloride in the CTC source protection area. There are no Issue Contributing Areas in Durham.

Policy REC-1

- 4.6 The CTC SPP includes policy REC-1 which is a land use planning policy that manages activities that reduce recharge to an aquifer. Proposed revisions to this policy clarify the intent of agricultural uses in the water quantity threat areas (WHPA Q1/Q2) of the Toronto and Region Source Protection Area. The revised policy no longer requires a water balance assessment for development down gradient of municipal supply wells within the WHPA Q1/Q2.

Policies SAL-10, SAL-12 and SAL-13

- 4.7 The above noted series of land use planning policies within the CTC SPP address the application of road salt. The application of road salt is deemed a significant, moderate, or low drinking water threat when specific criteria are met. The revisions expand the list of applicable vulnerable areas to ensure that these policies are applicable in all land use planning vulnerable areas to protect all sources of municipal drinking water.

5. Technical Amendments to the Toronto and Region Assessment Report

- 5.1 Significant Groundwater Recharge Area mapping has been updated to reflect the final recharge rates as simulated in the updated groundwater model used for the York Tier 3 water budget analysis.
- 5.2 The WHPA-Q1/Q2 was delineated using a very conservative groundwater model and includes recharge areas outside of the area where land development has the potential to affect the water levels in municipal wells. Toronto and Region Conservation Authority staff have developed a downgradient boundary to identify where water budget assessments are not required.

6. Conclusion

- 6.1 The Section 34 Amendment which includes the proposed revisions to policies in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan and proposed revisions to mapping and text contained within the Toronto and Region Assessment Report are required for implementation. For the Section 34 Amendment to the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan to proceed, a Regional Council resolution endorsing the amendments is required from all affected municipalities.

6.2 The following actions are requested from Regional Council:

- the proposed mapping and text revisions to the Toronto and Region Assessment Report and policy revisions in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan, prepared by the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee be endorsed;
- the Clean Water Act, 2006, Section 34 proposed revisions to the Transition Provision, as well as Policies T-8, GEN-1, SWG-3, SNO-1, SAL-10, SAL-12, SAL-13, and REC-1 in the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan and the associated explanatory text prepared by the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee be endorsed; and
- a letter be submitted to the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Committee indicating that The Regional Municipality of Durham has endorsed the proposed revisions to the Toronto and Region Assessment Report and the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan.

6.3 Staff from the Planning Department assisted in the preparation of this report and concur with the recommendations.

Respectfully submitted,

Original signed by _____

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by _____

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-101
Date: June 6, 2018

Subject:

Expropriation of Lands Required for the Proposed Bus Rapid Transit Project along Hwy 2 (Kingston Road), in the City of Pickering and Town of Ajax

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings, if necessary, where negotiations are unsuccessful with respect to the property requirements for the proposed Bus Rapid Transit Project (Project) along Highway 2 (Kingston Road), in the City of Pickering and the Town of Ajax from Regional Road 38 (Whites Road) to Regional Road 23 (Lake Ridge Road) as are generally depicted in Attachment # 1, Part 1, 2 and 3 and as such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the Project;
- B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation C) in this report, including the Notices of Application of Approval to Expropriate;
- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation A) in this Report, and to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration; and

- D) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act R.S.O. 1990, c. E.26 related to the Bus Rapid Transit project for Council approval, remain confidential in accordance to Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporation purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a complete and full and final basis for the Bus Rapid Transit Project where appropriate from this date forward.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to expropriate property requirements needed for Bus Rapid Transit (BRT) if the Regional Municipality of Durham (Region) is unable to obtain amicable agreements through negotiations with property owners.

2. Background

- 2.1 Through the Provincial Quick Win program, the Region has advanced curbside BRT along Highway 2 through priority segments in the City of Pickering (Pickering) and the Town of Ajax (Ajax). Construction of the Quick Win projects will be completed in 2018.
- 2.2 To further build on the advancements from the Quick Win program, on October 18, 2016, the Region submitted a list of ten projects to the Ontario Ministry of Transportation (MTO) in order to apply for the Region's allocation of \$17,530,114 in Public Transit Infrastructure Fund Phase I (PTIF) funding. On March 31, 2017, the federal government announced that all ten of the Region's submitted projects were approved.

- 2.3 On March 16, 2018 the federal and provincial governments announced a bilateral agreement for Public Transit Infrastructure Fund Phase 2 (PTIF2). Based on this, the Region could receive over a 10 year period up to \$95 million in Federal funding, \$78 million in provincial funding and \$64 million in Regional funding, resulting in a total estimated gross transit capital investment of \$237 million.
- 2.4 In anticipation of this funding from the PTIF2, there was \$5 million included in the 2018 Roads Capital Budget for property acquisition for BRT projects. Advance acquisition of these properties would allow the Region to become design ready for segments that are already EA approved through the City of Pickering and the Town of Ajax.

3. Property Acquisitions

- 3.1 Regional staff has identified property requirements from 24 properties that will be affected by the proposed work. Three properties are municipally owned and one is owned by the Ministry of Transportation Ontario. The remaining 20 properties are a mix of commercial, institutional and residential privately owned properties, which are directly affected by the proposed works. The Region will need to acquire a portion of each property to facilitate the works. Regional staff will have to consider the option to commence the expropriation process in order to complete the project in a timely manner if negotiations are not successful for these 20 properties.
- 3.2 The BRT project will be completed in a number of phases, affecting numerous properties. Staff recommends that compensation details for amicable agreements will not be made public until all land acquisition is complete and all claims are settled on a full and final basis, as this information might negatively impact negotiations in future phases.

4. Conclusion

- 4.1 The Regional Municipality of Durham staff will continue to negotiate with the property owners in an attempt to acquire the necessary property. Should these negotiations fail, this approval will permit staff to commence expropriation proceedings to ensure that the timelines are met allowing this project to proceed to construction.

- 4.2 If staff exercise the option of commencing expropriation pursuant to the authority being sought through this report, staff will report back further to Regional Council to seek authority for the next stage which will be to expropriate the property requirements and proceed to serve the next set of notices on affected property owners as would be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26.
- 4.3 This report has been reviewed by Corporate Services – Legal Division and Corporate Services – Legislative Services.

5. Attachments

Attachment #1: Properties of Interest, Highway 2 Bus Rapid Transit from Regional Road 38 (Whites Road) to Regional Road 23 (Lake Ridge Road), in the City of Pickering and Town of Ajax

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

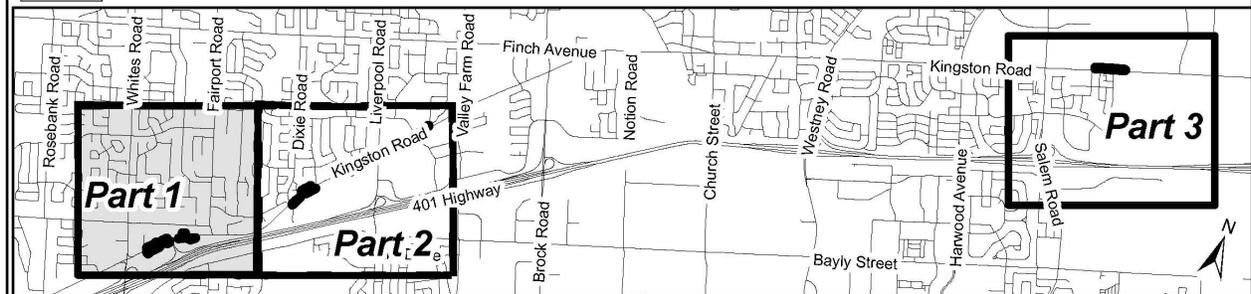


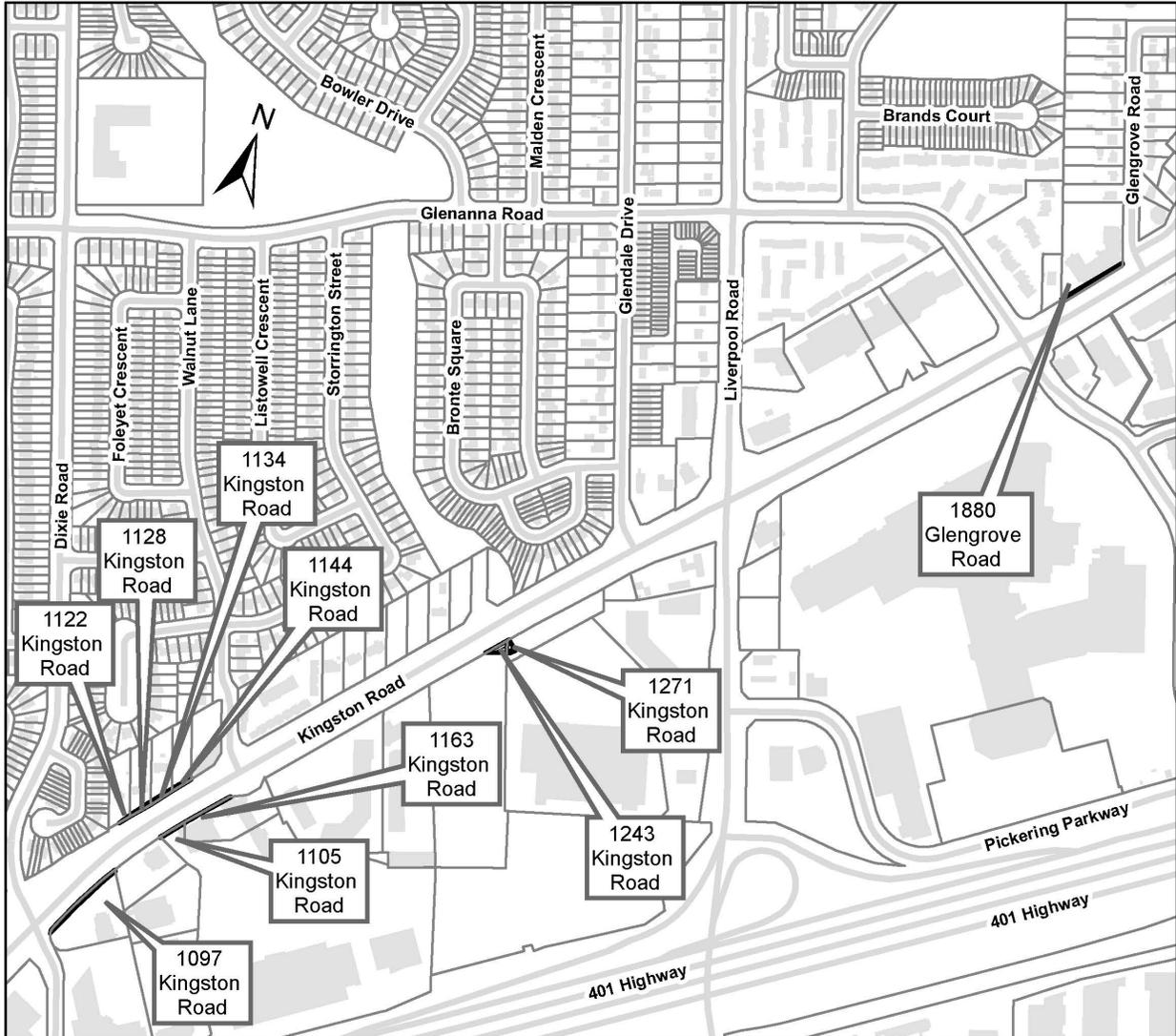
**Attachment #1 - Part 1
Properties of Interest for the Proposed Bus Rapid
Transit Project along Highway 2 (Kingston Road),
in the City of Pickering and Town of Ajax**



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- Property of Interest
- Assessment Parcels



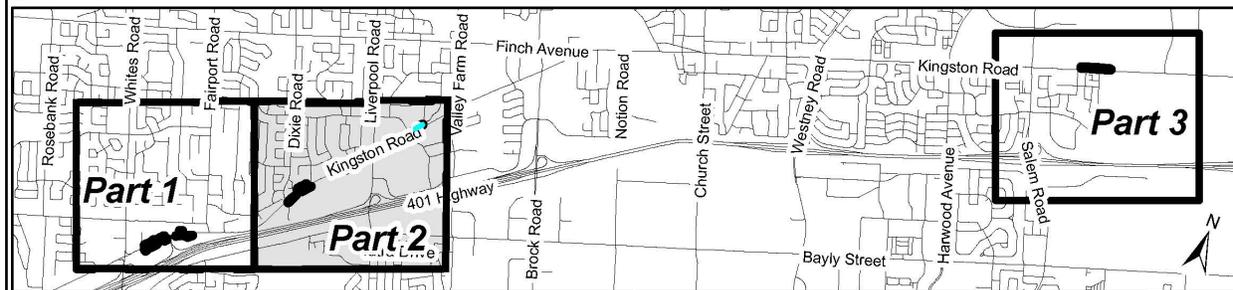


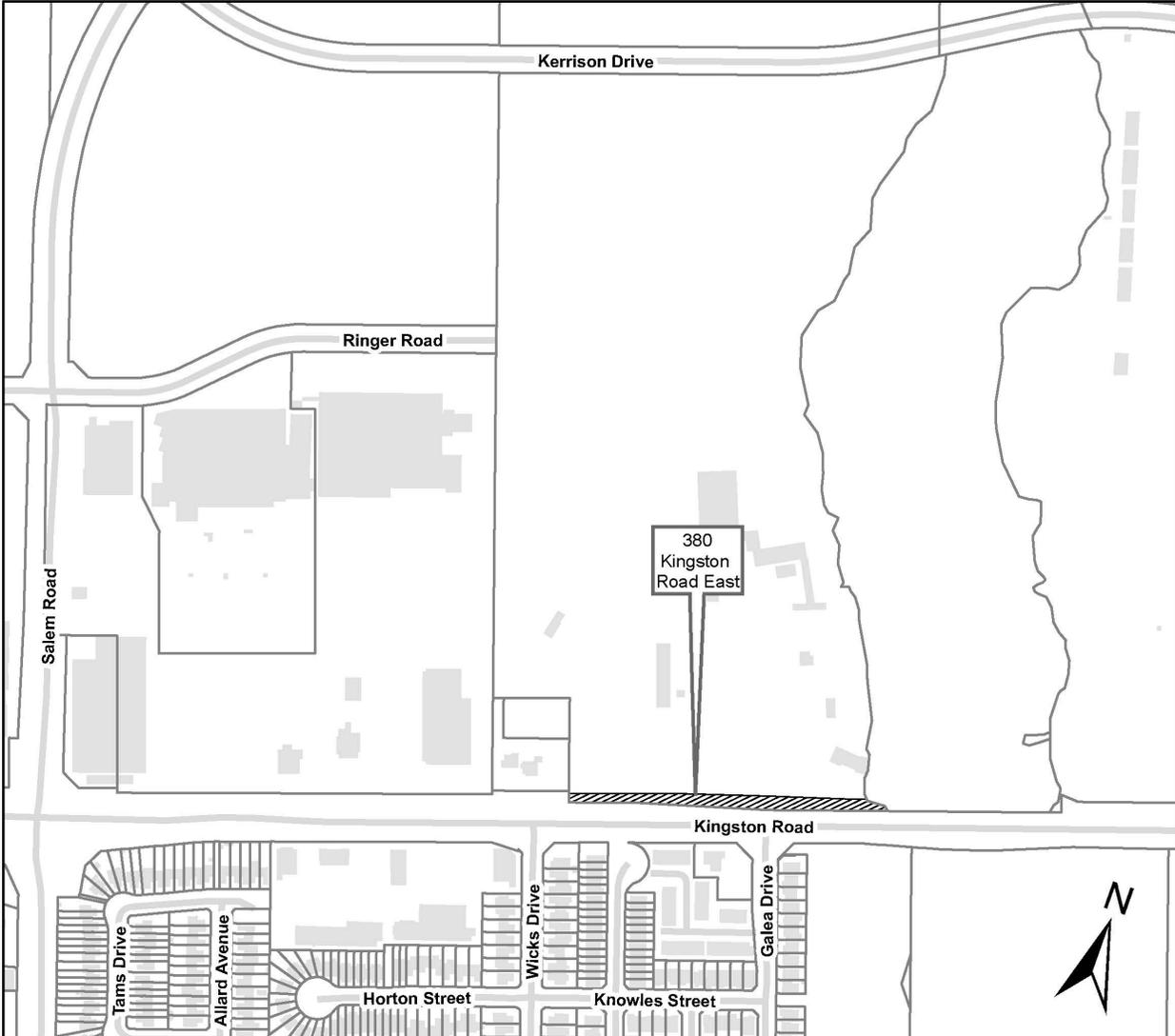
**Attachment #1 - Part 2
Expropriation of Lands Required for the Proposed Bus Rapid
Transit Project along Highway 2 (Kingston Road),
in the City of Pickering and Town of Ajax**



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- Property of Interest
- Assessment Parcels



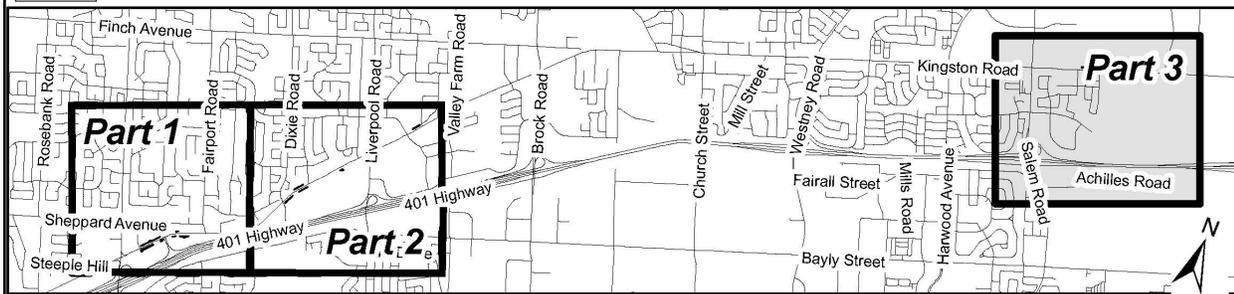


**Attachment #1 - Part 3
Properties of Interest for the Proposed Bus Rapid
Transit Project along Highway 2 (Kingston Road),
in the City of Pickering and Town of Ajax**



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-  Property of Interest
-  Assessment Parcels





The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-102
Date: June 6, 2018

Subject:

Amendment to Regional Policy to Permit In-House Appraisals for Land Acquisitions Exceeding \$100,000 at the Discretion of the Commissioner of Works

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the requirement to obtain a third-party appraisal for the purchase of property for Regional projects where the value exceeds \$100,000 as established in Works Committee Report #95-W-73 be amended to permit the preparation of such appraisal reports by internal or external sources at the discretion of the Commissioner of Works or their designate; and
 - B) That the preparation of all appraisals be completed by Appraisers who hold the Accredited Appraiser Canadian Institute (AACI) or Certified Residential Appraiser (CRA) designations in good standing with the Appraisal Institute of Canada.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to update the current policy approved in Works Committee Report #95-W-73 which requires that third-party appraisals be obtained for any property required for Regional purposes with a value expected to exceed \$100,000.

- 1.2 The Works Department is proposing that the requirement to obtain a third-party appraisal be at the discretion of the Commissioner of Works or designate based on the nature and circumstances of the property acquisition.

2. Background

- 2.1 Works Committee Report #95-W-73 was approved by Regional Council on June 7, 1995, and required that at least one third-party appraisal be obtained for Regional purposes where the cost of the acquisition was expected to exceed \$100,000. The report was specified in that the appraisal needed to be completed by an appraiser holding the designation AACI with the Appraisal Institute of Canada.
- 2.2 At the time of approval of the original report, a relatively small portion of the Region's property purchases exceeded \$100,000, allowing for the majority of appraisals to be completed by the Region's staff appraisers if so chosen. The following table highlights the increase in median price for residential homes from 1995 to 2017:

Municipality	Median Price 1995	Median Price 2017	% Increase
Pickering	\$170,000	\$695,000	309%
Ajax	155,000	659,500	325%
Whitby	160,000	670,000	319%
Oshawa	119,000	502,000	322%
Average	\$151,000	\$631,625	318%

Toronto Real Estate Board Market Watch

- 2.3 As residential property values have increased significantly across southern Durham Region since 1995, the majority of appraisals required for Regional projects have been completed by third-party appraisers, resulting in increased cost and time necessary to procure the required services and ultimately acquire the land.
- 2.4 With a number of key infrastructure projects receiving funding from the Provincial and Federal Governments that have time constraints attached (i.e. PTIF, CWWF), the option to complete internal appraisals will potentially expedite acquisitions and allow the Region to obtain the requirements within set time periods imposed by the Region's funding partners.

3. Internal Appraisal Approach

- 3.1 The Real Estate division of the Works Department currently employs three Appraiser/Negotiators who hold an AACI or CRA designation with the Appraisal Institute of Canada. The requirement to hold this designation is a mandatory requirement of the position, along with experience in delivering appraisals which is garnered through private sector experience. This results in the hiring of Appraiser/Negotiators that bring experience in valuing a variety of residential and commercial properties.
- 3.2 Land acquisition can have a significant impact on the timelines for a project. Reducing the need to hire third party independent appraisers for the valuation of property required for Regional purposes will allow the Appraiser/Negotiators to advance property negotiations in a timely manner, particularly in cases where multiple properties are required for the same project.
- 3.3 Currently it takes approximately two to three weeks to hire a third-party appraiser and another six to eight weeks for the report to be completed and finalized. The cost of these standard appraisals ranges from \$5,000 to \$15,000. By completing the work with internal appraisal staff, this timeline can be significantly reduced.
- 3.4 Each property requirement will be assessed to determine whether obtaining an independent third party appraisal for the Region will enhance negotiations with the property owner. Independent appraisals may also be obtained if the workload for in house appraisal staff does not facilitate the timely completion of valuations.
- 3.5 Where negotiations become acrimonious, an independent appraisal may be obtained by the Region to verify its internal appraiser's conclusions. In cases where expropriation proceedings are to commence, a third party will be retained to provide the appraisal report in accordance with Section 25 of the Expropriations Act and represent the Region as an expert in proceedings with the Board of Negotiation and/or the Local Planning Appeal Tribunal.
- 3.6 During negotiations, owners may arrange for their own independent appraisal for their property regardless of whether the Region's appraisal is conducted internally or by a third party.

3.7 The requirements for the disposal of real property established under By-law #52-95 do not require the Region to obtain a third party appraisal to determine the market value of lands declared surplus. A case by case review of the surplus lands will be undertaken to determine whether an internal or third party appraisal is required.

4. Conclusion

4.1 Staff recommends that the current policy approved in Works Committee Report #95-W-73 which requires that third-party appraisals be obtained for any property required for Regional purposes with a value expected to exceed \$100,000 be amended to permit the preparation of such appraisal reports by internal or external sources at the discretion of the Commissioner of Works or their designate.

4.2 This report has been reviewed by Corporate Services – Legal Division.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-107
Date: June 6, 2018

Subject:

Declaration of Lands as Surplus and Approval to Transfer to the City of Oshawa as Part of a Land Exchange for Lands Required for the Oshawa Landfill Buffer Project

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) The property, legally described as Parts 9, 10 and 11 on Plan 40R-28294 in the Regional Municipality of Durham, City of Oshawa be declared surplus;
 - B) That the lands described above be conveyed to the City of Oshawa for a nominal sum in exchange for land required by the Regional Municipality of Durham for the Oshawa Landfill Buffer project; and
 - C) That authority be granted to the Regional Clerk and Regional Chair to execute all documents that may be necessary with this conveyance.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to declare land owned by the Regional Municipality of Durham (Region) surplus to the Region's requirements (Attachment #1) and to dispose of this land to the City of Oshawa (Oshawa) in exchange for lands required for the Oshawa Landfill Buffer project (Attachment #2) in accordance with the recommendations contained in this report.

2. Background

- 2.1 The Region entered into negotiations with Oshawa to acquire sufficient lands to provide for a buffer area along the Oshawa Creek, adjacent to the former Oshawa Landfill site. During those negotiations, Oshawa requested that lands at the intersection of Simcoe Street North and Winchester Road East be exchanged for the lands required by the Region to allow for the installation of a gateway feature at the intersection.
- 2.2 The Region previously acquired land at the southwest corner of Simcoe Street North and Winchester Road East from Infrastructure Ontario for intersection improvements and acquired additional land at the request of Oshawa to allow for the gateway feature. At the time of purchase, it was intended that Oshawa would reimburse the Region for the purchase of this land.
- 2.3 In exchange for the lands at the Simcoe Street North and Winchester Road East intersection (being a total of 193.7 square metres) the Region will acquire sections of land at 1529 Simcoe Street North in Oshawa for a landscape buffer required surrounding portions of the Oshawa Landfill for remediation of the Oshawa Creek. The Region will acquire a total of 4.7 hectares from Oshawa legally described as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 19, 20 and 21 on Plan 40R-29729, and Part 1 on 40R-29010.
- 2.4 The lands will be exchanged through an agreement to be executed by Oshawa and the Region, subject to the approval of this report.

3. Discussion

- 3.1 The Region's By-law No. 52-95 established the procedures governing the sale of real property. The initial step in the disposal process is a declaration that the real property is surplus to the Region's requirements. Staff in the Works Department has confirmed that the Region has no requirement for this land, and it should be declared surplus to the Region's needs.
- 3.2 A transfer agreement/ land exchange agreement will be executed by the Regional Chair and Regional Clerk to complete the transaction, with the lands being transferred between both parties at a nominal sum.

4. Conclusion

- 4.1 Regional staff recommend that Parts 9, 10 and 11 on Plan 40R-28294 be declared surplus to the Region's needs and this land be conveyed to the City of Oshawa for a nominal sum in exchange for lands required for the Oshawa Landfill Buffer project, to be transferred to the Regional Municipality of Durham at a nominal fee.
- 4.2 This report has been reviewed by Corporate Services – Legal Division.

5. Attachments

Attachment #1: Lands to be Declared Surplus and Transferred to the City of Oshawa – Simcoe and Winchester

Attachment #2: Lands to be Transferred to the Regional Municipality of Durham – Oshawa Landfill Buffer

Respectfully submitted,

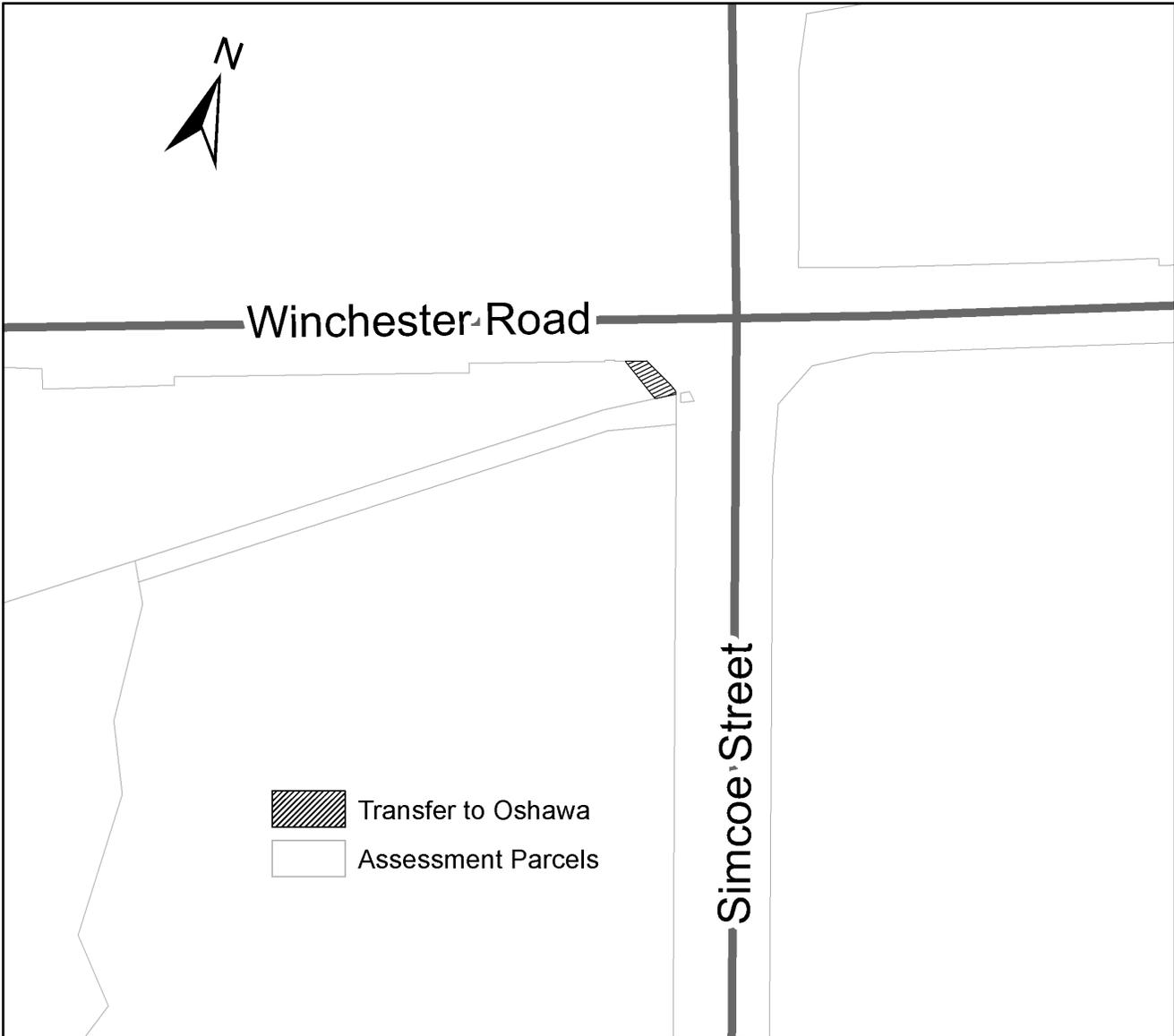
Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



**Attachment No. 1: Lands to be Declared Surplus and Transferred to the City of Oshawa
Simcoe At Winchester**



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Attachment No. 2: Lands to be Transferred to the Region - Oshawa Landfill Buffer

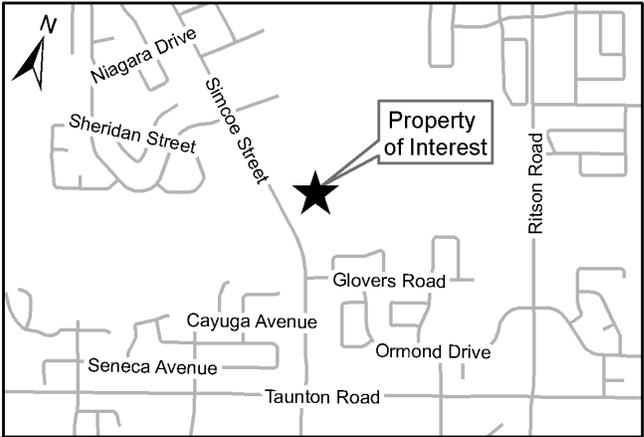


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The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-113
Date: June 6, 2018

Subject:

Standardization of Office Workstation Furniture System for Regional Municipality of Durham Facilities

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That Teknion Leverage Workstation System furniture be adopted as the standard for modular workstation furniture installations within the Regional Municipality of Durham's facilities where Teknion modular furniture has already been installed, and for all new construction projects requiring modular workstation furniture for a five year term beginning July 1, 2018 and ending June 30, 2023;
- B) That all future furniture requirements specifying Teknion Leverage Workstation System furniture be obtained through a competitive process, specifying distributors authorized to supply Teknion Leverage Workstation System furniture; and
- C) That all other forms of modular furniture which require performance based specifications be obtained via a competitive bidding process in accordance with Purchasing By-Law 68-2000 (Amended).

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval from the Regional Municipality of Durham (Region) Council to standardize to Teknion Leverage Workstation System furniture for all facilities where Teknion modular furniture has already been installed, and to utilize Teknion Leverage Workstation System furniture as the standard for all new construction projects requiring modular furniture installations.
- 1.2 Teknion Leverage Workstation System furniture is a modular workstation furniture product that consists of panels, work surfaces and storage that connect together to form a typical cubicle style workspace. The individual components can be configured in a variety of ways maximizing design and installation flexibility.

2. Background

- 2.1 Furniture has been procured by various methods since the Region was formed in 1974. The result of this historical practice is a variety of modular furniture systems across all facilities.
- 2.2 As part of the construction of the Regional Headquarters building, a Furniture, Fixtures and Equipment (FFE) Committee was set up to provide input into the specifications for office furniture, chairs, cabinets, loose furniture and miscellaneous office furnishings. Based on the recommendations of the FFE Committee, a Request for Proposals (RFP) was issued by the design/build contractor, Ellis Don & Brisbin Brook Beynon Architects, for the modular systems furniture requirements for the new Headquarters building. The modular system selected through this process was Teknion Leverage Workstation System furniture.
- 2.3 The RFP included a provision allowing the Region to utilize the favorable pricing for Teknion for a further three years.
- 2.4 Approximately 95 per cent of Regional facilities, excluding Durham Regional Police Services, currently use the Teknion Leverage Workstation System furniture.

3. Justification for Standardization

- 3.1 Utilizing a standard office workstation furniture system from a single manufacturer provides a cost-effective and flexible workstation system that can be easily implemented as part of any new project and renovations at all Regional facilities. Cost efficiencies through the re-use and reconfiguration of workspaces using compatible components that are retained from other projects and facilities can be realized.
- 3.2 Regional staff can be easily trained to perform minor remodelling and relocation work using a standardized workstation furniture system with compatible parts. Spare parts and components can be stored and inventoried for re-use as needed. Regional staff would become familiar with the functionality of the furniture, allowing ease in accommodating ergonomic and accessibility requirements.
- 3.3 In cases where a different manufacturer's workstation systems furniture has been installed at an existing location, any additional purchases for that location will need to be compatible with that particular system. The requirements will be procured through a competitive process where possible, specifying the existing modular furniture manufacturer on compatible alternatives, or sole sourced if there are no alternatives.
- 3.4 Stand alone office furniture, boardroom furniture, chairs, cabinets and other similar furniture will not be standardized, and will be procured as required in accordance with the Region's Purchasing By-Law 68-2000 (Amended).

4. Financial Implications

- 4.1 Financing for the purchase of furniture will be included in the appropriate departmental capital budgets approved as part of the Region's Business Plans and Budgets. The estimated annual average cost for the five year term is \$1,000,000 or \$200,000 annually.
- 4.2 A competitive bidding process to select a vendor for the design support, supply and installation of furniture will be developed, specifying Teknion Leverage Workstation System furniture as the modular systems furniture manufacturer and model, in consultation with the Finance Department Purchasing Section.

- 4.3 Other non-workstation furniture requirements, such as benching systems, tables and other stand alone furniture items will be included in this competitive bid as well. Multiple authorized dealers in Ontario will be able to provide the Teknion Leverage Workstation System furniture products, along with design support and supply and installation services ensuring the Region will receive competitive pricing.
- 4.4 Furniture requirements for Durham Regional Police Services facilities will continue to be procured based on a performance specification as part of construction and renovation project tenders. Where appropriate, performance based specifications will be utilized to purchase furniture for Regional facilities on a case by case basis where Teknion Leverage Workstation System furniture is not already installed.

5. Conclusion

- 5.1 It is recommended that Teknion Leverage Workstation System furniture be adopted as the standard for workstation furniture installations within the Regional Municipality of Durham facilities where Teknion modular furniture has already been installed and for all new construction projects requiring modular workstation furniture.
- 5.2 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-114
Date: June 6, 2018

Subject:

Servicing Agreement with Suncor Energy Inc. to Reconstruct the Existing Gas Bar at 925 Simcoe Street North (Regional Road 2), in the City of Oshawa

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with Suncor Energy Inc. to reconstruct the existing gas bar at 925 Simcoe Street North (Regional Road 2) in the City of Oshawa; and
 - B) That the Regional Chair and Clerk be authorized to execute the Servicing Agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek permission to enter into a Servicing Agreement with Suncor Energy Inc. (Suncor) to reconstruct the existing gas bar at 925 Simcoe Street North (Regional Road 2) in the City of Oshawa.

2. Background

- 2.1 Suncor is proposing to reconstruct the existing gas bar at 925 Simcoe Street North in the City of Oshawa (Attachment #1) through the Site Plan approval process of the Planning Act. The design is near completion, and they intend to commence construction of the works in the fall of 2018.
- 2.2 The Regional Municipality of Durham (Region) will obtain a road widening on Simcoe Street from Suncor as permitted by the Planning Act.
- 2.3 Initial soils reports indicate that the road widening has petroleum hydrocarbon exceedances of the applicable environmental remediation standards. For typical gas bar reconstruction projects, site cleanup and a Record of Site Condition filed with the Ministry of Environment and Climate Change (MOECC) is required to be provided to the Region before the road widening is transferred to the Region.
- 2.4 Suncor has requested that the Region add indemnity clauses to a Servicing Agreement in lieu of providing the Record of Site Condition filed with the MOECC.

3. Modifications to Servicing Agreement for Indemnification

- 3.1 The Region requires that Suncor remain responsible for exceedances of the applicable environmental standards that have resulted from Suncor's equipment or operations on the Suncor property and have or may have migrated from the Suncor Property onto the lands being conveyed to the Region, being the Region's adjacent road allowance on Simcoe Street, or any other third party property(ies). The Region will require that appropriate testing for contaminants be done by Suncor at their cost at specific intervals during the year for the road widening site included as part of their ongoing responsibility for contamination within their retained lands and the Servicing Agreement terms.
- 3.2 The indemnity clauses will address the contamination exceeding the standards that has or may have migrated from the Suncor Property and onto the road widening block or onto the existing right of way. Suncor will remain responsible for the contamination, and will indemnify the Region, through the terms and conditions of the proposed Servicing Agreement.

- 3.3 The indemnity clauses will be drafted to the satisfaction of the Region's Legal Services and Finance Department Risk Management staff.
- 3.4 The Servicing Agreement will be registered on title and will be required to remain on title until the Region is satisfied that it is no longer required. In addition, the Servicing Agreement will be transferrable to any future owners of the site.
- 3.5 Suncor has entered into similar Indemnity Agreements with other Greater Toronto Area municipalities for similar Gas Bar improvements.
- 3.6 With the indemnity clauses added to the Servicing Agreement, it is no longer substantially in accordance with the standard form. As such, Regional Council approval is required prior to entering into the agreement with Suncor.

4. Financial and Risk Implications

- 4.1 The Region will assume ownership of the future road widening requirements from Suncor at a nominal amount. The Region is indemnified against exceedances of the applicable environmental standards in relation to this work.

5. Conclusion

- 5.1 It is recommended that the Regional Municipality of Durham enter into a Servicing Agreement Suncor Energy Inc. to reconstruct the existing gas bar at 925 Simcoe Street North in the City of Oshawa containing the foregoing provisions.
- 5.2 This report has been reviewed by Risk Management of the Finance Department and Corporate Services – Legal Services.

6. Attachments

Attachment #1: Location Map

Respectfully submitted,

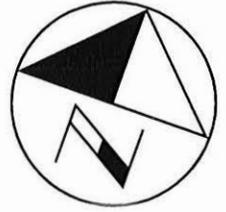
Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



SUNSET DRIVE

CHURCHILL AVENUE

ROAD WIDENING



ROBERT STREET

SIMCOE STREET NORTH

MASSON STREET

SWITZER DRIVE

LOCATION PLAN
CITY OF OSHAWA
SUNCOR ENERGY PRODUCTS
INCORPORATED
925 SIMCOE STREET NORTH
MAY 2, 2018
SCALE: NTS

ATTACHMENT No. 1



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-115
Date: June 6, 2018

Subject:

Award of Request for Proposal #1005-2018 for Engineering Services to Undertake a Class Environmental Assessment to Plan for Zone 4 Water Storage and Pumping Facilities to Service North Whitby and North Oshawa

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That Request for Proposal #1005-2018 be awarded to CIMA Canada Inc. to provide engineering services to undertake a Class Environmental Assessment to plan for Zone 4 Water Storage and Pumping Facilities to service North Whitby and North Oshawa, at an upset limit not to exceed \$376,810* to be funded from the approved project budget of \$2,100,000; and
 - B) That the Commissioner of Finance be authorized to execute the engineering services agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and seek authorization to award Request for Proposal (RFP) #1005-2018 to CIMA Canada Inc. (CIMA) to provide engineering services to undertake a Class Environmental Assessment (EA) to plan for Zone 4 Water Storage and Pumping Facilities to service North Whitby and North Oshawa. Dollar amounts followed by an asterisk (*) include disbursements and are before applicable taxes.

2. Background

- 2.1 In support of the growth forecasts for North Whitby and North Oshawa, additional municipal water infrastructure is required to service new developments. The options for providing Zone 4 water storage and pumping facilities are to be developed and assessed under this Class EA. This project includes the Class EA requirements and capacity assessments for the existing Zone 4 pumping facilities to optimize the existing infrastructure in advance of the new infrastructure development to aid in development phasing.

3. Assignment for Engineering Services

- 3.1 RFP #1005-2018 to provide engineering services to undertake a Class EA to plan for Zone 4 Water Storage and Pumping Facilities to Service North Whitby and North Oshawa was issued and advertised publicly on March 6, 2018, through the Regional Municipality of Durham's (Region) website. The RFP included, but was not limited to, the scope of work, description of the services to be provided, submission instructions and evaluation criteria that would be applied during the evaluation of proposals submitted.
- 3.2 The RFP closed on April 10, 2018. The RFP resulted in the submission of eight compliant proposals from the following firms:
- AECOM Canada Limited
 - Black & Veatch Canada Company
 - CIMA Canada Inc.
 - GM BluePlan Engineering Limited
 - Jacobs Engineering Group Inc.
 - R. J. Burnside & Associates Limited
 - R. V. Anderson Associates Limited
 - WSP Canada Group Limited

- 3.3 Evaluations of the proposed information received were carried out by the evaluation committee made up of Works Department staff. The Purchasing Section of the Finance Department oversaw the evaluation process.
- 3.4 The proposals were evaluated against the following evaluation criteria:
- Company Structure and Resources (10%);
 - Project Team Background, Qualifications and Experience (35%);
 - Project Management, Approach and Methodology (40%); and
 - Financing Pricing (15%).
- 3.5 Based on an overall technical and financial evaluation of the proposals by the evaluation committee, it is recommended that the highest scoring proponent, CIMA Canada Inc. be awarded the engineering services assignment to undertake a Class EA to plan for Zone 4 Water Storage and Pumping Facilities to service North Whitby and North Oshawa at an upset limit not to exceed \$376,810*.

4. Financial Implications

- 4.1 Section 9.4.1 of the Region's Purchasing By-Law 68-2000 (Amended) requires where the project or annual value of a consulting or professional service assignment is expected to be more than \$60,000, the approval of the Committee of the Whole and Regional Council is required for the award of the assignment when proposals are obtained.
- 4.2 Funding for the engineering services assignment to undertake a Class EA to plan for Zone 4 Water Storage and Pumping Facilities to service North Whitby and North Oshawa in an amount not to exceed \$376,810* is available within the combined approved capital project budgets in the amount of \$2,100,000 (Projects D1608, D1505, D1507, and D1609).

5. Conclusion

- 5.1 It is recommended that Request for Proposal #1005-2018 be awarded to CIMA Canada Inc. to provide engineering services to undertake a Class Environmental Assessment to plan for Zone 4 Water Storage and Pumping Facilities to Service North Whitby and North Oshawa, at an upset limit not to exceed \$376,810*.

5.2 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-116
Date: June 6, 2018

Subject:

Approval for Sole Source Procurement for the Supply of Equipment and Materials to be Specified within Proposed Regional Municipality of Durham Contract D2018-029, for the Sludge Blending Tank Restoration and Reconnection to the Digester Gas System at the Duffin Creek Water Pollution Control Plant, in the City of Pickering

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That approval be granted to specify Varec Biogas as the sole manufacturer of digester gas safety valves, equipment and materials within Regional Municipality of Durham Contract D2018-029 for the sludge blending tank restoration and reconnection to digester gas collection system at an estimated cost of \$290,000*. (The Regional Municipality of Durham's share is 25 per cent and the Regional Municipality of York's share is 75 per cent with financing for the Regional Municipality of Durham's share provided from the approved 2018 Sanitary Sewerage Budget); and
- B) That approval be granted to specify Vaughan Chopper Pumps as the sole manufacturer of sludge blending tank hydraulic mixing equipment and materials within Regional Municipality of Durham Contract D2018-029 for the sludge blending tank restoration and reconnection to the digester gas collection system at an estimated cost of \$500,000*. (The Regional Municipality of Durham's share is 25 per cent and the Regional Municipality of York's share is 75 per cent with financing for the Regional Municipality of Durham's share provided from the approved 2018 Sanitary Sewerage Budget).

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to specify selected equipment and materials within the proposed Regional Municipality of Durham (Durham) Contract D2018-029, for the sludge blending tank restoration and reconnection to digester gas collection system. Dollar amounts followed by an asterisk (*) are including disbursements and before applicable taxes in all instances.

2. Background

- 2.1 Durham operates the Duffin Creek Water Pollution Control Plant (WPCP) on behalf of the owners, the Regional Municipality of York (York) and Durham.
- 2.2 The original digestion complex construction contracts for both Stage 1 and 2 complexes were issued by the Ontario Clean Water Agency (OCWA) in 1977 and 1990 respectively. Under the original digestion tank complex construction contracts Varec Biogas equipment was installed as the industry standard.
- 2.3 Blending tank conversions at these complexes occurred in two phases: the first phase was in 2005, with work tendered by the OCWA, and the second phase was tendered by York in 2009
- 2.4 Under each of the blending tank conversion projects, Vaughan Chopper Pumps (Vaughan) equipment was specified as a potential manufacturer of hydraulic mixing equipment. Vaughan equipment was ultimately installed by the general contractors awarded the contracts.

3. Sole Source Justification

- 3.1 Associated Engineering (AE) is the project consultant providing engineering services for the sludge blending tank restoration and reconnection to the digester gas collection system at the Duffin Creek WPCP. AE completed the final design report for the project in April 2018.

Varec Biogas

- 3.2 Reconnection of the sludge blending tanks to the existing digester gas system, requires the design and subsequent installation to meet the requirements of the Canadian Digester Gas Installation Code CSA B149.6-18 as administered by the Technical Standards and Safety Authority (TSSA). TSSA must approve all projects falling under the jurisdiction of the Canadian Digester Gas Installation Code. Such approvals require meeting the technical details specified by the Code.
- 3.3 The referenced code specifies all of the technical details (materials of construction, sizing, installation practices, testing procedures, etc.) for digester gas equipment (valves, flame traps, sediment tanks, roof manway access covers, etc.).
- 3.4 The existing installation at the Duffin Creek WPCP is composed of legacy equipment manufactured by Varec Biogas, which is the industry standard, and has been maintained by the plant in accordance with the TSSA administered gas code referenced above.
- 3.5 Direct replacement of existing digester gas equipment manufactured by Varec Biogas will result in reduced capital expenditures as piping infrastructure can remain intact with use of direct replacement of equipment with similar dimensions to existing.

Vaughan Chopper Pumps

- 3.6 Each digestion complex contains existing piping, infrastructure pump bases, and electrical infrastructure (starters, motors, etc.) for the previously installed Vaughan equipment. This infrastructure was not damaged during the bio filter explosion event of 2014. In order to minimize the added capital expenditures of replacing piping network, and upgrading electrical infrastructure at an estimated cost of over \$100,000, AE has recommended the re-use of the existing motors, etc., with a new Vaughan model.
- 3.7 The new pumps operate with a higher mixing efficiency (71 per cent versus the existing 66 per cent), which will address an existing operational issue of foaming and scum blanket formation within the tank. The design operating point of the new pumps represents an annual energy savings of approximately \$30,000 with the new pump model operating with the existing electrical motors. Vaughan supplied equipment allows the re-use of existing infrastructure (piping and motors). The more efficient pump, installed on existing pump bases, etc, further supports the requirement for Vaughan equipment.

4. Financial Implications

- 4.1 The Region's Purchasing By-law 68-2000 (Amended), Section 8.1.1 permits that in cases where there is only one known source of supply, the acquisition of goods and services can be made through a negotiation process.
- 4.2 Costs for the York-Durham Duffin Creek WPCP sludge blending tank restoration and reconnection to digester gas collection system project are to be shared between York and Durham as approved in the 2018 Sanitary Sewerage Capital Budget:

Item Number 101: Duffin Creek Water Pollution Control Plant -Sludge Blending Tanks (Project Y1605)

Durham Region's (25%) Share (User Revenue)	\$ 3,000,000
York Region's (75%) Share	<u>\$ 9,000,000</u>
Total	<u>\$12,000,000</u>

5. Conclusion

- 5.1 It is recommended that approval be granted to specify Varec Biogas as the sole manufacturer of digester gas safety valves, equipment and materials within Regional Municipality of Durham Contract D2018-029 for the sludge blending tank restoration and reconnection to digester gas collection system at an estimated cost of \$290,000*.
- 5.2 It is also recommended that approval be granted to specify Vaughan Chopper Pumps as the sole manufacturer of sludge blending tank hydraulic mixing equipment and materials within Regional Municipality of Durham Contact D2018-029 for the sludge blending tank restoration and reconnection to the digester gas collection system at an estimated cost of \$500,000*.

5.3 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the recommendations.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

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



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-117
Date: June 6, 2018

Subject:

Proposed Road Occupancy By-law

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That a by-law governing road occupancy and weight restrictions on Regional Roads, generally in the form included as Attachment #1 to this report, be approved; and
 - B) That By-law 38-99 (Attachment #2), being a by-law to restrict the weight upon the axles of commercial vehicles or trailers on the Regional road system, be repealed and replaced with the proposed by-law as per Attachment #1.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to introduce a new by-law to delegate authority for the temporary closure or occupancy of highways under the jurisdiction of the Regional Municipality of Durham (Region) for construction or maintenance purposes and for the movement of heavy or oversize vehicles and loads, including establishing a licensing system.

2. Background

- 2.1 The Works Department manages and oversees the maintenance and operation of road allowances and highways under the Region's jurisdiction. Various parties require access to work in the Region's rights-of-way, including contractors working for the Region and utility companies or contractors working on their behalf. In addition, requests are received from operators wishing to transport heavy or oversize loads on the Region's roads.
- 2.2 Currently, any party requiring access to work within the Region's right-of-way must apply for a Road Occupancy Permit. The permit includes a number of standard terms and conditions defining the applicant's responsibilities with respect to such items as insurance requirements and restoration of the work area. In addition, staff may impose additional conditions including working hours and traffic control requirements. These permits allow staff to track and control all work on Regional roads to ensure the protection of the Region's assets and minimize impacts to the public. There is no fee for a Road Occupancy Permit.
- 2.3 Permits are also required when operators wish to haul oversize or overweight loads that fall outside limits established in the *Highway Traffic Act* on Regional roads. Staff review requests to ensure that the requested route does not conflict with other previously issued permits, road construction work or seasonal load restrictions. The permit includes a number of standard terms and conditions including insurance requirements, and staff may impose additional conditions related to such items as dates and times of the move, and requirements for police or utility escort. Permit fees are charged as established in the Region's annual Listing of Fees and Charges.
- 2.4 During the annual five tonne per axle load restriction season (typically March 1 to April 30), exemptions may be issued for a variety of reasons. Examples include agricultural vehicles hauling feed or bedding for animals and road maintenance vehicles working under contract to the Region, such as hydro-vac trucks used for non-mechanical excavation.
- 2.5 The *Highway Traffic Act* establishes that municipalities can issue exemption permits under their own by-laws; the proposed by-law will support this process.

3. Discussion

- 3.1 The purpose of this by-law is to support the various permits currently issued for work within the Region's rights-of-way and for moving overweight or oversized loads on Regional roads. The by-law establishes an enforcement mechanism and fine structure for contractors or individuals that disobey permit conditions or who work without a permit. Currently, staff has little or no authority to enforce permit conditions or to remove a contractor who is not in compliance, or to recover costs incurred by the Region to repair damaged pavement and boulevards where satisfactory restoration has not been done.
- 3.2 Existing By-law 38-99 provides staff with the authority to restrict the weight upon axles of commercial vehicles or trailers on the Regional road system as per Section 122 of the *Highway Traffic Act*. The provisions of By-law 38-99 have been incorporated into the proposed new Road Occupancy By-law under Section 7, Weight Restriction Provisions, so that a single by-law will cover both weight restriction periods and any associated permits. Consequently, By-law 38-99 may be repealed.

4. Financial Implications

- 4.1 There are no financial implications from this report.

5. Conclusion

- 5.1 The proposed Road Occupancy by-law will improve management of the Regional road system by supporting the Road Occupancy and Oversize/Overweight Load permits currently issued by the Works Department, and providing a mechanism for staff to enforce permit conditions.
- 5.2 The proposed by-law will repeal and replace existing By-law 38-99, allowing the Region to continue to impose weight restriction limits at any time while signs are in place on the road system.

5.3 This report has been reviewed by the Finance Department and Corporate Services – Legislative Services and Legal Services Divisions.

6. Attachments

Attachment #1: Proposed Road Occupancy By-law

Attachment #2: By-law 38-99

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

By-law Number *-2018**

of The Regional Municipality of Durham

Being a by-law to delegate authority for the temporary closure or occupancy of highways under the jurisdiction of the Regional Municipality of Durham for CONSTRUCTION or MAINTENANCE PURPOSES, including establishing a licensing system, and for the movement of heavy or oversize vehicles and loads.

Whereas Section 8 of the Municipal Act, 2001 confers broad authority on municipalities to govern their affairs and enhance their ability to respond to municipal issues;

And whereas pursuant to Section 11 of the Municipal Act, 2001, the municipality may pass by-laws respecting the provision of services and things as authorized under the Municipal Act, 2001;

And whereas pursuant to Section 27 of the Municipal Act, 2001, the municipality may pass by-laws in respect of a highway under its jurisdiction;

And whereas Subsection 9 (7) of Section 122 of the HIGHWAY TRAFFIC ACT provides that the municipal corporation or other authority having jurisdiction over a HIGHWAY may, by by-law, designate the date on which a REDUCED LOAD PERIOD shall start and end on the HIGHWAY or portion thereof under its jurisdiction to which the designation applies;

Now therefore, the Council of The Regional Municipality of Durham hereby enacts it as a by-law as follows:

1. Interpretation

- (a) Short Title: This by-law may be cited as the “Road Occupancy and Weight Restriction By-law”.
- (b) Severability: If any provision or part of a provision of this by-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the by-law shall not be affected and shall continue to be in full force and effect.
- (c) Plurals/Gender: Unless the contrary intention is indicated, words used in the singular shall include the plural and words used in the male gender shall include the female gender and vice versa.
- (d) Legislation: Unless otherwise indicated, all references to provincial legislation in this by-law are references to the Revised Statutes of Ontario, 1990, as amended from time to time, including successor legislation. Similarly, all references to Regional by-laws are references to those by-laws, as amended from time to time, including successor by-laws.
- (e) Headings: Section and paragraph headings are inserted solely for ease of reference.

2. Definitions

- 2.1 Capitalization of defined terms: Where the words listed in this section appear in this by-law printed in upper case letters, they are used as defined in the lettered paragraphs of this sub-section. Words printed in regular case should be read in the context of their ordinary, everyday meanings.

- (a) "COMMISSIONER" means the Commissioner of Works of the REGION, or a designate;
- (b) "CONSTRUCTION OR MAINTENANCE PURPOSES" means any construction, repair or improvement to the HIGHWAY or a portion thereof, or any works under, over, along, across or upon the HIGHWAY, and also includes building construction, repair or maintenance operations by the owner or occupant of land adjoining the HIGHWAY, including the storage of materials used for such building or the erection of hoardings, which require HIGHWAY occupancy or closure;
- (c) "HIGHWAY" has the meaning ascribed thereto in Subsection 1(1) of the HIGHWAY TRAFFIC ACT, and includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof; and includes unopened and unassumed road allowances;
- (d) "HIGHWAY TRAFFIC ACT" means the Highway Traffic Act, R.S.O. 1990 c.H. 8 as amended from time to time;
- (e) "LICENSEE" means the PERSON who has been issued a Road Occupancy Permit or a Moving Permit pursuant to this By-law;
- (f) "MOTOR VEHICLE/VEHICLE" has the meaning ascribed thereto in the HIGHWAY TRAFFIC ACT;
- (g) "OFFICIAL SIGN" means a load restriction sign erected in accordance with the regulations under the HIGHWAY TRAFFIC ACT;
- (h) "OPERATING CORPORATION" has the meaning defined in Public Service Works on Highways Act, R.S.O. 1990, Chapter P. 49;
- (i) "PERSON" means an individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and the heirs, executors or legal representatives of the Person to whom the context can apply;
- (j) "REDUCED LOAD PERIOD" means the period from the first day of January to the thirty-first day of December inclusive in each and every year;
- (k) "REGION" means the Regional Municipality of Durham acting as a body corporate; and
- (l) "WORKING DAYS" shall exclude Saturdays, Sundays, statutory holidays, Family Day, Easter Monday, the August Civic Holiday and Remembrance Day.

3. Approvals

- 3.1 For the purpose of this By-law, the COMMISSIONER shall have authority to grant Road Occupancy Permits and Moving Permits under this By-law, and to impose conditions thereon.

- 3.2 The COMMISSIONER shall have the authority to order the stoppage of work on the HIGHWAY where a Road Occupancy Permit has not been issued or where the conditions of a Road Occupancy Permit, or provisions of this By-law, have not been complied with, and to revoke a Road Occupancy Permit if the LICENSEE does not meet the requirements of the permit or of this by-law.
- 3.3 The COMMISSIONER is authorized to approve and administer permits for any HIGHWAY under the jurisdiction of the REGION for the movement of heavy vehicles, loads, objects or structures which are in excess of the dimensional limits set out in Section 109 of the HIGHWAY TRAFFIC ACT, or the weight limits set out in Part VIII of the HIGHWAY TRAFFIC ACT.
- 3.4 Notwithstanding the delegation of authority under this By-law to the COMMISSIONER, the Council of the REGION shall retain the capacity to exercise all of the powers delegated to the COMMISSIONER under this By-law.
- 3.5 The powers delegated to the COMMISSIONER under this By-law are, in the opinion of Council having regard to the number of people, the size of geographic area and the time period affected by an exercise of the powers, of a minor nature.

4. Approvals

- 4.1 Road Occupancy Permits required: Subject to sub-sections 6.1, 6.2 and 6.4 hereof, no PERSON shall, for CONSTRUCTION OR MAINTENANCE PURPOSES, close, occupy, obstruct, encumber, injure or foul any HIGHWAY or bridge or any part thereof by any means whatsoever without first obtaining an approved Road Occupancy Permit from the REGION.
- 4.2 Conditions on Road Occupancy Permit: No LICENSEE shall fail to comply with any of the conditions set out in a Road Occupancy Permit.
- 4.3 Moving Permits: No person shall move any oversize or overweight vehicle or load on any HIGHWAY under the jurisdiction of the REGION, without first obtaining a Moving Permit.
- 4.4 Conditions on Moving Permit: No LICENSEE shall fail to comply with any of the conditions set out in a Moving Permit.
- 4.5 Production of Permit: No LICENSEE shall fail to produce a Road Occupancy Permit or Moving Permit if requested to do so by the COMMISSIONER or by any other person who is authorized to enforce the by-laws of the REGION.

5. Permit Fees

- 5.1 Fees: The fee for obtaining a Road Occupancy Permit or Moving Permit shall be as set out in the Region's Fees and Charges By-law from time to time.

6. Road Occupancy for Construction or Maintenance Purposes

- 6.1 Regional Works: A Road Occupancy Permit is required by a PERSON undertaking any works for or on behalf of the REGION.
- 6.2 Exemptions: An OPERATING CORPORATION does not require a Road Occupancy Permit to undertake the following types of work, providing the work does not block the travelled portion of the roadway or prevent the use of a sidewalk:

- (a) Routine maintenance and testing of at-grade electrical and telecommunications vaults, pedestals, cabinets, transformers and other equipment;
- (b) Routine maintenance and testing of aerial electrical and telecommunications cables, transformers, amplifiers, poles and other equipment;
- (c) Routine maintenance and testing of natural gas valves and regulators;
- (d) Work in manholes, valve chambers and transformer vaults; and
- (e) Non-destructive locating of underground plant

The OPERATING CORPORATION shall nonetheless comply with Ontario Traffic Manual Book 7, the Occupational Health and Safety Act and any other applicable legislation.

- 6.3 Extensions of time: No LICENSEE shall fail to notify the REGION in the event that additional time is required to complete the work than contemplated on the permit, and the reason therefor.
- 6.4 Emergency works: Subject to subsection 6.2, when an OPERATING CORPORATION closes or occupies a HIGHWAY as a result of an emergency, telephone notice shall be given immediately to the REGION and on the next WORKING DAY application for a permit as required by this by-law shall be made.
- 6.5 Deviation from permit: No LICENSEE shall fail to notify the REGION of the extent of any alteration, breaking or disturbance of an existing right-of-way, immediately upon completion of the works, if the works undertaken deviate from those set out on the permit.
- 6.6 Repairs: Where the LICENSEE alters, breaks or otherwise disturbs any portion of an existing right-of-way, the LICENSEE shall within seventy-two (72) hours of the completion of its work effect a permanent repair to the satisfaction of the REGION.
- 6.7 Temporary Repairs: Notwithstanding subsection 6.6 where the LICENSEE alters, breaks or otherwise disturbs any portion of an existing right-of-way between December 15th and April 30th, the LICENSEE may effect a temporary repair of the altered, broken or otherwise disturbed area provided that the LICENSEE effects a permanent repair of the area to the satisfaction of the REGION no later than May 31st. The LICENSEE shall maintain the temporary repair until it can affect the permanent repair. Any proposal for temporary repair during this period shall be communicated to the REGION in writing.
- 6.8 Warranty: The LICENSEE shall maintain and warranty the permanent repair for a period of two (2) years from the date of completion of the permanent repair. Any and all costs associated with the maintenance and warranty of the permanent repair shall be at the expense of the LICENSEE. The LICENSEE shall attend to the maintenance and warranty of the permanent repair at any time during the two year period at the request of the REGION acting reasonably.

- 6.9 Sodded Areas: No LICENSEE shall fail to permanently restore all sodded areas with topsoil and sod to the satisfaction of the REGION within seven (7) working days unless alternative arrangements are made with the REGION. The LICENSEE shall be responsible for adequately grading the area and maintaining the sod until it has re-established and maintained a functioning root system, to the satisfaction of the REGION, for one (1) year from the date of installation or re-installation.
- 6.10 Failure to affect Repairs: Where the LICENSEE fails to affect a permanent repair in accordance with subsection 6.6, a temporary repair in accordance with subsection 6.7, or permanent restoration of sodded areas as provided in subsection 6.9, the REGION may undertake the repair or restoration at the expense of the LICENSEE.
- 6.11 Traffic control required: No LICENSEE shall fail to provide all signs, barricades, traffic control devices, flagmen, and other persons and equipment as required by the COMMISSIONER or to comply with Ontario Traffic Manual Book 7, the Occupational Health and Safety Act and any other applicable legislation, prior to the commencement of the HIGHWAY closure or occupancy.
- 6.12 LICENSEE assumes all costs: The LICENSEE shall be responsible for all costs incurred by the REGION as a result of the road closure or occupancy.
- 6.13 Access to public/private properties: No PERSON shall fail to maintain access to all public and private properties during the course of the HIGHWAY closure or occupancy.
- 6.14 Delegation of Authority: The COMMISSIONER or their designate is authorized to close temporarily a HIGHWAY for the purpose of this by-law.
- 6.15 Notwithstanding the delegation of authority set out in subsection 6.14, the Council of the REGION shall retain the capacity to exercise the authority delegated in Section 6.14 herein.
- 6.16 The authority delegated in subsection 6.14 herein is, in the opinion of the Council, having regard to the number of people, the size of the geographic area and the time period affected by an exercise of the power of a minor nature.

7. Weight Restriction Provisions

- 7.1 Subject to Section 110 of the HIGHWAY TRAFFIC ACT, during a REDUCED LOAD PERIOD no commercial motor vehicle or trailer, other than a public vehicle, or a vehicle referred to in section 7.2 of this by-law, shall be operated or drawn upon any road or portion thereof that is part of the Regional road system where the weight upon an axle exceeds 5,000 kilograms, unless in possession of a Moving Permit granted by the REGION.

7.2 Subject to Section 110 of the HIGHWAY TRAFFIC ACT, during a REDUCED LOAD PERIOD:

- (a) No two axle tank-truck, while used exclusively for the transportation of liquid or gaseous heating fuel;
- (b) No two axle truck, while used exclusively for the transportation of livestock feed; and
- (c) No vehicle transporting live poultry;

Shall be operated under any road or portion thereof that is part of the Regional road system where the weight upon an axle exceeds 7,500 kilograms, unless in possession of a Moving Permit granted by the REGION.

7.3 Subject to Section 110 of the HIGHWAY TRAFFIC ACT, during a REDUCED LOAD PERIOD, no vehicle having a carrying capacity in excess of 1,000 kilograms, other than a motor vehicle or trailer, shall be operated upon any road or portion thereof that is part of the Regional road system where the weight upon any millimetre in the width of a tire exceeds 5 kilograms, unless in possession of a Moving Permit granted by the REGION.

7.4 Weight restriction provisions will only be in effect when OFFICIAL SIGNS are on display.

8. General Requirements

8.1 Insurance: As outlined in the Road Occupancy Permit, the LICENSEE shall provide Commercial General Liability (CGL) Insurance written on an occurrence basis with a liability limit in an amount and form satisfactory to the REGION and such insurance shall name the REGION as an additional insured. The Licensee shall also provide evidence of automobile liability insurance including all vehicles and commercial trailers owned or leased by the Licensee, for a limit as specified in the Road Occupancy Permit, on forms meeting statutory requirements covering all vehicles and commercial trailers used in any manner in connection with the performance of their work.

8.2 Compliance with other Statutes: LICENSEES shall comply with the requirements of the Public Transportation and Highway Improvement Act and any other relevant provincial statute.

8.3 Conflict: If there is a conflict between a provision of this By-law and a provision of any other Regional By-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain the safe and the functional condition of the Regional right-of-way shall prevail.

9. Penalties

9.1 Every PERSON, other than a corporation pursuant to the Corporations Act, who contravenes any provision of this by-law shall be guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not less than \$200 for the first offence and not more than \$5,000 for any subsequent offence.

- 9.2 Every corporation pursuant to the Corporations Act, who contravenes any provisions of this by-law shall be guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not less than \$1,000 for the first offence and not more than \$10,000 for any subsequent offence.
- 9.3 In this by-law, subsequent offence means a conviction for an offence, which occurs after the date of conviction for an earlier offence under this by-law.
- 9.4 Every PERSON who contravenes Section 7 of this by-law is guilty of an offence and upon conviction, liable to a fine set out in the HIGHWAY TRAFFIC ACT.
- 9.5 Part 1 Provincial Offences Act offences and fines may apply to specific contraventions of the by-law as indicated in Appendix 1 to the By-law.

10. Miscellaneous Provisions

- 10.1 This by-law shall take effect on the date of its passage.
- 10.2 By-law Number 38-99 of The Regional Municipality of Durham is hereby repealed.

This By-law Read and Passed on the -----th day of -----, 2018.

G. L. O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk

By-law Number 38-99

of The Regional Municipality of Durham

Being a by-law to restrict the weight upon the axles of commercial vehicles or trailers on the Regional road system.

Whereas subsection (7) of Section 122 of the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended, provides that the municipal corporation or other authority having jurisdiction over a highway may by by-law designate the date on which a reduced load period shall start or end and the highway or portion thereof under its jurisdiction to which the designation applies;

And Whereas subsection (1) of Section 32 of the Regional Municipalities Act R.S.O. 1990, c.R.8, as amended, provides that with respect to the roads in the Regional road system and the regulation of traffic thereon, the Regional Corporation has all the power conferred, and is subject to all the liabilities imposed upon the Council or Corporation of a City by the Highway Traffic Act.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. Interpretation

1.1 In this By-Law,

- (a) "highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended from time to time;
 - (b) "motor vehicle" has the meaning ascribed thereto in the Highway Traffic Act;
 - (c) "official sign", means a load restriction sign erected in accordance with the regulations under the Highway Traffic Act;
 - (d) "reduced load period" means the period from the first day of January to the thirty-first day of December inclusive in each and every year; and
 - (e) "vehicle" has the meaning ascribed thereto in the Highway Traffic Act.
2. Subject to section 110 of the Highway Traffic Act, during a reduced load period, no commercial motor vehicle or trailer, other than a public vehicle or a vehicle referred to in section 3 of this by-law, shall be operated or drawn upon any road or portion thereof that is part of the regional road system where the weight upon an axle exceeds 5,000 kilograms.
3. Subject to section 110 of the Highway Traffic Act, during a reduced load period,
- (a) no two axle tank-truck, while used exclusively for the transportation of liquid or gaseous heating fuel;
 - (b) no two axle truck, while used exclusively for the transportation of livestock feed; and
 - (c) no vehicle transporting live poultry,
- shall be operated upon any road or portion thereof that is part of the Regional road system where the weight upon an axle exceeds 7,500 kilograms.

4. Subject to Section 110 of the Highway Traffic Act, during a reduced load period, no vehicle having a carrying capacity in excess of 1,000 kilograms, other than a motor vehicle or trailer, shall be operated upon any road or portion thereof that is part of the Regional road system where the weight upon any millimeter in the width of a tire exceeds 5 kilograms.
5. Every person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable to a fine set out in the Highway Traffic Act.
6. This by-law will only be in effect when official signs are on display.
7. By-law Number 251-89 of The Regional Municipality of Durham is hereby repealed.

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



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-118
Date: June 6, 2018

Subject:

Proposed Consolidation of The Regional Municipality of Durham's Roads By-law

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Municipality of Durham's Roads By-law #181-83 be repealed and a new by-law generally in the form included as Attachment #1 to this report be passed; and
 - B) That a copy of this report be forwarded to the Area Municipalities for information.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to repeal the Regional Municipality of Durham's (Region) Roads By-law #181-83 and replace it with a new by-law to reflect the changes including assumption and downloading of various roads within the Region since the by-law was last consolidated in 1983.

2. Background

- 2.1 The Region's Roads By-law regulates and defines the linear limits of roads under the ownership and jurisdiction of the Region. The first Roads By-law was passed shortly after the Region was formed in 1974 and was last consolidated in 1983. The Roads By-law is the foundation of various other Regional By-laws that regulate control of the roads within the Regions rights-of-way, including speed limits, parking, maintenance, development access, road number and others. The Roads By-law first defines the ownership limits of Regional roads that are required before other bylaws can be implemented.
- 2.2 Since 1983 there have been several changes to the Region's road network including assumption of roads downloaded from the Province of Ontario (Province); new roads built in developing areas; realignment of significant sections of existing roads; and downloading of some roads or sections of roads to local municipalities. These individual changes were completed with various amending by-laws over the past thirty five years.
- 2.3 The existing By-law 181-83 still reflects the now defunct Regional Municipality of Durham Act, R.S.O. 1980, which has been replaced with the Municipal Act, 2001.

3. Consolidation Revisions

- 3.1 The consolidation reflects the following revisions to the regional road network:
- a) The assumption of former King's Highway 2, being Regional Highway 2, Kingston Road, Dundas Street, King Street.
 - b) The assumption of former King's Highway 48, being Regional Highway 48
 - c) The assumption of Regional Road 41, being Salem Road.
 - d) The assumption of former King's Highway 12, being Regional Highway 12, Brock Street/Baldwin Street.
 - e) The assumption of former King's Highway 47, being Regional Highway 47, Toronto Street and Brock Street.
 - f) The assumption of Manning Road, being Regional Road 58.

- g) The assumption of Westney Road south of Kingston Road (formerly King's Highway 2), as part of Regional Road 31.
 - h) The assumption of Whites Road north of Finch Avenue, as part of Regional Road 38.
 - i) The downloading of portions of Regional Road 14, being Liberty Street.
 - j) The downloading of Regional Road 44, being Harwood Avenue.
 - k) The realignment of sections of Regional Road 1, being Brock Road.
 - l) The realignment of sections of Regional Road 4, being Taunton Road.
 - m) The realignment of sections of Regional Road 25, being Consumers Drive.
 - n) The extension of the southern limit of Regional Road 56, being Farewell Street.
 - o) The temporary downloading of various sections of Regional roads impacted by the ongoing construction of King's Highways 407, 412 and 418.
- 3.2 A new 'Schedule A' to the proposed Draft by-law (Attachment #1) will be provided with the defined limits of each road and section length.

4. Financial Implications

- 4.1 There are no financial implications from this report.

5. Conclusion

- 5.1 It is recommended that The Regional Municipality of Durham's Roads By-law #181-83 be repealed and replaced with a new by-law in the form as set out in Attachment #1 to this report.
- 5.2 This report has been reviewed by the Finance Department and Corporate Services – Legislative Services and Legal Services Divisions.

6. Attachments

Attachment #1: Proposed Consolidated Roads By-law

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

By-law Number **-2018

of The Regional Municipality of Durham

Being a by-law to consolidate all by-laws with respect to Roads included in the Regional Road System.

Whereas Subsection 28(1) of the Regional Municipality of Durham Act, R.S.O. 1980. Chapter 434 provided that on and after the 1st day of January 1974, all roads on the 31st day of December 1973, under the jurisdiction and control of the Country of Ontario and the United Counties of Northumberland and Durham, within the Regional Area, shall constitute the Regional Road System;

And Whereas Subsection 27(1) of the Municipal Act, 2001 provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

And Whereas Subsection 28(9) of the said Act provided that the Regional Council shall from time to time pass a by-law consolidating all by-laws relating to the Regional Road System for which such authority is now conferred under Subsection 27(1) of the Municipal Act, 2001;

And Whereas By-law Number 181-83, being the original by-law consolidating the road system of the Regional Municipality of Durham, has been amended from time to time by adding roads to and removing roads from the said Regional Road System;

And Whereas the purpose of this by-law is to repeal Bylaw 181-83 and all subsequent amendments to By-law 181-83 and replace it with a new Regional Road consolidation by-law.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

By-law No. 181-83 and all subsequent amending by-laws to By-law 181-83 are hereby repealed and all roads referenced within the Regional Road system per By-law 181-83 and all subsequent amending by-laws to By-law 181-83 are hereby removed.

The roads as designated and described in Schedule "A" annexed hereto are hereby added to the Regional Road System and are designated as Regional Roads.

The numbers by which the several roads comprising the Regional Road System are designated in Schedule "A" annexed hereto shall be used for all purposes of administration and accounting.

This by-law shall come into force and effect upon passage and ratification by Regional Council.

This By-law Read and Passed on the -----th day of -----, 2018.

G. L. O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-129
Date: June 6, 2018

Subject:

Approval to Execute Two Licence Agreements for the Waterfront Trails Located at the Courtice Water Pollution Control Plant and Newcastle Water Supply Plant, in the Municipality of Clarington

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to enter into a Licence Agreement with the Municipality of Clarington for the portion of the current Waterfront Trail segments located on the property of the Courtice Water Pollution Control Plant and the Newcastle Water Supply Plant, with costs and liability for trail use and maintenance to be the sole responsibility of the Municipality of Clarington; and
 - B) That the Regional Chair and Clerk be authorized to execute the Licence Agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to execute two licence agreements to allow the Municipality of Clarington (Clarington) to perform maintenance for two waterfront trail segments located at the Courtice Water Pollution Control Plant (WPCP) and the Newcastle Water Supply Plant (WSP).

2. Background

- 2.1 Within Clarington, two segments of the Waterfront Trail are located on property owned by the Regional Municipality of Durham (Region). As a requirement of the Host Community Agreement for the Durham-York Energy Centre, the Region constructed a segment of the trail along the Courtice WPCP property (Attachment #1) with the understanding that Clarington would maintain the trail.
- 2.2 A portion of the waterfront trail also crosses the Newcastle WSP property (Attachment #2) with Clarington agreeing to perform the maintenance on this segment of the trail as well.

3. Discussion

- 3.1 Since the development of the trail segments, staff from the Region and Clarington has determined that licence agreements should be in place to ensure that the proper documentation, indemnification and insurance are in place related to the waterfront trail on the Courtice WPCP and Newcastle WSP properties.
- 3.2 The Licence agreements require Clarington to maintain the trail segments for all four seasons of the year. Clarington will be required to install and maintain signage identifying the trail as a recreational trail, identify any potential dangers or hazards related to the use of the trail and/or surrounding area, and encourage all persons to remain on the paved area.
- 3.3 The licence agreements will remain in place until cancelled with 6 months' notice by either party. Upon termination, the parties have also agreed that the Region may discontinue the operation of the trail through these properties at its discretion.

4. Financial Implications

- 4.1 Clarington will assume the full costs related to signage, maintenance and use of the licensed areas.

5. Conclusion

- 5.1 It is recommended that the Regional Municipality of Durham enter into two Licence Agreements with the Municipality of Clarington for the two waterfront trail segments on the Courtice Water Pollution Control Plant and Newcastle Water Supply Plant properties.
- 5.2 This report has been reviewed by the Finance Department and Corporate Services – Legal Division.

6. Attachments

Attachment #1: Site Map: Courtice Water Pollution Control Plant

Attachment #2: Site Map: Newcastle Water Supply Plant

Respectfully submitted,

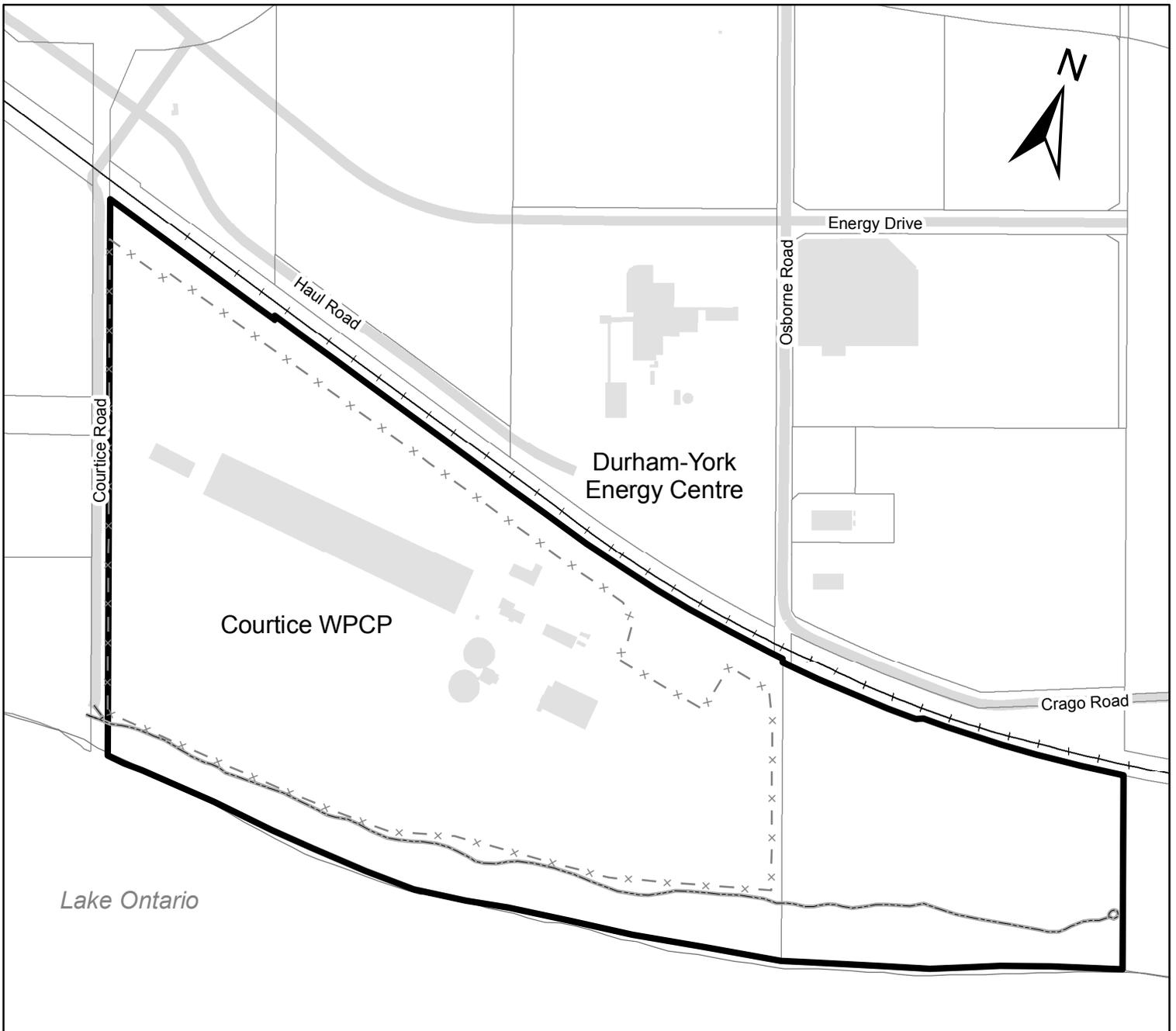
Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



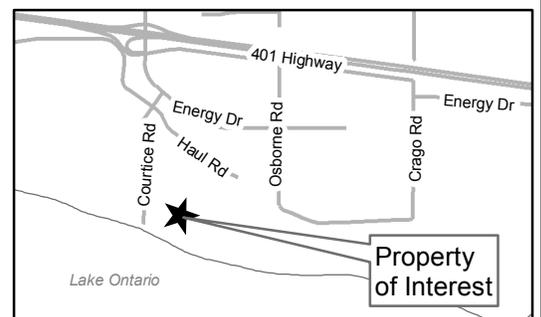
Attachment No. 1: Site Map Courtice Water Pollution Control Plant Trail

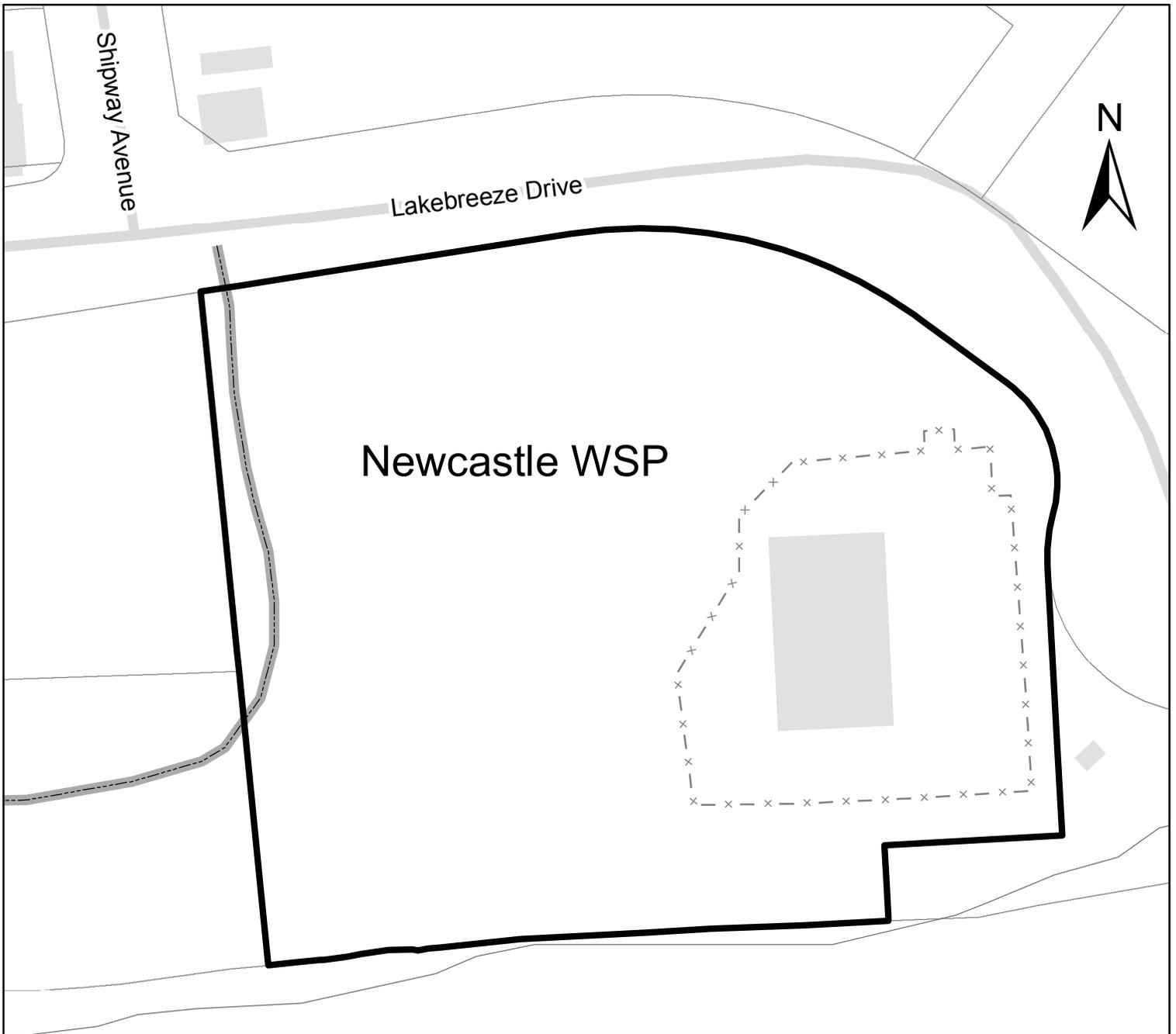
- Existing Trail
- Courtice WPCP Property
- Fence
- Roads
- Railways
- Assessment Parcels

This map indicates the approximate location of the existing trail and buffer area as described in the attached license agreement. The trail shown above does not represent the exact location of the trail or buffer area. This is not a plan of Survey.



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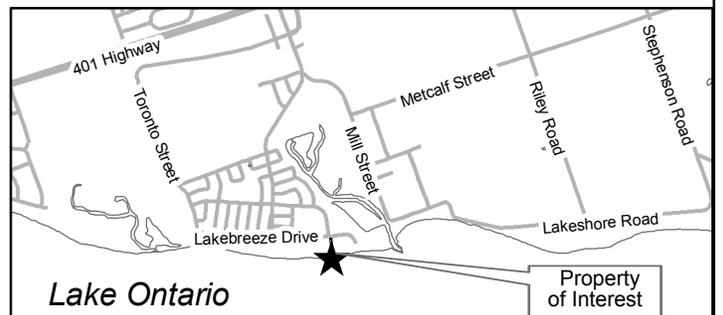


Attachment No. 2: Site Map Newcastle Water Supply Plant Trail

-  Existing Trail
-  Newcastle WSP Property
-  Fence
-  Roads
-  Assessment Parcels



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The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-130
Date: June 6, 2018

Subject:

Report on Tenders and Additional Financing for Regional Municipality of Durham Contract T-1001-2018 for the Replacement of the Parking Garage Waterproofing System at Regional Headquarters located in the Town of Whitby

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That Regional Municipality of Durham Tender T-1001-2018 be awarded to Complete Concrete Restoration Ltd. in the amount of \$3,298,831*; the lowest compliant bidder, for the Replacement of the Parking Garage Waterproofing System at Regional Headquarters located in the Town of Whitby and
 - B) That the previously approved project budget of \$3,000,000 be increased by \$637,000 to a revised total project budget of \$3,637,000; and
 - C) That the additional financing in the amount of \$637,000, be provided at the discretion of the Acting Commissioner of Finance.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval for additional financing and the award of Tender T-1001-2018, for the replacement of the parking garage waterproofing system at Regional Headquarters located in the Town of Whitby (Whitby). Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The Regional Municipality of Durham's (Region) multi-level parking structure is located at 605 Rossland Road East, Whitby, west of the main administration building. The parking structure is comprised of four suspended levels above grade and one sub-level. The need to replace the waterproof membrane with any necessary concrete repairs was identified and funded in the 2017 and 2018 Business Plans and Budgets for Regional Headquarters.
- 2.2 In accordance with Request for Pre-Qualification #1145-2017, the Region pre-qualified general contractors for the tendering of T-1001-2018 based on the evaluation criteria set in the RFPQ. The selected contractors received tender documents to submit a bid for T-1001-2017 based on meeting the minimum threshold score.

3. Design and Tender of the Parking Garage Waterproofing System

- 3.1 The Works Department's Facilities Design, Construction and Asset Management Division retained a consultant to design the replacement of the existing parking garage waterproofing system with a new thin traffic deck waterproofing system on parking levels P2 and P3, a new 2-ply hot rubberized waterproofing system with a bonded asphalt wear course on parking level P4, replacement of select steel guards and handrails, and localized re-painting.
- 3.2 Recoating work is expected to commence in July 2018, subject to approval of this report. The work is expected to be complete in December 2018. Weather conditions may affect the proposed schedule.

4. Tender Information

- 4.1 Tenders were received for T-1001-2018 - Replacement of the Parking Garage Waterproofing System at Regional Headquarters on April 26, 2018 as follows:

<u>Bidder</u>	<u>Total Tender Amount*</u>
Complete Concrete Restoration Ltd.	\$3,298,831
Structural Contracting Ltd.	\$3,486,850
Delbridge Contracting Ltd.	\$3,494,999
Can Mar Contracting Ltd.	\$3,559,508
Palmark Construction Ltd.	\$3,597,900
Eagle Restoration Inc.	\$3,636,750

- 4.2 It is recommended that the lowest compliant bidder, Complete Concrete Restoration Ltd., be awarded Regional Tender T-1001-2018.
- 4.3 The lowest compliant bid received from Complete Concrete Restoration Ltd. exceeds the available project funds. The higher cost is attributable to the current market conditions, the additional work required to phase the construction, and the condensed construction schedule.

5. Financial Implications

- 5.1 Section 9.4 of the Region's Budget Management Policy requires approval of the Committee of the Whole for the updated capital project approval prior to the award of a contract where additional financing is required.
- 5.2 Section 11.4 of the Region's Budget Management Policy requires approval from the Committee of the Whole for reallocations of current budget provisions in excess of \$100,000.
- 5.3 Financing for the additional project commitments related to the replacement of the parking garage waterproofing system at Regional Headquarters will be provided at the discretion of the Acting Commissioner of Finance.

5.4 The proposed changes to the project costs are as follows:

Project Component	Approved Project Budget	Proposed Changes	Revised Project Budget
	\$	\$	\$
Tender (excluding taxes)	\$2,750,000	\$548,831	\$3,298,831
Net HST	48,400	9,659	58,059
Engineering	99,164	18,022	117,186
Contingencies	102,436	60,488	162,924
Total Costs (G1703)	<u>\$3,000,000</u>	<u>\$637,000</u>	<u>\$3,637,000</u>

5.5 Financing for this project is proposed as follows:

Year	Total Financing	General levy (1)	Reserves (1)
	\$	\$	\$
2017 (Approved)	418,228	418,228	0
2018 (Approved)	2,581,772	699,249	1,882,523
2018 (Proposed)	637,000	0	637,000
Total	3,637,000	1,117,477	2,519,523

(1) Financing is recommended to be provided from the General Levy, if available, or from the Reserve Fund if necessary.

6. Conclusion

- 6.1 It is recommended that the lowest compliant bidder, Complete Concrete Restoration Ltd., be awarded Regional Municipality of Durham Tender T-1001-2018 for the Construction of a Replacement of the Parking Garage Waterproofing System at Regional Headquarters located in the Town of Whitby.
- 6.2 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-142
Date: June 6, 2018

Subject:

Amendment to Temporary Sign By-law #76-2017

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Director of Legal Services be directed to prepare an amending by-law to amend Temporary Sign By-law #76-2017, generally in the form included as Attachment #1 to this Report; and
 - B) That a copy of this report be forwarded to the Area Municipalities for information.
-

Report:

1. Purpose

1.1 The purpose of this report is to amend Temporary Sign By-law #76-2017.

2. Background

2.1 On December 13, 2017, Regional Council passed amendments to Temporary Sign By-law #76-2017 as recommended by Regional staff. A follow up meeting was held on May 10, 2018 with Area Municipal By-law Enforcement officers and some Clerks to discuss the changes made to the by-law.

2.2 Some Area Municipality representatives indicated that it was not possible to enforce the 48-hour notice provision amendment that was included in the by-law. In addition, clarifications related to the size of election signs and enforcement of the by-law by the area municipalities were suggested.

3. Proposed Revisions

3.1 Amendments are being proposed at this time as follows:

- A) Section 2.02 and Schedule 'A' have been updated to clarify the height (maximum 0.8 metres) and width (maximum 1.2 metres) criteria for election signs.
- B) Section 2.03 has been amended to remove the 48-hour notice provision.
- C) Section 6.01 has been amended in order to clarify that the by-law may be enforced by the Area Municipalities.

4. Conclusion

- 4.1 It is recommended that The Regional Municipality of Durham's Temporary Sign By-law #76-2017 be amended as set out in Attachment #1 to this report.
- 4.2 The recommended revisions have been reviewed by some of the Local Area Municipalities and Corporate Services – Legislative Services and Legal Services Divisions.

5. Attachments

- Attachment #1: Proposed Amending By-law to Temporary Sign By-law #76-2017
- Attachment #2: Schedule 'A' Criteria for Placement of Election Signs on Roads Under the Jurisdiction of The Regional Municipality of Durham

Respectfully submitted,

Original signed by

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

BY-LAW NUMBER #XX-2018

OF

THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to amend By-law #76-2017 being a by-law to regulate temporary signs and banners and devices on or adjacent to Regional roads.

WHEREAS Section 2.02 of the By-law with respect to Election Signs requires amendment to clarify the height and width criteria for election signs, and corresponding revisions are also required in Schedule A;

WHEREAS Section 2.03 of the By-law with respect to Election Signs – Removal and Storage Charges requires amendment in order to remove the 48-hours' notice provision; and

WHEREAS Section 6.01 requires an amendment in order to clarify that the Area Municipalities may enforce the by-law.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

That Section 2.02 of By-law #76-2017 be amended in part (c) and (f) to read as follows:

- (c) All of the criteria in section 2.01 must be met with the exception of clauses 2.01(c) and 2.01(d) and the requirement for municipal elections candidates to indicate their address and telephone number on election signs;
- (f) Any person erecting a sign must have on their person at the time that the sign is being erected copies of Schedule 'A' to this by-law which provide a list of applicable criteria and all such persons must be familiar with the criteria; and

That Schedule 'A' of By-law #76-2017 be amended in part 4 to read as follows:

- 4. No sign may be higher than 0.8 metres above the surface of the curb shoulder or boulevard, as the case may be (measured to the top of the sign), or wider than 1.2 metres.

That Schedule 'A' of By-law #76-2017 be amended to include illustrations depicting election sign restrictions.

That Section 2.03 of By-law #76-2017 be amended to read as follows:

- 2.03 Any election sign found to be in violation of this by-law will require removal or will be removed and stored or disposed of at the expense of the candidate or third party advertiser:
 - (a) Signs found to be in violation may be removed by the Region immediately without notice;
 - (b) Signs that have been removed by the Region under clause 2.03(a) will be stored for up to 15 days during which time the owner of the sign may retrieve the sign by:
 - i. Paying any amounts owing to the Region under this by-law including the charges stated in 2.03(d) and 2.03(e); and

- ii. Providing a signed acknowledgement of receipt and release in a form acceptable to the Region;
- (c) Signs that have been removed and stored for more than 15 days may be destroyed or otherwise disposed of by the Region without notice and without compensation;
- (d) The charge for the removal of a sign by the Region will be \$60.00;
- (e) The charge for the storage of a sign by the Region will be \$5.00 per day;
- (f) The charges incurred by the candidate or third party advertiser in clauses 2.03(d) and 2.03(e) are payable to the Region within 30 days of receipt of notice of same, or at the time the candidate or third party advertiser picks up their signs. Any amount outstanding 30 days after such notification has been sent may be recovered from the candidate or third party advertiser by the Region by legal action or in like manner as municipal taxes where such an arrangement exists with the applicable area municipality.

That Section 6.01 of By-law #76-2017 be amended to add a new part (d) to read as follows:

- (d) All employees of the Area Municipalities whose duties include enforcement of this by-law, as outlined in By-law #12-92 inclusive of any subsequent amendments as may be required.

That a new Section 13 be added to By-law #76-2017 as follows:

That Paragraph 2 of Schedule "B" of By-law Number 12-92 is hereby deleted and the following substituted:

- 2. By-law Number 76-2017, as amended, a by-law to regulate temporary signs and banners devices on or adjacent to Regional roads.

This By-law shall come into force on the day it is approved by the Council of the Region.

This By-law Read and Passed on the 13th day of June, 2018.

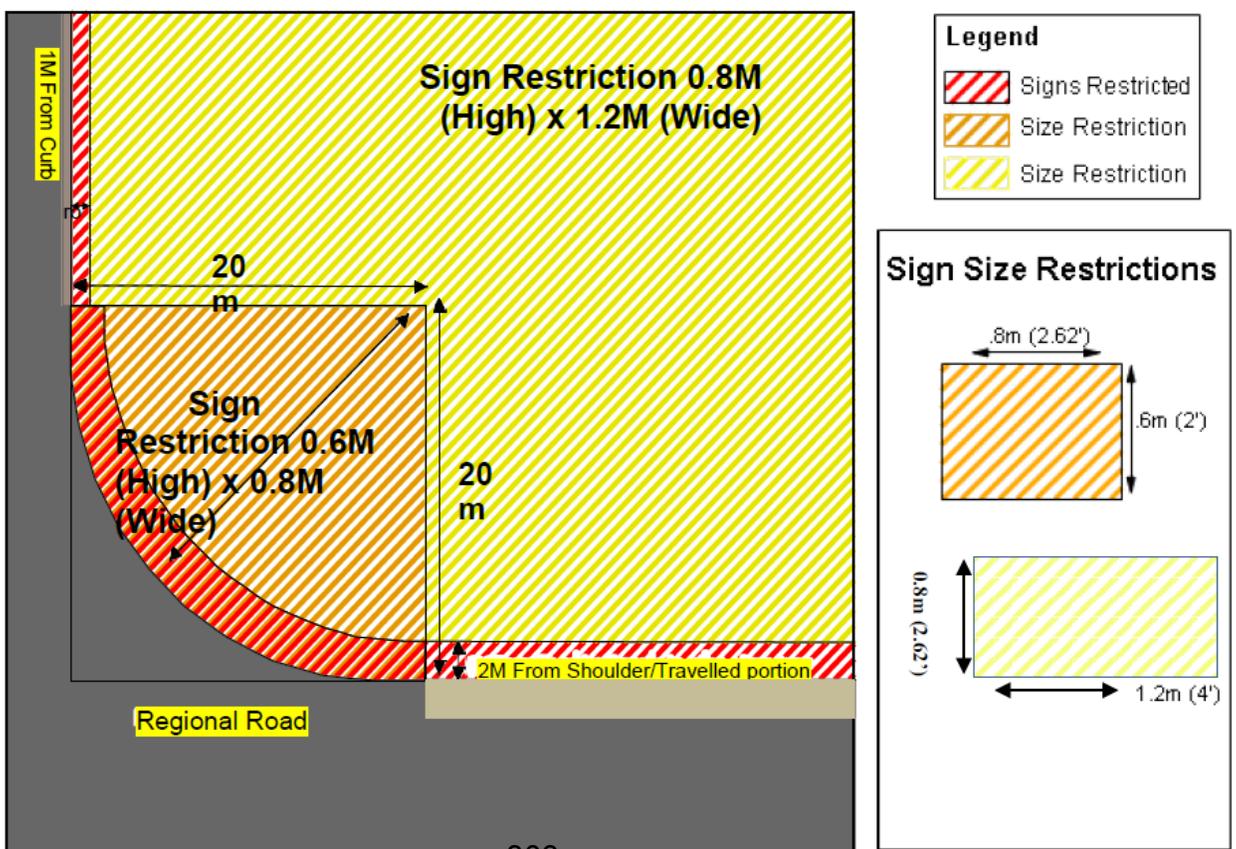
G.L. O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk

SCHEDULE 'A'

CRITERIA FOR PLACEMENT OF ELECTION SIGNS ON ROADS UNDER THE JURISDICTION OF THE REGIONAL MUNICIPALITY OF DURHAM

1. SIGNS SHALL NOT BE PLACED in the following locations:
 - a. On any roadway median
 - b. On any traffic island
 - c. On any road shoulder
 - d. On any sidewalk
 - e. On any post, pole or support already containing an official or authorized sign erected by the Region
 - f. Within 500 metres of another sign for the same candidate
2. Where there is a curb, the sign must be placed a minimum of 1 (one) metre back from the curb.
3. Where there is no curb, the sign must be placed a minimum of 2 (two) metres back from the edge of the traveled portion of the roadway.
4. No sign may be higher than 0.8 metres above the surface of the curb shoulder or boulevard, as the case may be (measured to the top of the sign), or wider than 1.2 metres.
5. Signs located within 20 metres of any intersecting public or private road or driveway may be no higher than 0.6 metres above the surface of the curb, shoulder or boulevard, as the case may be (measured to the top of the sign).
6. Signs shall not obstruct the vision of drivers or interfere with the visibility or effectiveness of traffic signs or signals.
7. All signs must be removed within 48 hours after the election for which they were erected.
8. Where a local area election sign by-law is more restrictive than the above, the provisions of the local by-law will apply to Regional Roads within that municipality.





The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: #2018-COW-145
Date: June 6, 2018

Subject:

Regional Water Supply System - Backflow Prevention Program and Backflow Prevention By-law

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the proposed Backflow Prevention By-law be approved (Attachment #1);
 - B) That a copy of the Backflow Prevention By-law be provided to the area municipalities in the Regional Municipality of Durham for their information;
 - C) That Regional staff be authorized to investigate web-based solutions for implementation of the Backflow Prevention Program and report back for approval at a future date; and,
 - D) That Regional staff be authorized to take all steps required and necessary to give effect to the proposed By-law.
-

Report:

1. Purpose

- 1.1 The Regional Municipality of Durham (Region) is planning to implement a Backflow Prevention Program (BPP) and associated By-law under the *Municipal Act, 2001* for the Region's Water Supply System on January 1, 2019. Backflow prevention will add another level of protection in the Region's multi-barrier approach to protecting drinking water.

2. Background

- 2.1 On February 23, 2018, an information report (2018-INFO-28) was provided to Regional Council in order to inform them of the planning process to be undertaken in order to establish a BPP.
- 2.2 In Part Two of the Report of the Walkerton Inquiry, A Strategy for Safe Drinking Water, the Honourable Dennis O'Connor states that "as part of their comprehensive distribution system program, water providers should have active programs, working together with building inspectors and public health agencies, to detect and deter cross-contamination" and "Distribution systems should have regularly tested backflow prevention valves that can prevent or at least isolate incursions."
- 2.3 Backflow incidents have caused contamination of Drinking Water Systems (DWS) around the world. Most notably, due to their size, complexity and variety of users, DWS are often exposed to potential health risks. DWS operations include maintaining chlorine residuals for disinfection, maintaining positive pressure, and performing appropriate levels of distribution system maintenance.

3. Cross-Connection and Backflow

- 3.1 A cross-connection is an actual or potential connection between a potable DWS and any source of pollution or contamination. The DWS is operated under continuous positive pressure that prevents contaminants from entering the distribution system. If there is a change in pressure within the DWS or within private plumbing, a backflow event may occur.
- 3.2 There are two types of backflow that can impact a DWS: back-siphonage and back-pressure. Back-siphonage occurs when there is a reversal of normal flow. This condition is the result of reduced pressure in the watermain and can be caused by nearby firefighting or a watermain break. Distribution back-pressure occurs when the pressure in a private water system is greater than the pressure in the DWS and can be caused by a pump, elevated tank or a boiler system. Both conditions can potentially cause contaminants to enter the DWS.
- 3.3 The installation of a backflow prevention device at the point where the DWS enters a building or a facility, referred to as Premise Isolation ensures that the DWS is protected from backflow.
- 3.4 The proposed BPP will focus on high or severe and moderate risk buildings and facilities as defined in the Canadian Standards Association Standard B64.10-11 and include all Industrial, Commercial, Institutional (ICI) and multi-residential properties.

4. Backflow Incidents in Ontario

4.1 The following backflow incidents have occurred in Ontario:

1. In 1997, 50,000 residents of Guelph were instructed not to drink, cook or bath in water from the DWS after industrial lubricant entered the system from a manufacturing plant.
2. On March 7, 2005, the City of Stratford issued a Drinking Water Advisory to 30,000 residents after a red, foamy substance was discovered in the DWS.
3. On April 21, 2011, Halton District School Board closed Iroquois Ridge High School due to chemicals found in the schools internal water supply.

5. Regulations and Standards

- 5.1 The Building Code Act, 1992 (the Act) outlines the responsibilities of municipalities to establish operational policies, oversee enforcement, and exercise powers as they relate to the Ontario Building Code (OBC) and the Act. Part 7 of the OBC deals with plumbing and applies to all buildings. The OBC addresses the requirement for DWS to be designed, fabricated and installed in accordance with good engineering practices to ensure that potable water is protected from contamination.
- 5.2 The Canadian Standards Association (CSA) has developed two standards for backflow prevention, CSA B64.10-11 "Selection and installation of backflow preventers" and CSA B64.10.1-11 "Maintenance and field testing of backflow preventers."
- 5.3 The OBC requires the initial installation of backflow preventers to be conducted in accordance with CSA B64.10-11 "Selection and installation of backflow preventers."
- 5.4 The OBC does not provide municipalities the authority to ensure backflow preventers are maintained in accordance with CSA B64.10.1-11 "Maintenance and field testing of backflow preventers." The annual maintenance and field testing of backflow preventers is necessary to ensure they are in working order and can prevent contamination of the DWS in case of a backflow event.
- 5.5 A By-law is required to ensure that backflow preventers are selected, installed, maintained and field tested in accordance with CSA Standards to protect the DWS from contamination due to backflow. The attached by-law focuses on Premise Isolation, which is the installation of a backflow prevention device where the DWS enters a building.

- 5.6 In addition, Section 20 of the Safe Drinking Water Act, 2002 states that no person shall cause or permit anything to enter a drinking water system if it could result in:
1. a drinking water health hazard;
 2. a contravention of a prescribed standard; or
 3. interference with the normal operation of the system
- 5.7 As the owner and operator of the drinking water supply system, the Region has a responsibility to ensure customers are provided with safe drinking water.

6. Program Methodology

- 6.1 In response to the City of Stratford incident, the Ministry of the Environment and Climate Change (MOECC) established a multi-stakeholder working group and developed “A Guide for Drinking Water System Owners Seeking to Undertake a Backflow Prevention Program”. The guide provides technical assistance to the owners of DWS that have facilities connected to their drinking DWS whose activities are considered high or moderate threats. The guide provides the necessary steps for municipalities to implement a BPP.
- 6.2 Regional staff have developed the BPP using MOECC’s “A Guide for Drinking Water System Owners Seeking to Undertake a Backflow Prevention Program”.

7. Consultation Process

- 7.1 Consultation and comments were provided by several stakeholders. Regional staff consulted with the area municipal Chief Building Officials, industry professionals, plumbers unions, internal Regional departments, and outside municipal staff to review the draft by-law. A public information session was held at Regional headquarters on April 25th, 2018. Staff plan on hosting additional public information sessions when the implementation steps have been finalized.

8. Implementation Plan

- 8.1 The steps to implementing the BPP are as follows:
1. General Information and a notification to complete a Cross Connection Control Survey report will be distributed to all property owners of existing ICI facilities and multi-residential buildings.
 2. Cross Connection Control Survey reports must be completed, at the owner’s expense, by an authorized tester. Properties with existing backflow prevention devices will be required to complete the survey.
 3. Authorized testers must be registered with the Region and provide proof of certification and equipment calibration records.

4. Survey results must be submitted to the Region within 90 days of notification. Follow up surveys must be completed every five years, after ownership change, change of use, tenancy, rezoning of property, change in process or chemical use, or as required by the Commissioner of Works.
5. Property owners will be notified by the Region of their backflow prevention requirements.
6. If backflow prevention is required or devices need maintaining, property owners must retain an authorized contractor to ensure the backflow prevention device is in working order within 180 days notification from the Region.
7. A building permit must be obtained from the area municipality in accordance with the OBC if devices need to be installed or modified.
8. After installation or maintenance, the backflow prevention device must be tested by an accredited tester and have a cross-connection test report submitted to the Region within 28 days.
9. Backflow prevention devices must be selected, installed, maintained and tested in accordance with CSA B64 series standards or as required by the Commissioner of Works.
10. The Region will retain copies of all surveys and test reports with copies directed to area municipalities.

9. Record Keeping

- 9.1 Staff will be required to implement a data management system for tracking all ICI and multi-residential properties, Cross Connection Control Survey reports, cross connection test reports and authorized tester certifications and equipment.
- 9.2 Staff will review the use of several data management systems for program implementation. The preferred system must provide the following functions required for a successful BPP:
 1. Verification of authorized tester certificates and equipment;
 2. Distribution of surveys and test reports;
 3. Electronic submission of surveys and test reports;
 4. Notification to property owners of annual maintenance requirements;
 5. Ability to search, sort and export backflow data; and
 6. Multi-user municipal access.

- 9.3 Staff have estimated 7,725 water service connections in ICI facilities and multi-residential buildings that may require backflow prevention. These properties will either require the installation of backflow prevention or the maintenance of existing backflow prevention.

10. Financial Implications

- 10.1 A proposed fee structure will be designed to make this program cost and revenue neutral over the five year life of the survey (i.e. to recover costs associated with staff time and any external services). Staff will report back prior to the end of 2018 with a recommended fee structure.
- 10.2 Any procurement activity will be undertaken in accordance with the Region's Purchasing By-law.

11. Conclusion

- 11.1 A Backflow Prevention Program for (Premise Isolation) will help safeguard The Regional Municipality of Durham's municipal drinking water system. The installation of backflow prevention devices will reduce the potential of contamination and pollution entering the drinking water system. As the water purveyor, the Regional Municipality of Durham has a responsibility to protect the drinking water system and the implementation of a backflow prevention program will strengthen the Regional Municipality of Durham's multi-barrier approach to drinking water management.
- 11.2 This report has been reviewed by Legal and Legislative Services Divisions of the Corporate Services Department and the Finance Department and the Acting Commissioner of Finance concurs with the recommendations.

12. Attachments

Attachment #1: Backflow Prevention By-law

Respectfully submitted,

Original signed by:

S. Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

G.H. Cubitt, MSW
Chief Administrative Officer

By-law Number ***-2018

of The Regional Municipality of Durham

Being a By-law to implement a backflow prevention program for premise isolation in the Regional Municipality of Durham.

Whereas section 11 of the Municipal Act, 2001, S.O. 2001, c.25, provides that the Region has exclusive authority within its geographical boundaries to pass By-laws respecting water production, collection and distribution as well as the collection and treatment of sanitary sewage.

And Whereas the Region operates drinking water systems pursuant to the provisions of the Ontario Safe Drinking Water Act, 2002, S.O. 2002, c.32 which prohibits and makes it an offence to cause or permit anything to enter a drinking water system if it could result in, a drinking-water hazard, a contravention of a prescribed standard or the interference with the normal operations of the system.

And Whereas the Municipal Act, 2001, provides the Region with broad authority to pass By-laws to effectively manage its drinking water system.

And Whereas the Region desires to regulate cross connections and the use of backflow prevention devices in order to protect the integrity of the Drinking Water System.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. Interpretation,

1.1 In this By-law,

- (a) “**Area Isolation**” means the prevention of backflow into the drinking water system by the installation of a suitable backflow prevention device section of water piping within a building or facility which has potable and non-potable connections.
- (b) “**Area Municipality**” means the Municipality or Corporation of the City of Oshawa, the City of Pickering, the Town of Ajax, the Town of Whitby, the Township of Brock, the Township of Scugog, the Township of Uxbridge and the Municipality of Clarington.
- (c) “**Authorized Functions List**” means the list of functions and the persons authorized to carry out such functions as set out in Appendix A.
- (d) “**Authorized Tester**” means a person authorized to carry out such functions as set out in the authorized functions list.
- (e) “**Backflow**” means a flowing back or reversal of the normal direction of water flow.
- (f) “**Backflow Prevention**” means the prevention of the flow of water, other liquids, chemicals or substances back into the water being supplied by the Region’s water distribution system.
- (g) “**Backflow Prevention Device**” means a device that prevents backflow in to the Region’s water distribution system and includes all valves and test ports approved by the Canadian Standards Association (CSA) B64 series standard.

- (h) “**Building Code Act**” means the Building Code Act, S.O.1992, C.23, as amended.
- (i) “**Commercial**” means land, buildings or structures used, or designed or intended for use for either or both of office and retail uses as defined in this by-law.
- (j) “**Commissioner**” means the Commissioner of Works appointed by the Region or a delegate.
- (k) “**Cross Connection**” means an actual or potential connection between a Potable water system and any source of pollution affecting any temporary, permanent, or potential water connections that may allow backflow to occur.
- (l) “**Cross Connection Control Program Test Report**” means a standard Region document, as amended from time to time.
- (m) “**Cross Connection Survey Report**” means a standard Region document, as amended from time to time.
- (n) “**CSA B64**” means the CSA B64 series standard published by the Canadian Standards Association, in effect at the time of the enactment of this By-law, and as amended from time to time, or successor thereof.
- (o) “**Drinking Water System**” means the water supply system of the Region including all water supply plants, wells, intakes, outlets, equipment, water storage tanks and reservoirs, water supply pumping stations, watermains, appurtenances, water service connections, water meters and all other water works designated for the supply of water together with all lands appropriated for such purposes and uses.
- (p) “**High or Severe Hazard**” means any type of cross-connection or potential cross-connection involving water that has additives or substances, that, under any concentration, can create a danger to health as per CSA series standard.
- (q) “**Industrial**” means lands, buildings or structures used or designed or intended for use for manufacturing, producing, processing, fabricating or assembly of raw goods, research or development in connection therewith, and includes office uses, warehousing or bulk storage of goods and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or similar use.
- (r) “**Institutional**” means lands, buildings or structures used or designed or intended for use by an organized body, society or religious group for promoting a public or non-profit purpose, and includes office uses where such uses are accessory to an institutional use.
- (s) “**Moderate Hazard**” means any connection that has a low probability of becoming a severe hazard. This category includes, but is not limited to, connection involving water where the aesthetic qualities of the water have been reduced and, under certain conditions, can create a danger to health as per CSA B64 series standard.
- (t) “**Multi-Residential Property**” means an apartment building, condominium property, townhouse property, co-op property or other similar residential property containing more than six (6) self-contained dwelling units.

- (u) **“Office Use”** means lands, buildings or structures used or designed or intended for use for the practice of a profession, the carrying on of a business or occupation and, for greater certainty, but without in any way limiting the generality of the foregoing, shall include but not be limited to the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, insurance company, veterinarian, surveyor, appraiser, financial institution, consumer loan company, employment agency, advertising agency, consulting firm, business service, investment company, security broker, mortgage company, medical clinic, builder, land developer.
- (v) **“Owner”** means a person holding a fee simple or equitable interest in land.
- (w) **“OWWA”** means the Ontario Water Works Association.
- (x) **“Person”** includes an individual, sole proprietorship, partnership, unincorporated association, unincorporated organization, corporation, trustee, heir, executor, administrator or other legal representative.
- (y) **“Potable Water”** means treated Regional water.
- (z) **“Premise Isolation”** means the prevention of backflow into the drinking water system by the installation of a suitable backflow prevention device on a water service.
- (aa) **“Property”** means public and private lands, buildings, structures, boats, vehicles, railway cars, or mobile homes which are located within the Region that may be entitled to a water service connection.
- (bb) **“Region”** means The Regional Municipality of Durham acting as a body corporate.
- (cc) **“Regional Water”** means potable water or raw water carried by the Region water supply system.
- (dd) **“Residential”** means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semidetached dwelling, a townhouse, a stacked townhouse, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use.
- (ee) **“Retail Use”** means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services for consumption or use and, for greater certainty, but without in any way limiting the generality of the foregoing, shall include, but not be limited to, food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres, automotive dealers, automotive repair shops, gasoline service stations, government owned retail facilities, private daycare, private schools, private lodging, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, medical clinics, funeral homes, motels, hotels, rooming houses, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, self-storage facilities and secure document storage.
- (ff) **“Service Pipe”** means that part of a water service from the property line to a building.
- (gg) **“Test Tag”** means a tag approved by the Region containing information related to the date, installation address, type, make, size, model, serial number, location, and test date of the backflow prevention device.

- (hh) **“Watermain”** means a pipe forming part of the drinking water system that conveys Regional water from water supply plants and wells to water services.
- (ii) **“Water Meter”** means a device and associated appurtenances supplied and installed by the Region used for measuring water consumption for billing purposes.
- (jj) **“Water Service”** means a pipe connecting a watermain to a building or facility for domestic industrial, commercial, institutional (ICI), multi-residential property or fire protection purposes consisting of a water service connection and a service pipe.
- (kk) **“Water Service Connection”** means that part of the Regional water supply system connecting a watermain to a service pipe.
- (ll) **“Zone Isolation”** means the prevention of backflow into the drinking water system by the installation of a suitable backflow prevention device on a section of water piping within a building or facility which has only non-potable connections.

2. General

- 2.1 If any section, subsection, or part of this By-law is declared by any court of competent jurisdiction to be illegal or ultra vires, such section, subsection or part shall be declared to be separate and independent and enacted as such.
- 2.2 Wherever a word importing the singular number is used in this By-law, such word shall include the plural.
- 2.3 The grammatical changes required to make the provisions of this By-law apply to individuals (male or female), sole proprietorships, partnerships, unincorporated associations, unincorporated organizations, corporations, trustees, heirs, executors, administrators and other legal representatives where the context so requires shall be assumed as though in each case fully expressed.
- 2.4 In the event of a conflict between the provisions of this By-law and the provisions of any other statute, regulation or By-law, the provisions that are the most restrictive prevail.

3. Application of By-law

- 3.1 This By-law applies to all existing and future ICI and multi-residential properties, except buildings of residential occupancies in accordance with the Building Code Act to which Regional water is supplied.
- 3.2 In addition to and notwithstanding section 3.1, this By-law applies where a condition exists in any property that may be hazardous or detrimental to the drinking water system.
- 3.3 Every owner of property to which this By-law applies shall ensure that a backflow prevention device is installed to provide premise isolation, in every property to which Regional water is supplied.

4. Prohibition of cross connection

- 4.1 No person shall directly or indirectly connect, permit or cause to be connected, allow to remain connected to the drinking water system or construct, install or maintain any piping, fixture, fitting, container, appliance, equipment or any other connection which may or could enable non-potable water, wastewater, or any other liquid, chemical or substance to enter the drinking water system.

4.2 If the Commissioner determines that a contravention to section 4.1 may exist at a property, the Commissioner may issue an order or orders to the owner or occupier of the property or any other person as may be required to remedy the contravention.

4.3 If the owner or other person to whom the Commissioner has issued an order fails to comply with that order, the Commissioner, may:

- (a) Give further notice to the owner or other person to correct the fault, at their expense, within a specified time period and, if the notice is not complied with, the Commissioner may then shut off the water service; or
- (b) Without prior notice, shut off water services where the Commissioner has identified an immediate threat of contamination to the drinking water system that may endanger public health and safety.

5. Cross connection survey

5.1 A cross connection survey report of the plumbing system of properties to which this By-law applies shall be completed, at the owner's expense, by approved personnel specified in the authorized functions list.

5.2 The cross connection survey report shall be completed within ninety (90) days of the date of notification by the Commissioner with copies submitted to both the Region and Area Municipality.

5.3 A cross connection survey report shall be completed every five years from the date of the first requested survey, subsequent any tenant or ownership change, re-zoning of property, change of process or chemical use or as required by the Commissioner.

6. Installation and testing

6.1 Notification to install a backflow prevention device will be issued by the Commissioner as determined by a cross connection survey report. Owner's will be required to install a backflow prevention device:

- (a) In buildings of high or severe hazard in accordance with backflow prevention requirements outlined in the Building Code Act and CSA B64; or
- (b) In buildings of moderate hazard in accordance with backflow prevention requirements outlined in the Building Code Act and CSA B64; or
- (c) As specified by the Commissioner.

6.2 The owner shall install, at their own expense, a backflow prevention device so that the water service is in compliance with the Building Code Act and CSA B64 within 180 days of notification by the Commissioner.

6.3 The backflow prevention device shall be maintained and tested annually or more often if required by the Commissioner, in accordance with CSA B64 by an authorized tester at the expense of the owner.

6.4 If the results of a test referred to in section 6.3 of this By-law show that a backflow prevention device is not in proper working condition, the authorized tester shall provide written notification to the Region and Area Municipality within twenty-four (24) hours and immediately make all necessary repairs or replace the device at the expense of the owner.

6.5 All cross connection control program test reports shall be completed and submitted to both the Region and Area Municipality within twenty-eight (28) days of a test.

- 6.6 The owner shall retain on-site, the results of cross connection control program test reports for a period of not less than five (5) years from the date of the test and make them available to the Commissioner upon request.
- 6.7 At no time shall a backflow prevention device be by-passed unless previously authorized by the Commissioner or subject to a requirement of provincial or federal legislation.
- 6.8 No person shall remove a backflow prevention device or any part thereof after it has been installed, and no owner of a building or structure in which a backflow prevention device is installed shall cause or permit the removal of such a device, unless such removal is to:
- (a) Replace the device with another device that meets or exceeds the provisions of this By-law; and
 - (b) The water supply is turned off for as long as the device is removed.
- 6.9 If the location of a backflow prevention device cannot be provided by an owner or conditions or circumstances change with respect to a backflow prevention device location within a property, the Commissioner may, at its discretion, approve the installation of zone isolation or area isolation in lieu of premise isolation.
- 6.10 A test tag shall be displayed on or adjacent to the backflow prevention devices on which the authorized tester shall record the address of the property, the location, type, manufacturer, serial number and size of the device, the test date, the authorized tester's initials, the authorized tester's name (if self-employed) or the name of their employer and the authorized tester's license number.

7. Inspection for cross connection

- 7.1 Any person authorized by the Commissioner shall have free access, at all reasonable times, and upon reasonable notice given, to all property and parts of every building or other premises to which Regional water is supplied, for the purpose of inspecting, installing, repairing, altering, disconnecting or shutting off any service pipe or appurtenances.
- 7.2 If access is not provided within twenty-four (24) hours of written notice the Commissioner may, at its discretion, shut off the supply of water to the property until such time as the access is provided.

8. Authorized tester

- 8.1 Only an authorized tester shall be permitted to test, install, replace, maintain, repair, relocate, clean or overhaul a backflow prevention device.
- 8.2 An authorized tester shall complete and pass a cross connection control course in backflow preventer testing, and shall have a certificate issued by OWWA or approved equivalent.
- 8.3 An authorized tester shall maintain current certification with the OWWA or approved equivalent.
- 8.4 Annual registration with the Region is required for all authorized testers. Authorized testers must provide proof of certification to the Region to conduct work on backflow prevention devices.

- 8.5 The Commissioner may suspend or revoke the authorized tester registration with the Region's backflow prevention program, if the authorized tester:
- (a) Fails to renew, submit or maintain the annual registration and the required annual documentation with the Region; or
 - (b) Submits a cross connection control program test report that was falsified; or
 - (c) Repeatedly submits incorrect reports or installations of backflow prevention devices.

8.6 All equipment used to test backflow prevention devices shall be verified or calibrated for accuracy, as required by the Building Code Act and CSA B64.

9. Fire protection system

9.1 All backflow prevention devices on any ICI or multi-residential property fire protection system shall be selected, installed, maintained and tested annually or more often if required by the Commissioner, in accordance with the Building Code Act and CSA B64 at the expense of the owner, by personnel approved by the Commissioner to carry out such tests to demonstrate that the backflow prevention device is in proper working condition.

10. Penalties and fees

10.1 Every person, other than a corporation, who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$10,000.00 for the first offence and not more than \$25,000.00 for any subsequent offence.

10.2 Every corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$50,000.00 for the first offence and not more than \$100,000.00 for any subsequent offence.

10.3 All fees shall be in conformance with the Region's fee structure as indicated in By-law 89-2003, as amended, or on such other basis as the Region may at any time decide, at such time as the Commissioner may, from time to time, determine.

11. Regulations and standards

11.1 Regional standards and By-laws, along with the Building Code Act and CSA B64, the Ontario Provincial Standards Drawings, the Ontario Provincial Standard Specifications and the Ontario Safe Drinking Water Act, 2002, shall form part of this By-law.

12. Confidential information

12.1 All information submitted to and collected by the Region under this By-law is subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act, 2001, S. 2001 I c. 25 (MFIPPA).

12.2 In the event that any person is submitting information, in any form, to the Region as required under this By-law where such information is confidential or proprietary or otherwise may be exempt from disclosure under MFIPPA the person submitting the information shall so identify that information upon its submission to the Region and shall provide sufficient details as to the reason for its purported exemption from disclosure.

13. Effective date

13.1 All of the provisions of this By-law shall come into effect on January 1, 2019 as approved by Council.

This By-law Read and Passed on the -----th day of -----, 2018.

G. L. O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk

Appendix A

Item	Function	Professional Engineer with Tester's License	Certified Engineering Technologist with Tester's License ¹	Licensed Master Plumber with Contractor's and Tester's License	Journeyman Plumber or Pipe-Fitter with Tester's License ²	Apprentice Plumber or Pipe-Fitter with Tester's License ³	Licensed Durham Region Staff with Tester's License ⁴	Fire System Sprinkler Fitter with Tester's License	Lawn Irrigation System Installer with Tester's License
A	Perform Cross-Connection Survey	✓	✓	✓	✓				
B	Install, relocate or replace a backflow prevention device			✓	✓	✓			
C	Repair of backflow prevention device ⁴	✓	✓	✓	✓	✓			
D	Test backflow prevention device ⁵	✓	✓	✓	✓	✓	✓	✓	✓
E	Items A, B, C and D above in relation to Fire Protection Systems	✓	✓	✓	✓	✓		✓	
F	Items B, C and D above in relation to lawn sprinkler systems	✓	✓	✓	✓	✓			✓

1. Required to be under the direction of a professional plumber
2. Required to be employed by a licensed plumbing contractor.
3. Required to be employed by a licensed plumbing contractor and under direct supervision of a journeyman plumber or a master plumber.
4. Water Distribution Operator or In-house maintenance staff is permitted to perform repairs, if they have a tester's license.
5. Anyone with a tester's license as per CSA B64, as amended, is permitted.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-109
Date: June 6, 2018

Subject:

Final Recommendations Regarding Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That Pursuant to Section 10(1) of the Development Charges Act, 1997, the Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge Background Study dated March 27, 2018 be adopted including the forecast of anticipated development, the underlying capital forecast and the calculations contained in the Background Study and that the approval of the capital forecast in the Background Study indicate Regional Council's intention to ensure that such an increase in need for service will be met as required under paragraph 3 of Section 5(1) of the Development Charges Act, 1997 and Section 3 of Ontario Regulation 82/98;
- B) That a Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge in the amount of \$15,903 per net hectare for both residential and non-residential uses be imposed effective July 1, 2018;
- C) That the Development Charge policies for the Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge as contained in the proposed by-law included in the Background Study (Attachment #2) be approved;
- D) That the Regional Solicitor be instructed to prepare the requisite Development Charge By-law for presentation to Regional Council and passage;
- E) That the Regional Solicitor be instructed to revise future development agreements and any by-law(s) relating thereto to reflect any changes required to implement the foregoing recommendations and that any such revised by-law(s) be presented to Council for passage;

- F) That the Acting Treasurer be instructed to prepare the requisite development charge pamphlet pursuant to the Development Charges Act, 1997 and related materials; and
 - G) That the Regional Clerk be instructed to follow the notification provisions pursuant to the Development Charges Act, 1997.
-

1. Introduction

The purpose of this report is to provide final recommendations regarding the proposed Sanitary Sewerage Service Area Specific Development Charge for the Carruthers Creek Area. These recommendations will form the basis for the by-law to be implemented on July 1, 2018 which replaces the existing Area Specific Development Charge By-law #17-2013.

The Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge Background Study contained the proposed by-law and provided information regarding the proposed development charge policies for review by Regional Council and the public. The background study was made available to Regional Council and the public (free of charge) beginning on March 27, 2018 as indicated in the public notices placed in the Toronto Star on March 17 and 19, 2018 and three times in the local Metroland newspapers throughout the Region over the time period March 15 to March 29, 2018.

An overview of the key recommendations contained in the proposed development charge by-law and background study is provided in Report #2018-COW-64: Public Meetings Regarding Proposed Development Charge By-laws and Background Studies.

2. Proposed Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge By-Law

2.1 Overview of Public Input Regarding Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge

Public notices regarding the proposed by-law, availability of the background study and the invitation for public submissions were placed as noted above and concurrently with the notices for the proposed Regional Development Charge By-law.

Letters were also sent to all signatories of the Carruthers Creek Front-ending Agreements on March 20, 2018 advising them of the expiry date of the front-ending agreements on August 31, 2019 and advising that staff were considering a recommendation that the sanitary sewerage area specific development charge by-law for the Carruthers Creek Area would also expire on August 31, 2019. The letter outlined the public process and the opportunities to provide comment at the April 11, 2018 Public Meeting. No delegation appeared at the April 11, 2018 Public Meeting to speak to this matter and no reply was received to the March 20, 2018 letter.

No verbal submissions were made at the public meeting of Council held to consider the proposed Sanitary Sewerage Service Area Specific Development Charge By-law and Background Study on April 11, 2018. A resident in Ajax inquired as to whether the

Carruthers Creek Area Specific Development Charge would apply to his property. Staff responded that the Carruthers Creek Area Specific Development Charge would not apply as his property is outside the Carruthers Creek Service Area.

A letter was received on May 18, 2018 by a law firm representing Runnymede Development Corporation Limited (Attachment #1) requesting that the Carruthers Creek Sanitary Sewerage Area Specific Development Charge By-law not have an expiry date of August 31, 2019 and that the existing front-ending agreements be extended in order to provide additional time to allow a full recovery of costs.

Runnymede and a number of other developers upfronted the cost to provide sanitary sewerage services to the Carruthers Creek Service Area in the Town of Ajax (in the late 90's) in order to advance the development of their lands.

The Region executed two front-ending agreements with these landowners in 1997 (and subsequently an area specific development charge by-law) which required the Region to collect payments from benefitting landowners in the Carruthers Creek Service Area who did not provide any upfront funds and subsequently distribute these funds to Runnymede and the other landowners who upfronted the costs of the sanitary sewerage services. The developers entered into these agreements knowing that they had a sunset clause of August 31, 2019 and that there was a risk that depending on the pace of development, they may not recover their entire costs by the sunset clause.

The letter from the law firm representing Runnymede is requesting that the Region extend the date of the agreements and the development charge by-law beyond August 31, 2019, to enable the Region to continue to collect payments from other benefitting landowners for the purpose of re-imbursing Runnymede and other landowners.

There is no obligation on the Region to extend the agreements beyond August 31, 2019. Extending the agreements could require the Region to have all the signatories of the original agreements to execute an amended agreement. As well, if the Region was to extend the front-ending agreements and development charge by-law beyond August 31, 2019, the Region would have to notify all landowners in the Carruthers Creek Service Area (with undeveloped lands) to advise that the agreements that are set to expire on August 31, 2019 are being extended. As these agreements are set to expire on August 31, 2019, the sanitary sewerage area specific development charge for the Carruthers Creek Area will no longer apply on these lands, which may promote the development of the residential and non-residential lands within this service area. For these reasons, it is recommended that the front-ending agreements and development charge by-law expire on August 31, 2019.

2.2 Final Recommendations

No changes are proposed from the recommendations contained in the Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge Background Study.

Those recommendations will increase the rate of the Carruthers Creek Sanitary Sewerage Service Area Specific Development charges to \$15,903 (from the current rate

of \$15,560) per net hectare.

3. Further Considerations by Regional Council Per DCA, 1997

3.1 Formal Consideration of Need for Further Public Meeting

If the proposed by-law is changed then Regional Council is required under the provisions of the DCA, 1997 to consider whether a further public meeting is required. An additional public meeting would require public notices to be placed providing at least twenty days notice of such a public meeting.

Given that the final recommendations do not vary from the proposed Regional Development Charge by-law, if these recommendations are accepted and no change is made, a further public meeting would not be required.

3.2 Direction to Regional Staff To Prepare Necessary Notices, Satisfy Reporting Requirements and Provide Information

In order to implement the recommended Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge, various administrative tasks must be undertaken by the Regional Solicitor, Regional Clerk and Regional Treasurer.

4. Conclusion

It is recommended that the Carruthers Creek Sanitary Sewerage Service Area Specific Development Charge by-law be approved as proposed in the Background Study.

This report has been reviewed by staff of the Planning & Economic Development, Works and Corporate Services - Legal departments who concur with the recommendations.

5. Attachments

Attachment #1 Written Correspondence and Staff Response
Attachment #2: Proposed Development Charge By-law

Respectfully submitted,

Original Signed By

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance and Treasurer

Recommended for Presentation to Committee

Original Signed By

G.H. Cubitt, MSW
Chief Administrative Officer



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Chris Barnett
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T 416.365.3502
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May 18, 2018

FILE NUMBER: 46165-00002

DELIVERED BY E-MAIL

Ralph Walton, Regional Clerk
Director of Legislative Services
Regional Municipality of Durham
605 Rossland Road East
Level 1
P.O. Box 623
Whitby, ON L1N 6A3

Dear Mr. Walton:

Re: Area Specific Development Charges - Sanitary Sewage - Carruthers Creek Area

We act on behalf of Runnymede Development Corporation Limited (“RDCL”) a party to both Front Ending Agreements for the Carruthers Creek Development Area. RDCL is the primary funder of the services that were installed pursuant to the Front Ending Agreements. It was responsible for 72% of the funding under Agreement #1 and 92% under Agreement #2. As a result, it is the most affected party in terms of the front ended amounts that have yet to be repaid.

We have reviewed the staff report dated April 11, 2018 (report number 2018-COW-64) and note that the staff recommendation is only to extend the Area Specific Development Charge By-law for sanitary sewage services until the Front Ending Agreements expire on August 31, 2019. By its calculation, RDCL continues to be approximately \$2 million for the services that it installed pursuant to the Front Ending Agreements.

RDCL is extremely concerned that, in the absence of an area specific development charge by-law and an extension of the Front Ending Agreements, it will have expended a significant amount of money as part of an agreement with the Region, with the risk that it may not be able to be reimbursed in full for the funds it expended.

Not extending the agreement and by-law will be a disincentive to landowners in the Region to enter into front ending financing agreements with the Region in the future, if there is a risk that payment will not ultimately be made in full for the amounts expended.

We therefore request that the Area Specific Development Charge By-law not have an expiry date of August 31, 2019 and that the existing Front Ending Agreements be extended in order to allow for a full compensation pursuant to those agreements to take place. RDCL would be pleased to meet with staff in



order to discuss next steps to ensure that the agreements can be negotiated well in advance of their expiry date.

Sincerely,
DLA Piper (Canada) LLP
Per:

A handwritten signature in black ink, appearing to read 'CB', written over the printed name 'Chris Barnett'.

Chris Barnett

CMB/sxo

Cc: Runnymede Development Corporation Limited
Kevin Ryan

CAN: 27389189.1



May 25, 2018

Chris Barnett
DLA Piper (Canada) LLP
Suite 6000, 1 First Canadian Place
PO Box 367, 100 King Street West
Toronto, Ontario
M5X 1E2

The Regional
Municipality
of Durham

Finance Department

605 ROSSLAND RD. E.
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6207

www.durham.ca

Dear Mr. Barnett:

RE: Response to Comments Related to the 2018 Carruthers Creek
Sanitary Sewerage Area Specific Development Charge Background
Study

Thank you for your letter dated May 18, 2018 regarding the 2018 Carruthers Creek Sanitary Sewerage Area Specific Development Charge Background Study concerning the request that the Carruthers Creek Sanitary Sewerage Area Specific Development Charge By-law not have an expiry date of August 31, 2019 and that the existing front ending agreements be extended in order to provide for additional time to allow a full recovery of costs.

Letters were sent to all signatories of the Carruthers Creek Front-ending Agreements on March 20, 2018 advising of the expiry date of the front-ending agreements on August 31, 2019 and advising that staff were considering a recommendation that the sanitary sewerage area specific development charge by-law for the Carruthers Creek Area would expire on August 31, 2019. The letter outlined the public process and the opportunities to provide comment at the April 11, 2018 Public Meeting. No delegation appeared at the April 11, 2018 Public Meeting to speak to this matter and no reply was received to the March 20, 2018 letter.

The Region executed two front-ending agreements with your client and a number of landowners in 1997 which required the Region to collect payments from benefitting landowners in the Carruthers Creek Service Area who did not provide any upfront funds and subsequently distribute these funds to Runnymede and the other landowners who upfronted the costs of the sanitary sewerage services. These agreements were executed by all parties with the understanding of the sunset clause of August 31, 2019 and that there was a risk that depending on the pace of development, they may not recover their entire costs by the sunset clause.

Extending the agreements could require the Region to have all the signatories of the original agreements to execute an amended agreement and require the Region to notify all landowners in the Carruthers Creek Service Area (with undeveloped lands) to advise that the agreements that are set to expire on August 31, 2019 are being extended.

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for our Communities"



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Staff will be not be recommending that the agreements and development charge by-law be extended beyond August 31, 2019. Staff will continue to collect the charges from benefitting non-contributing landowners and forward these funds to Runnymede and the other landowners up until August 31, 2019.

Please be advised that the final recommendations regarding the Carruthers Creek Sanitary Sewerage Area Specific Development Charge By-law will be considered by Committee of the Whole on June 6, 2018 and Regional Council on June 13, 2018. Your letter and our staff response will be provided to Regional Council as part of that report.

If you have any questions or comments, please call me at 905-668-4113 ext 2300.



Mary E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

cc: R. Walton, Regional Clerk / Director of Legislative Services
S. Siopis, Commissioner of Works
B. Bridgeman, Commissioner of Planning and Economic Development
K. Ryan, Senior Solicitor
J. Presta, Director of Environmental Services
P. Gillespie, Manager of Development Approvals
S. Tsenis, Manager, Corporate Asset Management
A. Wismer, Economist
M. MacDonald, Economist
G. Asselin, Economist

BY-LAW NUMBER • - 2018

OF

THE REGIONAL MUNICIPALITY OF DURHAM

being a new area specific by-law regarding development charges for sanitary sewerage works for the Carruthers Creek Development Area

WHEREAS section 2(1) of the *Development Charges Act, 1997*, provides that council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies if the development requires one or more of the approvals identified in section 2(2) of the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on April 11, 2018, in accordance with section 12(l) of the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Regional Municipality of Durham has permitted any person who attended the public meeting to make representations in respect of the proposed development charges;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF DURHAM HEREBY ENACTS AS FOLLOWS:

PART I

INTERPRETATION

Definitions

1. In this By-law,
 - (a) “Act” means the Development Charges Act, 1997;
 - (b) “Area Municipality” means a lower-tier municipality that forms part of the Region;
 - (c) “Carruthers Creek Development Area” means the area within the Region generally as described in Schedule A and shown on Schedule B;
 - (d) “Council” means the Council of The Regional Municipality of Durham;
 - (e) “Development” includes redevelopment;

- (f) “Development Charges” means a development charge imposed pursuant to this by-law in accordance with the Act in regard to sanitary sewerage services;
 - (g) “Local Board” means a local board as defined in the Municipal Affairs Act, other than a board defined in section 1(1) of the Education Act;
 - (h) “Mixed-Use” means a building or structure containing both Non-Residential and Residential uses;
 - (i) “Net Hectares of Land” means the area of any parcel of land in the Carruthers Creek Development Area in hectares net of the area designated by the Toronto and Region Conservation Authority as floodplain and/or fill regulated area, and net of any area existing or required by the Ontario Hydro Electric Power Commission for its high voltage transmission line corridor;
 - (j) “Non-Residential” means the use of lands, buildings or structures for other than a Residential use;
 - (k) “Region” means The Regional Municipality of Durham;
 - (l) “Residential” means the use of lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals;
 - (m) “Residential Unit” means a residential building or structure or a room or suite of rooms within a residential building or structure used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;
 - (n) “Service” means the service designated in section 7 of this by-law.
2. In this by-law where reference is made to a statute or a section of a statute such reference is deemed to be a reference to any successor statute or section.

PART II

APPLICATION OF BY-LAW — RULES

Circumstances Where Development Charges are Payable

3. Development charges shall be payable in the amounts set out in section 8 of this by-law where:
- (a) the lands are located in the area described in section 4(l); and

- (b) the development of the lands requires any of the approvals set out in section 5(1).

Lands Affected

- 4. (1) Subject to section 4(2), this by-law applies to all lands within the Carruthers Creek Sanitary Sewerage Development Area.
- (2) This by-law shall not apply to lands that are owned by and used for the purposes of:
 - (i) the Region or a Local Board thereof;
 - (ii) a board as defined in section 1(1) of the *Education Act*;
 - (iii) an Area Municipality or a Local Board thereof in the Region.

Approvals for Development

- 5. (1) Development Charges shall be imposed upon all lands in the Carruthers Creek Sanitary Sewerage Development Area that are developed for Residential uses or Non-Residential uses if the Development requires;
 - (i) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act*;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 50 of the *Condominium Act*;
 - (vii) the issuing of a permit under the *Building Code Act, 1992*;
- (2) Council has determined that the Development of the land to which this by-law applies increases the need for the service designated in section 7.

Multiple Approvals

- 6. (1) The Development Charges shall not be imposed on land subject to this by-law more than once even though two or more of the actions described in section 5(1) are required before the land can be developed.
- (2) Notwithstanding section 6(1), if two or more of the actions described in section 5 occur at different times, additional Development Charges shall be imposed, if the subsequent action has the effect of increasing the need for the service designated in Section 7.

Designation of Service

- 7. (1) For the purposes of this by-law, the service for which Development Charges are imposed under Part II of this by-law is the Carruthers Creek sanitary sewerage service.
- (2) The components of the service designated in section 7(1) are described on Schedule “C”.

Amount of Development Charges

- 8. (1) Subject to the provisions of this by-law, a Development Charge of \$15,903 per hectare shall be imposed upon Residential uses and Non-Residential uses of lands, buildings or structures in the Carruthers Creek Development Area.
- (2) The Development Charges described in section 8(1) shall be calculated in the case of Residential and Non-Residential Development, based upon the number of Net Hectares of Land related to the Development.

Exemptions

- 9. (1) In this section,
 - (i) “gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls;
 - (ii) “other residential building” means a residential building not in another class of residential building described in this subsection.
 - (iii) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;

- (iv) “single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure.
- (2) Subject to subsections 9(3) and 9(4), development charges shall not be imposed in respect to:
 - (i) the issuance of a building permit not resulting in the creation of an additional dwelling unit;
 - (ii) the enlargement of an existing dwelling unit;
 - (iii) the creation of one or two additional dwelling units in an existing single detached dwelling;
 - (iv) the creation of one additional dwelling unit in a semi-detached dwelling, a row dwelling, or any other residential building.
- (3) Notwithstanding subsection 9(2)(c), development charges shall be imposed in accordance with section 8 if the total gross floor area of the additional one or two dwelling units in the existing single detached dwelling exceeds the gross floor area of the existing dwelling unit.
- (4) Notwithstanding subsection 9(2)(d), development charges shall be imposed in accordance with section 8 if the additional dwelling unit has a gross floor area greater than:
 - (i) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - (ii) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

PART III

ADMINISTRATION

Payment of Development Charge

- 10. Development Charges with respect to any Non-Residential, Residential or Mixed-Use Development, adjusted in accordance with section 14 of this by-law to the date of payment, are payable in full on the earlier of:
 - (a) the date of entering into a subdivision agreement under Section 51 of the *Planning Act*, or
 - (b) the issuing of a permit under the *Building Code Act, 1992* in relation to such Development.

Payment by Money

11. Payment of the Development Charges shall be by cash or by certified cheque.

No Refunds Arising out of Credits

12. Notwithstanding anything in this by-law to the contrary, whenever a credit is allowed against the Development Charges otherwise payable pursuant to this by-law and such credit(s) exceeds the amount of the Development Charges payable pursuant to this by-law, no further credit(s) shall be allowed and no refund shall be payable.

Front-Ending Agreement

13. Council, from time to time, and at any time, may enter into front-ending agreements in accordance with the Act.

Indexing

14. The Development Charges imposed by this by-law shall be adjusted annually, without amendment to this by-law, as of the 1st day of July, 2019, and on each successive July 1st date in accordance with the Statistics Canada Quarterly, *Construction Price Statistics*, catalogue number 62-007, for the most recently available annual period ending March 31.

Schedules

15. The following schedules to this by-law form an integral part thereof:
- | | | |
|------------|---|---|
| Schedule A | — | Description of Carruthers Creek Sanitary Sewerage Development Area |
| Schedule B | — | Map Showing Boundary of Carruthers Creek Sanitary Sewerage Development Area |
| Schedule C | — | Components of Service Designated in Section 7 |

Date By-law in Force

16. This by-law shall come into force on July 1, 2018.

Date By-law Expires

17. This by-law will expire on August 31, 2019, unless it is repealed at an earlier date by a subsequent by-law.

Repeal

18. By-law No. 17-2013 is hereby repealed effective on the date this by-law comes into force.

Registration

19. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

Severability

20. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Short Title

21. This By-law may be cited as the Regional Municipality of Durham Carruthers Creek Development Area Sanitary Sewerage Development Charges By-law, 2018.

BY-LAW passed this 13th day of June, 2018.

Gerri Lynn O'Connor, Regional Chair
and CEO

Ralph Walton, Regional Clerk /
Director of Legislative Services

SCHEDULE "A"

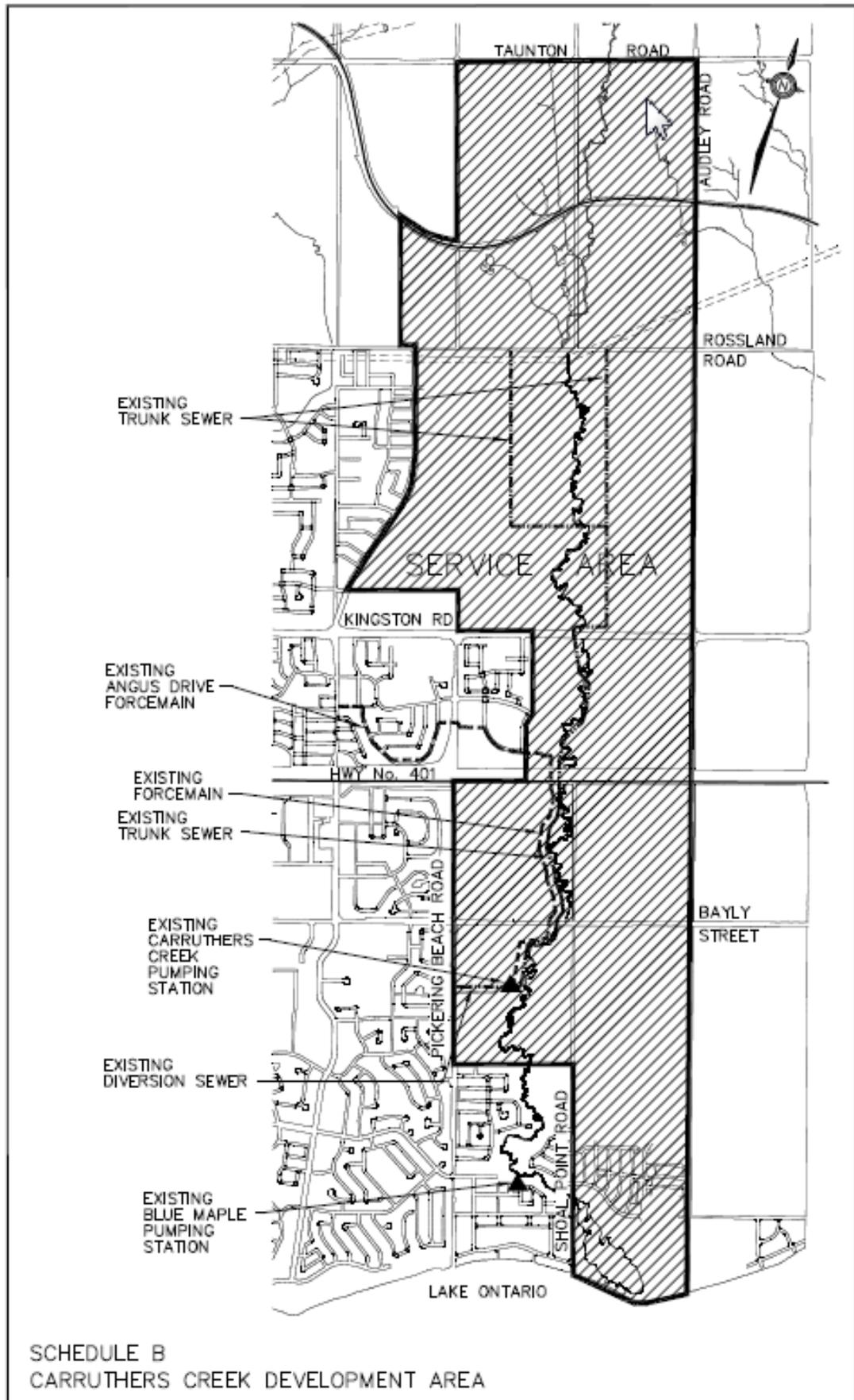
**DESCRIPTION OF CARRUTHERS CREEK SANITARY SEWERAGE DEVELOPMENT
AREA**

The Carruthers Creek Development Area is the area, generally, bounded by Lake Ontario to the south, Audley Road to the east, Taunton Road to the north, and Pickering Beach Road, Harwood Avenue and Salem Road to the west, all in the Town of Ajax, and as more specifically shown on the map attached as Schedule B.

SCHEDULE "B"

MAP SHOWING BOUNDARY OF CARRUTHERS CREEK SANITARY SEWERAGE
DEVELOPMENT AREA

Schedule 'B' Boundary of Carruthers Creek
Sanitary Sewerage Development Area



SCHEDULE "C"

COMPONENTS OF SERVICE DESIGNATED IN SECTION 7

1. Angus Drive Forcemain (Construction)
2. Truck Sanitary Sewer and Forcemain (Design Only)
3. Carruthers Sanitary Sewage Pumping Station (Design Only)
4. Blue Maple Pumping Station (Expansion)
5. Letter of Credit Fees (Design)
6. Letter of Credit Fees (Construction)
7. Truck Sanitary Sewer and Forcemain (Construction)
8. Diversion Sewer @ Emperor Street (Construction)
9. Carruthers Sanitary Sewage Pumping Station (Construction)
10. Letter of Credit Fees (Construction)



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-110
Date: June 6, 2018

Subject:

Final Recommendations Regarding Amendments to Regional Transit Development Charges By-law #81-2017

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That Pursuant to Section 10(1) of the Development Charges Act, 1997, the Regional Development Charges Background Study dated April 13, 2018 be adopted;
- B) That effective July 1, 2018, Regional Transit Development Charge By-law #81-2017 be amended, in order to ensure that various policy and implementation matters are consistent with the proposed Region-wide development charge by-law (which is being recommended concurrently in Report #2018-COW-108), as set out in the amending by-law (Attachment #1);
- C) That the Regional Solicitor be instructed to prepare the requisite Development Charge By-law for presentation to Regional Council and passage;
- D) That the Regional Solicitor be instructed to revise future development agreements and any by-law(s) relating thereto to reflect any changes required to implement the foregoing recommendations and that any such revised by-law(s) be presented to Council for passage;
- E) That the Acting Treasurer be instructed to prepare the requisite development charge pamphlet pursuant to the Development Charges Act, 1997 and related materials; and
- F) That the Regional Clerk be instructed to follow the notification provisions pursuant to the Development Charges Act, 1997.

Report

1. Introduction

On December 12, 2017, Regional Council approved Regional Transit Development Charge By-law #81-2017 which became effective on January 1, 2018 and applies to residential and non-residential development. Regional Council will be passing a new Region-wide development charge by-law on June 13, 2018, which contains policy changes that need to be reflected in Regional Transit Development Charge By-law #81-2017, in order to maintain consistency.

On April 11, 2018, Regional Council authorized the necessary public process to consider amendments to Regional Transit Development Charge By-law #81-2017 to align this by-law with the new Region-wide development charge by-law (Report #2018-COW-63).

The Regional Transit Development Charge Background Study contained the proposed by-law amendments. The background study was made available to Regional Council and the public (free of charge) beginning on April 13, 2018 as indicated in the public notices placed in the Toronto Star on April 14 and 16, 2018 and three times in the local Metroland newspapers throughout the Region over the time period April 12 to April 26, 2018.

An overview of the key recommendations contained in the proposed development charge by-law and background study is provided in Report #2018-COW-97: Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law #81-2017 and GO Transit Development Charge By-law #86-2001.

2. Proposed Regional Transit Development Charge By-law Amendments

2.1 Overview of Public Input Regarding Regional Transit Development Charge By-law Amendment

No verbal submissions were made at the public meeting of Council held to consider the proposed Regional Transit Development Charge By-law Amendment and Background Study on May 9, 2018. Public notices regarding the proposed by-law amendment, availability of the background study and the invitation for public submissions were placed as noted above.

The Township of Scugog has requested that the Region make a number of considerations to the Region-wide Development Charge By-law which are addressed in Report #2018-COW-108. One of the requests by the Township of Scugog is to reduce the development charge rates in in the Regional Transit Development Charge By-law for the Township of Scugog based on the lower level of service received compared to the Lake Shore municipalities.

The Regional Transit DC is imposed under a separate by-law which was approved by Regional Council in December 2017 and effective January 1, 2018. The current amendment to the Transit Development Charge By-law deals specifically with

modifications to policies and definitions and is not addressing the area specific development charge rates. The issue of area specific development charges for the transit service was addressed when the development charge by-law was presented and passed by Regional Council in December 2017.

Most municipalities in Ontario have established uniform, municipal-wide development charges and this has been the approach for Durham since 1991, except for its approach in the Seaton (City of Pickering) and Carruthers Creek area (Town of Ajax) for water supply and sanitary sewerage services.

The majority of Regional services are used by all residents and are not restricted to one geographic area, as such the use of Region-wide development charges reflects these system-wide benefits of service and is the most equitable approach to recover growth-related capital costs.

2.2 Final Recommendations

There is one change being recommended to the amending by-law from the proposed Regional Transit Development Charge By-law Amendment and Background Study released on April 13, 2018, dealing with the timing of the proposed deferral of development charge payment for social and government assisted affordable housing units. It was proposed in the Region-wide DC By-law and consequently in the amending by-law for Regional Transit to defer development charge payments for social and government assisted affordable housing units from building permit issuance to first occupancy. After consultation with the area municipalities, it is recommended that the deferral be based on a specified time period. Therefore, it is recommended that the payment of development charges for social and government assisted affordable housing units be deferred up to 18 months from the date of issuance of the first building permit.

The recommended amendments to the Regional Transit Development Charge By-law to ensure all Regional Development Charge By-laws will be applied consistently, include the following policy and definition changes:

- Broadening the exemption for secondary units to include additional units that are built separate from the primary residence, but on the same site;
- Broadening the eligibility for the industrial expansion:
 - to include building expansions not attached to the existing building
 - to reset the existing square footage of the building to the date of the development charge by-law (i.e. July 1, 2018)
- Broadening the redevelopment credit to include schools, places of worship and government buildings that currently do not qualify;
- New definition of housing services and deferral of DC payment for social and government assisted affordable housing projects to up to 18 months after first building permit issuance;
- Modifications to definitions for bedroom, farm building and apartment; and
- New definition of Air Supported Structure and modification to definition of gross floor area.

3. Further Considerations by Regional Council Per DCA, 1997

3.1 Formal Consideration of Need for Further Public Meeting

Given that the final recommendations do vary from the proposed Regional Development Charge by-law, Regional Council is required under provisions of the DCA, 1997 to consider whether a second public meeting is required. A second public meeting would require giving public notice, with the notice being placed in a newspaper of general circulation at least twenty days prior to the second public meeting.

Although the final recommendations do vary from the proposed Regional Development Charge amending by-law, the change is considered minor in nature, reflects the input received from the area municipal staff and does not impose a greater burden on these parties who will pay the recommended Development Charges. Therefore, it is recommended that Council indicate that a second public meeting is not required prior to the passage of the recommended amending development charge by-law.

3.2 Direction to Regional Staff To Prepare Necessary Notices, Satisfy Reporting Requirements and Provide Information

In order to implement the recommended Development Charge amendments, various administrative tasks must be undertaken by the Regional Solicitor, Regional Clerk and Regional Treasurer.

4. Conclusion

It is recommended that the Regional Transit Development Charge By-law amendment be approved as proposed in the Background Study, subject to the one revision noted above.

This report has been reviewed by staff of the Planning & Economic Development, Works and Corporate Services - Legal departments who concur with the recommendations.

5. Attachments

Attachment #1: Proposed Development Charge By-law Amendment

Respectfully submitted,

Original Signed By

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance and Treasurer

Recommended for Presentation to Committee

Original Signed By

G.H. Cubitt, MSW
Chief Administrative Officer

THE REGIONAL MUNICIPALITY OF DURHAM

BY-LAW NO. -2018

a by-law to amend By-law No. 81-2017

WHEREAS Section 19 of the *Development Charges Act*, 1997, S.O. 1997, c.27, (the “Act”), provides for amendments to development charge by-laws;

AND WHEREAS the Council of The Regional Municipality of Durham requires certain amendments to By-law No. 81-2017;

AND WHEREAS in accordance with the Act, a development charge background study has been completed in support of the proposed amendments to By-law No. 81-2017;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on the 9th day of May, 2018, in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of Durham has permitted any person who attended the public meeting to make representations in respect of the proposed amendment;

AND WHEREAS the Council of The Regional Municipality of Durham has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF DURHAM HEREBY ENACTS AS FOLLOWS:

1. The definition of “apartment” found in section 1 of By-law No. 81-2017 is hereby deleted and replaced with the following definition:

“apartment” means a dwelling unit in an apartment building or a single storey dwelling unit located within or above a residential garage or a commercial use;

2. The definition of “bedroom” found in section 1 of By-law No. 81-2017 is hereby deleted and replaced with the following definition:

“bedroom” means a habitable room, including a den, study, loft, or other similar area, but does not include a living room, a dining room, a bathroom or a kitchen;

3. The definition of “gross floor area” found in section 1.(p) of By-law No. 81-2017 is hereby amended by adding the words “or pliable membrane in the case of an air supported structure” to the definition such that it reads:

(p) “gross floor area” means (except for the purposes of sections 9 and 15), in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or pliable membrane in the case of an air supported structure, or from the centre line of a common wall separating a non-residential and a residential use, and, for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

4. The definition of "residential use" found in section 1.(z) of By-law No. 81-2017 is hereby amended to add the word "apartment" to the definition such that it reads:

(z) "residential use" means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi-detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

5. The definition of “retail use” found in section 1(aa) of By-law No. 81-2017 is hereby amended by deleting the words “self-storage mini warehouses” and adding the words “self-storage facilities” to the definition such that it reads:

(aa) “retail use” means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services for consumption or use and, for greater certainty, but without in any way limiting the generality of the foregoing, shall include, but not be limited to, food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres, automotive dealers, automotive repair shops, gasoline service stations, government owned retail facilities, private daycare, private schools, private lodging, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, medical clinics, funeral homes, motels, hotels, rooming houses, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, self-storage facilities and secure document storage;

6. The definition of farm building found in section 1.(n) of By-law No. 81-2017 is hereby deleted and replaced with the following definition:

(n) “farm building” means a building or structure used, in connection with a bona fide agricultural use and includes barns, silos, and similar structures, and includes a dwelling located on the same lot as the agricultural use or on a lot directly abutting the agricultural use, which is used exclusively for the housing of temporary or seasonal persons employed exclusively for the farming of that agricultural use, but otherwise excludes a building or structure used, or designed or intended for use for residential or commercial uses;

7. Section 1 of By-law No. 81-2017 is hereby amended by adding a definition of “air-supported structure” and renumbering the definitions accordingly. The definition of “air-supported structure” to be added is as follows:

“air-supported structure” means a structure consisting of a pliable membrane that achieves and maintains its shape and is supported by internal air pressure;

8. Section 1 of By-law No. 81-2017 is hereby amended by adding the following definition of “building and structure” and renumbering the definitions accordingly. The definition of “building and structure” to be added is as follows:

“building or structure: means a permanent enclosed structure and includes an air-supported structure;

9. Section 1 of By-law No. 81-2017 is hereby amended by adding the following definition of “housing services use”/ “housing services” and renumbering the definitions accordingly. The definition of “housing services use”/ “housing services” to be added is as follows:

“housing services use”/ “housing services” means social housing which is rental housing provided by Durham Region Local Housing Corporation (DRLHC) or by a non-profit housing provider that receives ongoing subsidy from the Region of Durham and Affordable Housing which are rental units provided by private or non-profit housing providers that receive capital funding through a federal and / or provincial government affordable housing program;

10. Section 5.2 of By-law No. 81-2017 is hereby deleted.

11. Section 7 of By-law No. 81-2017 is hereby amended by adding section 7.(3) which reads:

It is hereby declared by Council that all development of land within the area to which this By-law applies will increase the need for services.

12. Section 7 of By-law No. 81-2017 is hereby amended by adding section 7.(4) which reads:

The development charges under this By-law applicable to a development shall apply without regard to the services required or used by a particular development.

13. Section 9.(2) of By-law No. 81-2017 is hereby amended by deleting subsection (c) and replacing it as follows:

(c) the creation of one or two additional dwelling units within an existing single detached dwelling or on the same lot as an existing single detached dwelling;

14. Section 9.(2) of By-law No. 81-2017 is hereby amended by deleting subsection (d) and replacing it as follows:

(d) the creation of one additional dwelling unit within a semi-detached dwelling, a row dwelling, or any other residential building, or on the same lot as an existing semi-detached dwelling, a row dwelling, or any other residential building; or

15. Section 9.(2) of By-law No. 81-2017 is hereby amended by adding subsection (e) which reads:

(e) “the creation of a garden suite”.

16. Section 9.(2) of By-law No. 81-2017 is hereby amended by adding reference to 9.(5) so that it reads:

“Subject to subsections 9.(3), 9.(4) and 9.(5), development charges shall”

17. Section 9.(3) of By-law No. 81-2017 is hereby renumbered Section 9.(4) and is amended by replacing the word “in” with “within” and adding the words “or on the same lot as the existing single detached dwelling”, such that it now reads:

9.(4) Notwithstanding subsection 9.(2)(c), development charges shall be imposed in accordance with section 8 if the total gross floor area of the additional one or two dwelling units within the existing single detached dwelling or on the same lot as the existing single detached dwelling exceeds the gross floor area of the existing dwelling unit.

18. Section 9 of By-law No. 81-2017 is hereby amended by adding a new Section 9.(3) which reads:

9(3) Notwithstanding 9.(2)(c) and (d), prior to the issuance of a building permit for any additional dwelling unit located on the same lot, but not within a single detached dwelling, semi-detached dwelling, a row dwelling, or any other residential building, the owner shall be required to enter into an agreement with the Region under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands. Such agreement will require that in the event that the lands upon which any additional dwelling unit is located are the subject of an application for consent under section 53 of the *Planning Act*, or for which a by-law is passed under subsection 50(7) of the *Planning Act*, within 10 years of the date of building permit issuance for such additional dwelling unit, the development charges that would have otherwise been payable for such dwelling unit, shall become due and payable.

19. Section 9.(4) of By-law No. 81-2017 is hereby renumbered Section 9.(5).

20. Sections 10.(1), 10.(2), and 10.(3) of By-law No. 81-2017 are hereby deleted and the remaining sections be renumbered.

21. Section 14.(2)(d) of By-law No. 81-2017 is hereby amended by deleting the words “or loading” and adding “excluding parking spaces for display of motor vehicles for

sale or lease or parking spaces associated with the servicing of motor vehicles” such that the definition reads:

(d) any part of a building or structure used for the parking of motor vehicles, excluding parking spaces for display of motor vehicles for sale or lease or parking spaces associated with the servicing of motor vehicles;

22. Section 15.(2) of By-law No. 81-2017 is hereby deleted and replaced as follows:

For the purposes of subsection 15.(1) the following provisions apply:

- a. the gross floor area of an existing industrial building shall be calculated as it existed as of July 1, 2018;
- b. subject to 15.(2)(c) below, the enlargement need not be an attached addition or expansion of an existing industrial building, but rather may be a new standalone structure, provided it is located on the same parcel of land as the existing industrial building;
- c. in the event that the enlargement is in the form of a standalone building or structure located on the same parcel of land as per 15(2)(b) above, prior to the issuance of a building permit for the standalone building or structure, the owner shall be required to enter into an agreement with the Region under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands. Such agreement will require that in the event that the lands upon which any standalone building or structure is located are the subject of an application for consent under section 53 of the Planning Act; or for which a by-law is passed under subsection 50(7) of the Planning Act, within 10 years of building permit issuance for such standalone building or structure, that the development charges that would have otherwise been payable for such standalone building or structure, shall become due and payable.

23. Section 16.(1)a. and b. of By-law No. 81-2017 are deleted and hereby replaced as follows:

(a) in the case of a residential building or structure, the amount of the reduction in the applicable development charges will equal the applicable development charges under section 8 of this by-law that would have been chargeable on the type of dwelling units demolished or to be demolished or converted to another use; and

(b) in the case of a non-residential building or structure, the amount of the reduction in the applicable development charges will equal the applicable development charges under section 13 of this by-law that would have been chargeable on the gross floor area of the non-residential building or structure that was demolished or to be demolished or converted to another use;

(c) in the case of a non-residential building or structure that would have been exempt from the payment of development charges under the current Regional Development Charge By-law, the amount of the reduction in the applicable development charge will equal the applicable development charge under section 13 of this by-law that, had the building or structure not been exempt, could have been chargeable on the gross floor area of the non-residential building or structure that was demolished or to be demolished or converted to another use; and

(d) in the case of a mixed-use building or structure, the amount of the reduction in the applicable development charges will equal the applicable development charges under sections 8 or 13 of this by-law that would have been chargeable either upon the type of dwelling units or the gross floor area of non-residential use in the mixed-use building or structure that is being demolished or to be demolished or converted to another use;

24. A new section 19 is added to By-law No. 81-2017 and the remaining sections renumbered accordingly. Section 19 to read as follows:

19. Notwithstanding any of the foregoing, for lands, buildings and structures developed for a housing services use, the Region may defer the timing of the payment of development charges from building permit issuance to a period of time not to exceed eighteen months from the date of first building permit issuance, to be at the discretion of the Commissioner of Finance, if the owner enters into an agreement with the Region and the applicable area municipality under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense, with the intention that the provisions shall bind and run with title to the lands.

25. This By-law shall come into force on July 1, 2018.

BY-LAW read and passed this 13th day of June, 2018

Gerri Lynn O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk/

Director of Legislative Services



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-111
Date: June 6, 2018

Subject:

Final Recommendations Regarding Amendments to GO Transit Development Charges
By-law #86-2001

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That Pursuant to Section 10(1) of the Development Charges Act, 1997, the Regional Development Charges Background Study dated April 13, 2018 be adopted;
- B) That effective July 1, 2018, GO Transit Development Charge By-law #86-2001 be amended, in order to ensure that various policy and implementation matters are consistent with the proposed Region-wide development charge by-law (which is being recommended concurrently in Report #2018-COW-108), as set out in the amending by-law (Attachment #1);
- C) That the Regional Solicitor be instructed to prepare the requisite Development Charge By-law for presentation to Regional Council and passage;
- D) That the Regional Solicitor be instructed to revise future development agreements and any by-law(s) relating thereto to reflect any changes required to implement the foregoing recommendations and that any such revised by-law(s) be presented to Council for passage;
- E) That the Acting Treasurer be instructed to prepare the requisite development charge pamphlet pursuant to the Development Charges Act, 1997 and related materials; and
- F) That the Regional Clerk be instructed to follow the notification provisions pursuant to the Development Charges Act, 1997.

Report

1. Introduction

The GO Transit Development Charge By-law #86-2001 became effective on December 5, 2001 and applies to residential development. Regional Council will be passing a new Region-wide development charge by-law on June 13, 2018, which contains policy changes that need to be reflected in the GO Transit Development Charge By-law #86-2001, in order to maintain consistency.

On April 11, 2018, Regional Council authorized the necessary public process to consider amendments to GO Transit Development Charge By-law #86-2001 to align this by-law with the new Region-wide development charge by-law (Report #2018-COW-63).

The GO Transit Development Charge Background Study contained the proposed by-law amendments. The background study was made available to Regional Council and the public (free of charge) beginning on April 13, 2018 as indicated in the public notices placed in the Toronto Star on April 14 and 16, 2018 and three times in the local Metroland newspapers throughout the Region over the time period April 12 to April 26, 2018.

An overview of the key recommendations contained in the proposed development charge by-law and background study is provided in Report #2018-COW-97: Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law #81-2017 and GO Transit Development Charge By-law #86-2001.

2. Proposed GO Transit Development Charge By-law Amendments

2.1 Overview of Public Input Regarding the GO Transit Development Charge By-law Amendment

No verbal submissions were made at the public meeting of Council held to consider the proposed Regional GO Development Charge By-law Amendment and Background Study on May 9, 2018. Public notices regarding the proposed by-law amendment, availability of the background study and the invitation for public submissions were placed as noted above. No written submissions resulted from the public notices.

2.2 Final Recommendations

There is one change being recommended to the amending by-law from the proposed GO Transit Development Charge By-law Amendment and Background Study released on April 13, 2018, dealing with the timing of the proposed deferral of development charge payment for social and government assisted affordable housing units. It was proposed in the Region-wide DC By-law and consequently in the amending by-law for GO Transit to defer development charge payments for social and government assisted affordable housing units from building permit issuance to first occupancy. After consultation with the area municipalities, it is recommended that the deferral be based on a specified time period. Therefore, it is recommended that the payment of development charges for social and government assisted affordable housing units be deferred up to 18 months from the

date of issuance of the first building permit.

The recommended amendments to the GO Transit Development Charge By-law to ensure all Regional Development Charge By-laws will be applied consistently, include the following policy and definition changes:

- Broadening the exemption for secondary units to include additional units that are built separate from the primary residence, but on the same site;
- New definition of housing services and deferral of DC payment for social and government assisted affordable housing projects to up to 18 months after first building permit issuance; and
- Modifications to definitions for bedroom, farm building and apartment.

3. Further Considerations by Regional Council Per DCA, 1997

3.1 Formal Consideration of Need for Further Public Meeting

Given that the final recommendations do vary from the proposed Regional Development Charge by-law, Regional Council is required under provisions of the DCA, 1997 to consider whether a second public meeting is required. A second public meeting would require giving public notice, with the notice being placed in a newspaper of general circulation at least twenty days prior to the second public meeting.

Although the final recommendations do vary from the proposed Regional Development Charge amending by-law, the change is considered minor in nature and reflect the input received from the area municipal staff and do not impose a greater burden on these parties who will pay the recommended Development Charges. Therefore, it is recommended that Council indicate that a second public meeting is not required prior to the passage of the recommended amending development charge by-law.

3.2 Direction to Regional Staff To Prepare Necessary Notices, Satisfy Reporting Requirements and Provide Information

In order to implement the recommended Development Charge amendments, various administrative tasks must be undertaken by the Regional Solicitor, Regional Clerk and Regional Treasurer.

4. Conclusion

It is recommended that the GO Transit Development Charge By-law amendment be approved as proposed in the Background Study, subject to the one revision noted above.

This report has been reviewed by staff of the Planning & Economic Development, Works and Corporate Services - Legal departments who concur with the recommendations.

5. Attachments

Attachment #1: Proposed Development Charge By-law Amendment

Respectfully submitted,

Original Signed By

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance and Treasurer

Recommended for Presentation to Committee

Original Signed By

G.H. Cubitt, MSW
Chief Administrative Officer

THE REGIONAL MUNICIPALITY OF DURHAM

BY-LAW NO. -2018

a by-law to amend By-law No. 86-2001

WHEREAS Section 19 of the *Development Charges Act*, 1997, S.O. 1997, c.27, (the “Act”), provides for amendments to development charge by-laws;

AND WHEREAS the Council of The Regional Municipality of Durham requires certain amendments to By-law No. 86-2001;

AND WHEREAS in accordance with the Act, a development charge background study has been completed in support of the proposed amendments to By-law No. 86-2001;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on the 9th day of May, 2018, in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of Durham has permitted any person who attended the public meeting to make representations in respect of the proposed amendment;

AND WHEREAS the Council of The Regional Municipality of Durham has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF DURHAM HEREBY ENACTS AS FOLLOWS:

1. The definition of “apartment” found in section 1.(c) of By-law No. 86-2001 is hereby deleted and replaced with the following definition:
 - (c) “apartment” means a dwelling unit in an apartment building or a single storey dwelling unit located within or above a residential garage or a commercial use;
2. The definition of “bedroom” found in section 1.(e) of By-law No. 86-2001 is hereby deleted and replaced with the following definition:
 - (e) “bedroom” means a habitable room, including a den, study, loft, or other similar area, but does not include a living room, a dining room, a bathroom or a kitchen;
3. The definition of “residential use” found in section 1.(t) of By-law No. 86-2001 is hereby amended to add the word “apartment” to the definition such that it reads:
 - (t) “residential use” means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall

include, but is not limited to, a single detached dwelling, a semi-detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

4. Section 1 of By-law No. 86-2001 is hereby amended by adding a definition of agricultural use and renumbering the remaining definitions accordingly. The definition of “agricultural use” to be added is as follows:

“agricultural use” means lands, buildings or structures, excluding any portion thereof used as a dwelling unit or for a commercial use, used or designed or intended for use for the purpose of a bona fide farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, greenhouses, horticulture, market gardening, pasturage, poultry keeping, and equestrian facilities;

5. Section 1 of By-law No. 86-2001 is hereby amended by adding a definition of “farm building” and renumbering the remaining definitions accordingly. The definition of “farm building” to be added is as follows:

“farm building” means a building or structure used, in connection with a bona fide agricultural use and includes barns, silos, and similar structures, and includes a dwelling located on the same lot as the agricultural use or on a lot directly abutting the agricultural use, which is used exclusively for the housing of temporary or seasonal persons employed exclusively for the farming of that agricultural use, but otherwise excludes a building or structure used, or designed or intended for use for residential or commercial uses;

6. Section 1 of By-law No. 86-2001 is hereby amended by adding a definition of housing services use and renumbering the remaining definitions accordingly. The definition of “housing services use” to be added is as follows:

“housing services use”/ “housing services” means social housing which is rental housing provided by Durham Region Local Housing Corporation (DRLHC) or by a non-profit housing provider that receives ongoing subsidy from the Region of Durham and Affordable Housing which are rental units provided by private or non-profit housing providers that receive capital funding through a federal and / or provincial government affordable housing program;

7. Section 5.2 of By-law No. 86-2001 is hereby deleted

8. Section 7 of By-law No. 86-2001 is hereby amended by adding section 7.(3) which reads:

It is hereby declared by Council that all development of land within the area to which this By-law applies will increase the need for services.

9. Section 7 of By-law No. 86-2001 is hereby amended by adding section 7.(4) which reads:

The development charges under this By-law applicable to a development shall apply without regard to the services required or used by a particular development.

10. Section 9.(2) of By-law No. 86-2001 is hereby amended by deleting subsection (c) and replacing it as follows:

(c) the creation of one or two additional dwelling units within an existing single detached dwelling or on the same lot as an existing single detached dwelling;

11. Section 9.(2) of By-law No. 86-2001 is hereby amended by deleting subsection (d) and replacing it as follows:

(d) the creation of one additional dwelling unit within a semi-detached dwelling, a row dwelling, or any other residential building, or on the same lot as an existing semi-detached dwelling, a row dwelling, or any other residential building; or

12. Section 9.(2) of By-law No. 86-2001 is hereby amended by adding subsection (e) which reads:

(e) “the creation of a garden suite”.

13. Section 9(2) of By-law No. 86-2001 is hereby amended by adding subsection (f) which reads:

(f) “farm buildings”.

14. Section 9.(2) of By-law No. 86-2001 is hereby amended by adding reference to 9.(5) so that it reads:

“Subject to subsections 9.(3), 9.(4) and 9.(5), development charges shall”

15. Section 9.(3) of By-law No. 86-2001 is hereby renumbered to Section 9.(4) and is amended by replacing the word “in” with “within” and adding the words “or on the same lot as the existing single detached dwelling”, such that it now reads:

9.(4) Notwithstanding subsection 9.(2)(c), development charges shall be imposed in accordance with section 8 if the total gross floor area of the additional one or two dwelling units within the existing single detached dwelling or on the same lot as the existing single detached dwelling exceeds the gross floor area of the existing dwelling unit.

16. Section 9 of By-law No. 86-2001 is hereby amended by adding a new Section 9.(3) which reads:

9.(3) Notwithstanding 9.(2)(c) and (d), prior to the issuance of a building permit for any additional dwelling unit located on the same lot, but not within a single detached dwelling, semi-detached dwelling, a row dwelling, or any other residential building, the owner shall be required to enter into an agreement with

the Region under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands. Such agreement will require that in the event that the lands upon which any additional dwelling unit is located are the subject of an application for consent under section 53 of the *Planning Act*, or for which a by-law is passed under subsection 50(7) of the *Planning Act*, within 10 years of the date of building permit issuance for such additional dwelling unit, the development charges that would have otherwise been payable for such dwelling unit, shall become due and payable.

17. Section 9.(4) of By-law No. 86-2001 is hereby renumbered Section 9.(5).
18. Sections 10.(1), 10.(2), and 10.(3) of By-law No. 86-2001 are hereby deleted and remaining sections be renumbered.
19. Section 11 of By-law No. 86-2001 is hereby amended to add a new section 11.(3) which reads:

“The development charges imposed on a mobile home under section 10 shall be payable at the rate applicable to an apartment of two bedrooms or larger”
20. A new section 15 is added to By-law No. 86-2001 and the remaining sections renumbered accordingly. Section 15 to read as follows:

15. Notwithstanding any of the foregoing, for lands, buildings and structures developed for a housing services use, the Region may defer the timing of the payment of development charges from building permit issuance to a period of time not to exceed eighteen months from the date of first building permit issuance, to be at the discretion of the Commissioner of Finance, if the owner enters into an agreement with the Region and the applicable area municipality under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense, with the intention that the provisions shall bind and run with title to the lands.
21. This By-law shall come into force on July 1, 2018.

BY-LAW read and passed this 13th day of June, 2018.

Gerri Lynn O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk/
Director of Legislative Services



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-112
Date: June 6, 2018

Subject:

2018 Provincially Mandated Business Protection Program (Capping Program)

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) For the 2018 mandated Provincial Business Protection Program (Capping Program), the Region of Durham adopt the following municipal capping options in an effort to expedite the achievement of full Current Value Assessment (CVA) level taxation in the non-residential property classes:
- i) Set the minimum annual increase at 10 per cent of total CVA level property taxation for properties that are provided protection;
 - ii) Set the maximum percentage increase in property taxation due to reassessment at 10 per cent of the previous year's taxes;
 - iii) Set the "billing" increase threshold at \$500, such that any capped property components whose taxation amount under the mandated Provincial Business Protection Program is within \$500 of its CVA level taxation be required to pay its full CVA property taxation amount;
 - iv) Permanently exclude any property components from the Capping Program if the property component was at CVA level taxation in 2017 or 2018 or moves from a "clawback" to a "capped" property in 2018;
 - v) Exclude the 2016 reassessment related increases from the capping calculations; and
 - vi) Phase-out the Capping Program over four years (2018-2021) for the broad commercial and industrial property tax classes such that all properties within these property tax classes will achieve full CVA level taxation by 2021.

- B) The cost of capping reassessment property tax increases in the multi-residential, commercial and industrial broad property classes, pursuant to the 2018 mandated Provincial Business Protection Program, be financed by withholding a portion of the reassessment related decreases owing to other properties within the corresponding broad property tax class.
- C) Approval be granted for the requisite by-laws for the 2018 Provincial Business Protection Program.
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Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Council's approval of the parameters for the 2018 Business Protection Program (Capping Program) calculation.

2. Background

- 2.1 In 1998, the Province introduced the Current Value Assessment (CVA) system in an effort to realign municipal property taxes more closely to market values. The Province subsequently and retroactively imposed a temporary 10/5/5 Capping Program on municipalities to limit reassessment related tax increases on non-residential properties (multi-residential, commercial and industrial). Financing for this capping protection came from clawing back reassessment related decreases within the same broad property tax class. Budgetary increases were not capped and were passed along to non-residential taxpayers.
- 2.2 Since the inception of the initial "temporary" (1998) and mandatory Provincial Program on non-residential properties, Durham Regional Council has implemented all available options that expedite the progress of non-residential properties to their equitable CVA level taxation. Further, Regional Council has consistently requested the Province make further amendments to this Program to provide Durham Region with the flexibility to eliminate the Program entirely or, at a minimum, exclude vacant land properties from the Capping Program.
- 2.3 The Province in 2005, 2009, 2016 and, most recently, in 2017 granted municipalities greater flexibility under the Capping Program to accelerate progress towards CVA level taxes in the non-residential property classes. To date the Province has not provided municipalities with the flexibility to fully eliminate the Capping Program immediately. However, the 2016 and 2017 Provincial changes to the Capping Program have reduced the amount of capping protection provided and increased the rate of progress toward the Region's exit from this Program.
- 2.4 Staff completed a detailed review of the options to determine which Capping Program parameters should be adopted in 2018 to expedite the achievement of full CVA level taxation and minimize the capping protection provided over the long-term to the non-residential property tax classes.

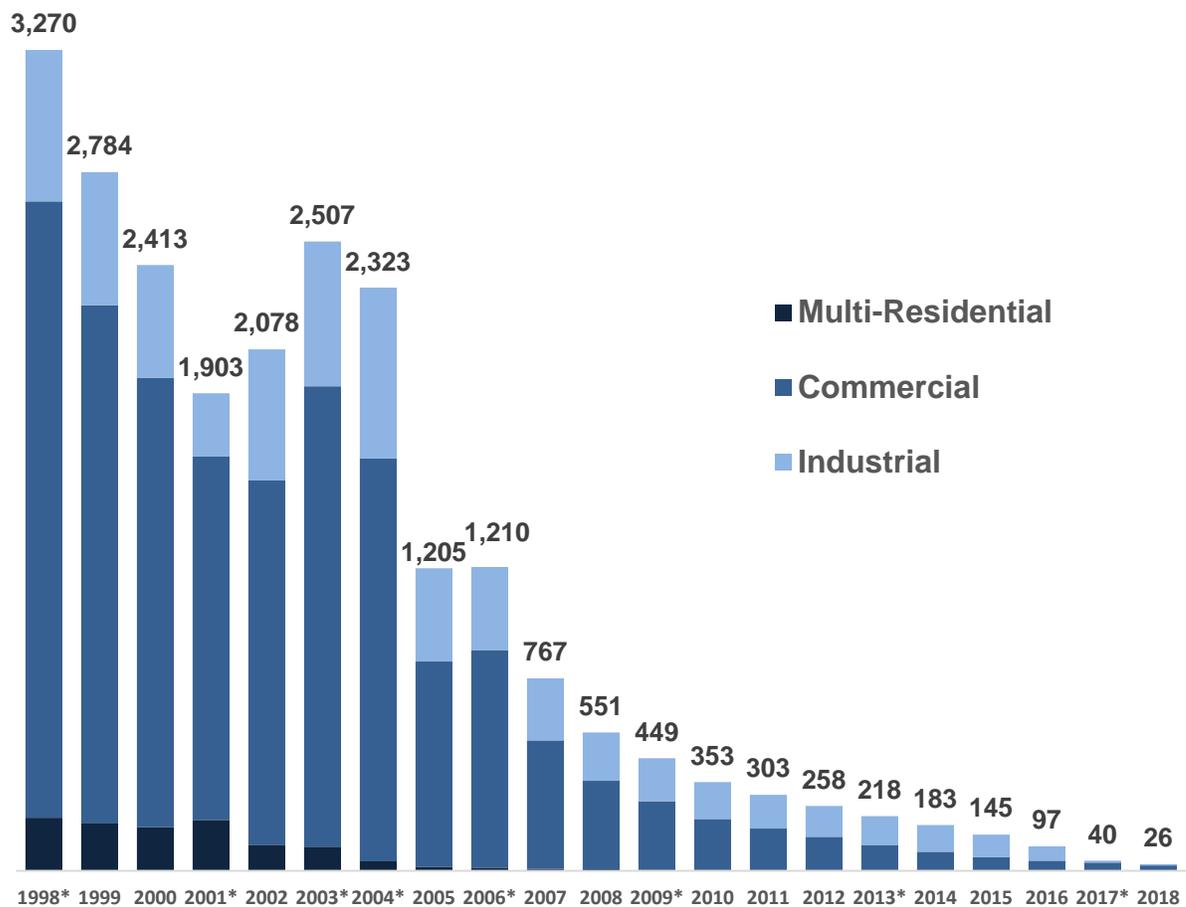
3. Effect of the Phase-out of the Vacant and Excess Land Subclass Tax Rate Discount

- 3.1 As part of the 2018 Strategic Property Tax Strategy (Report #2018-COW-32), Regional Council approved the three-year phase-out of the subclass tax rate discounts provided to the vacant land and excess land in the commercial and industrial property tax subclasses.
- 3.2 The phase-out of the vacant and excess land subclass discounts has an impact on the amount of capping protection provided to the 15 vacant land properties that remain capped in 2018. Due to the provincially mandated capping methodology, the impact of the phase-out of the tax rate discounts are capped and do not fully flow to these properties. As a result, the progress towards full CVA level taxation for these properties is delayed.
- 3.3 Due to the delays in the program exit resulting from the phase-out of the vacant land subclass tax rate discount, it is recommended in 2018, that the Region take advantage of the municipal option for a four-year (2018 - 2021) capping phase-out in the broad commercial and industrial classes. This option will expedite the achievement of full CVA level taxation and minimize the amount of capping protection provided for commercial and industrial properties over the long-term.
- 3.4 It is important that this phase-out option be selected annually for the broad commercial and industrial classes for the next four years (2018-2021) to successfully exit the program in 2021. Failure to invoke the option in any given year will require that the phase-out be restarted at the beginning (year 1) in the subsequent year.
- 3.5 This option has not been recommended for the multi-residential property tax class as the one multi-residential property provided protection in 2018 should reach CVA level taxation in 2019, quicker than it would under the four year phase-out option.

4. 2018 Capping Impacts

- 4.1 In 2018, with the implementation of the recommended options, 7,042 or 98.9 per cent of the total 7,122 properties within the broad commercial, industrial, and multi-residential classes are at full CVA level taxation and will not be eligible for the Capping Program in the future. Of the remaining 80 properties or 1.1 per cent, 26 properties will have their reassessment related tax increase capped and the funding for this protection will come from withholding (clawing back) a portion of the reassessment related decreases on 54 properties.
- 4.2 Graph 1 provides a history of the number of properties requiring capping protection under the Capping Program (i.e. properties that would have experienced tax increases in excess of the threshold percentage due solely to the impact of the reassessment) from 1998 to 2018.

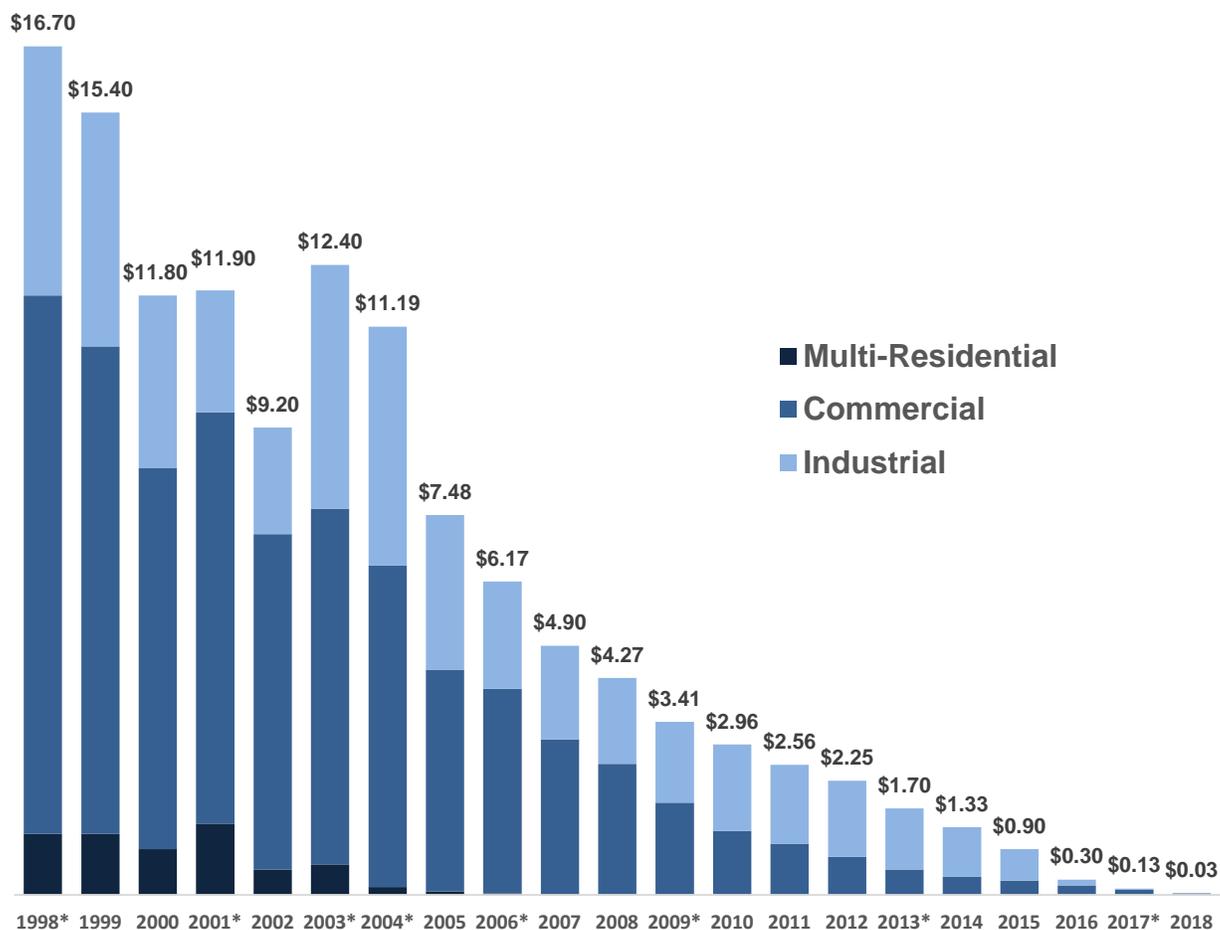
**Graph 1
Number of Properties Requiring Capping Protection: 1998 - 2018**



* Indicates year of reassessment

- 4.3 The 2018 capped properties are comprised of 21 properties in the commercial broad class, four in the industrial broad class and one in the multi-residential class.
- 4.4 Since 2004 (prior to implementation of expanded municipal options), the number of properties requiring protection has decreased 98.9 per cent. For 2018, the number of properties requiring protection will decrease by 14 (35 per cent) from 40 in 2017 to 26 in 2018.
- 4.5 Graph 2 provides a history of the protection dollar requirements of the capped properties (shown in Graph 1). Property owners who would have otherwise received 100 per cent of their reassessment related decreases have had a portion of that decrease withheld (referred to as the clawback) to fund the protection requirements.

Graph 2
Amount of Clawed Back Assessment Related Decreases (\$ million)
Required to Fund Protection Requirements of Capping Program: 1998 - 2018



* Indicates year of reassessment

4.6 Since 2004 (prior to implementation of expanded municipal options), the amount of protection required for the capped properties has decreased 99.6 per cent.

4.7 The amount of protection will decrease by approximately \$92,000 (73 per cent) from \$126,000 in 2017 to \$34,000 in 2018. The 2018 capped properties require \$31,000 in protection in the broad commercial property tax class and \$3,000 in the broad industrial property tax class.

5. Capping Funding Shortfalls

5.1 A capping funding shortfall occurs when there is insufficient available reassessment related decreases in the clawback ‘pool’ for the particular broad property tax class to fund the required capping protection. Such shortfalls must be funded by the municipalities. The Province does not share in the shortfall funding for the education portion of the property tax bill.

- 5.2 In a two-tiered municipal structure, the municipal shortfall funding requirement is shared based on the relative proportion of total property taxes for the Region and local municipalities. The local share is then allocated amongst the local municipalities based on the local municipality's assessment share of the property class which experienced the shortfall.
- 5.3 The risk of a capping shortfall and the inequity of the shortfall being funded entirely by the municipal sector (when the Provincial Education portion is over 40 per cent of commercial and industrial property tax bills) are further reasons to 'wind down' the Capping Program as quickly as possible.
- 5.4 To mitigate against the risk of a potential for a capping shortfall, the following Capping Program options have not been recommended for 2018 in an effort to maintain the clawback pool as much as possible:
- A) The decrease threshold of \$500 (whereby if a clawback property was within \$500 of its CVA level taxation, it was moved to CVA level taxation) has not been selected as a 2018 capping parameter.
 - B) Properties that cross the CVA taxation level going from a capped to a clawback are not excluded from the 2018 program.
- 5.5 A 2018 capping shortfall occurs in the multi-residential property tax class. One of the 555 properties in this class requires protection of \$943. However, there are no reassessment decreases remaining in this class to fund the protection. The shortfall in 2017 for this class was \$3,921.
- 5.6 Durham Region's share of this shortfall will be \$524 with the remaining \$419 funding shared by the local area municipalities based on their relative individual share of the multi-residential assessment base. The City of Oshawa, which has the highest concentration of multi-residential properties in the Region, will fund approximately \$270 of the shortfall.

6. Conclusion

- 6.1 It has been clear for several years that the Capping Program no longer fulfills its original mandate and, in fact, has become an economically distorted property tax subsidy which flows to a few select properties at the expense of active employment generating businesses in Durham Region.
- 6.2 The enhanced municipal options provided by the Province in 2016 and 2017 have significantly increased the rate at which progress to CVA level taxation is occurring. As a result, the 2018 Capping Program impacts a minimal number of properties (80) and results in taxation shifts of approximately \$34,000 across the Region.
- 6.3 It is anticipated that the Capping Program will be eliminated (i.e. all properties in the non-residential property tax classes will reach CVA level taxation) in 2019 for the multi-residential class and by 2021 for both the broad commercial and industrial classes.

6.4 It is recommended that the Region maintain its objective of 'winding down' the Provincial Business Protection Program (Property Tax Capping) as quickly as possible by continuing to choose the appropriate options.

Respectfully submitted,

Original Signed by M.E. Simpson

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by G.H. Cubitt

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-119
Date: June 6, 2018

Subject:

Contract Amendments Funded Within Approved Capital Project Budgets and Emergency Expenditures for Period Ending April 30, 2018

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

- 1.1 This report provides details related to thirteen contract amendments for which the increased financial commitment has been funded within an approved capital project budgets for the period to April 30, 2018, in accordance with the Regional Budget Management Policy.
- 1.2 It also provides details related to three emergency expenditures in accordance with Section 11 of the Region's Purchasing By-law 68-2000 (Amended).

2. Background

- 2.1 On December 13, 2017 Regional Council directed that the Regional Budget Management Policy be revised (Report #2017-COW-283) to the following:

“Where it is estimated that expenditure limits specified in section 10 (Consulting) and 12.1 (Capital Projects) will be exceeded and funding is available within the project, a quarterly information report shall be submitted by the Commissioner of Finance to the Committee of the Whole.”

- 2.2 Accordingly, this new report format is being presented to the Committee of the Whole in this inaugural report. Future reports will be provided in the Council Information Package.

3. Contract Amendments Funded within the Approved Project for the Period to April 30, 2018

3.1 For the period of November 2017 to April 30, 2018, eleven engineering services agreement amendments with increased financial commitments exceeding the limits set out in Section 10 of the Budget Management Policy were processed. In addition, two construction contracts were amended that exceeded the limits prescribed in Section 12.1 of the Budget Management Policy. Funding was available from contingencies within the approved capital budgets for each project.

Project	Contract Cost	Total Revised Contract Cost	Total Increase
<u>Additional Engineering Services:</u>			
Aecom Canada Inc.-Brock Rd Zone 1 Reservoir & Zone 3, 4 Pumping Station 3, Pickering (D0202)	\$2,100,235	\$2,569,758	\$469,523
• RV Anderson Associates Ltd.-Harmony Creek WPCP Phase 3, Oshawa (D1523)	\$1,300,000	\$1,735,394	\$435,394
• CH2M Hill Companies Ltd.-Logic Controller & Remote Unit SCADA (01516)	\$633,677	\$853,677	\$220,000
• Stantec Consulting Ltd.-Winchester Rd (Baldwin St to Garrard Rd), Whitby (R0802)	\$595,750	\$716,080	\$120,330
• IBI Group-Brock St (Rossland Rd. to Taunton Rd), Whitby (R0419)	\$532,488	\$640,823	\$108,335
• TMIG Ltd.-Bowmanville Creek Bridge & Taunton Rd/Reg Rd 57 Intersection, Clarington (R1609)	\$582,883	\$653,402	\$70,519
• Palmer Environmental Consulting Group-Erosion/Seepage Mitigation at Oshawa Landfill (G0702)	\$56,360	\$167,460	\$111,100
• TMIG Ltd.-Thickson Rd Reconstruction & Widening (Wentworth St. to CNR Bridge), Whitby (R0710)	\$59,985	\$90,570	\$30,585
• RV Anderson Associated Limited-Reg Rd 57 (Conc. 3 to William Dr). Bowmanville (R1520) (Note 1)	\$94,888	\$108,750	\$13,862
• CIMA Canada Inc.-Reg Rd 57 (Conc. 3 to William Dr. Bowmanville (R1520) (Note 1)	\$73,998	\$86,998	\$13,000
• Parsons Inc.-Intersection modifications Townline Rd/Pebblestone Rd Oshawa, Clarington (R1622)	\$64,848	\$74,251	\$9,403
<u>Additional Construction:</u>			
• Guild Electric-Supply & Installation Traffic Control Signal Plant & Appurtenances (Wilson Rd/Athol St)Oshawa (T1244)	\$111,290	\$131,000	\$19,710
• Coco Paving: Tender D2017-033 Twinning of the Sanitary Forcemain from Water Street SSPS to the Intersection of Carlan Drive and Regional Road 8 Scugog (S9732)	\$1,408,627	\$1,884,265	\$475,638

Note 1: Amendments processed through council approved delegated summer authority included in contract cost.

4. Emergency Expenditures Year to Date April 30, 2018

- 4.1 On an emergency basis, Liftsafe Engineering was contracted to remove an existing damaged hoist at the Whitby Water Supply Plant located in the Town of Whitby (Whitby) and install the new 5 ton overhead hoist at a total cost of \$28,710*. The existing 5 ton hoist located in the low lift pump room of the plant was observed leaking oil and a service request for inspection was placed. Inspection revealed that the gearbox housing was cracked. The hoist was determined to be beyond repair due to the unavailability of parts. Replacement of the hoist was recommended. Funding for the replacement of the hoist totalling \$28,710* was provided from the Extraordinary Maintenance Provisions in the 2017 Water Supply Operating Budget
- 4.2 On an emergency basis Bry Ron Contracting Limited was contracted for emergency repair work to a 1500 mm CPP pipe watermain located on Hickman Road in Ajax after a leak was detected. To complete the repair work, one pipe length was required to be replaced and a standard length CPP closure piece installed a cost of \$249,833*. Funding in the amount of \$249,833* for this work was provided from the approved 2017 Water Supply Operating Budget provision for watermain repairs.
- 4.3 On an emergency basis, CIMA Canada Inc. (CIMA) and Tarpon Contracting (Tarpon) were retained to investigate and repair a leaking expansion joint at the Ajax Water Supply Plant. Untreated surface water was infiltrating the filter and flocculation tank room via a failed expansion joint and pooling at floor level in direct vicinity of potable water storage chambers. During the repair another expansion joint below the floor slab was also discovered leaking. Initial costs related to the repair were \$8,079* in engineering work delivered by CIMA, and \$22,340* in repair work delivered by Tarpon. Additional leaking was observed following the initial work, requiring more extensive repairs that have now been completed Tarpon. Total cost for all additional repair expenditures delivered by Tarpon were \$13,758. Financing for the expenditures totalling \$22,340* was provided from the 2017 Water Supply Operating Budget provision for Extraordinary Maintenance. Financing for all engineering work and additional repair expenditures totalling \$21,837* will be funded from the 2018 Water Supply Operating Budget provision for Extraordinary Maintenance.

5. Conclusion

In accordance with the Regional Budget Management Policy, Committee of the Whole and Regional Council are to be informed on a quarterly basis when expenditure limits specified in Section 10 (Consulting) and 12.1 (Capital Projects) will be exceeded and funding is available within the project. This report has been reviewed by the Works Department.

Respectfully submitted,

Original Signed By

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-121
Date: June 6, 2018

Subject:

Cancellation of Certain Unpaid Water/Sewer Accounts

Recommendation:

That the Committee of the Whole:

Approve the cancellation of water and sewer accounts totalling \$45,018.30.

Report:

1. Purpose

1.1 The purpose of this report is to request the approval from the Committee of the Whole to write-off certain unpaid water and sewer accounts.

2. Background

2.1 The Utility Finance section of the Finance Department currently bills over \$200 million annually for water and sewer services provided throughout Durham. Some of the water and sewer billings are uncollectible despite extensive collection efforts. The policy for cancellation of accounts requires the approval of the Committee of the Whole for individual accounts up to \$10,000 and the approval of Regional Council for individual accounts over \$10,000.

2.2 Customers are offered a number of options for payments on their accounts, from payment in cash at the Public Front Counter to electronic services such as online banking. Currently, over 90% of all payments for water and sewer billings are received through electronic services, which assists customers in managing their obligations and in keeping the uncollectible amounts low.

2.3 Consequently, the amounts recommended for write-off this year represent a very respectable 0.02% of revenues (Attachment #1).

3. Request for Write-Off Approval

- 3.1 Closed and Billed Accounts – Thirty-six (36) accounts are either being recommended for write-off because the amount is too small to transfer to the tax roll or there is a credit on the account and the customer cannot be located.

Closed and Billed Write-Off Amount \$422.60

- 3.2 Miscellaneous – There are numerous closed accounts where the final amount is comprised of an overpaid or uncollected late payment charge, penny differences on cash payments or account balances of \$3.00 or less.

Miscellaneous Write-Off Amount \$(1,527.56)

- 3.3 Billing Complaint Adjustments – The Regional Council approved policy authorizes the Commissioner of Finance to write off up to \$2,500 for each of water and sewer billings for residential customers and \$3,700 each for small business customers related to legitimate billing complaints, with the provision that the amounts of all such write-offs be subsequently reported to Committee. Under this policy in 2017, 73 residential accounts and two small business account received water and/or sanitary sewer charge adjustments. The majority of these adjustments were related to plumbing issues at the customers' premises.

Billing Complaint Adjustments Write-off Amount \$46,123.26

Total Write-Offs – under \$10,000 for Committee of the Whole Approval \$45,018.30

4. Summary

Although we are recommending the cancellation of these water/sewer accounts at this time, note that further collection action may be taken on the Closed and Billed accounts should the appropriate situation arise. It is respectively requested that the cancellation of these water and sewer accounts totaling \$45,018.30 be approved. An updated summary of the Water and Sewer Bad Debts as a percent of revenues for the years 1976 to 2017 is attached for information purposes (Attachment #2).

5. Attachments

Attachment #1: Summary of Water and Sewer Write-Offs 1997-2017

Attachment #2: Summary of Write-Offs – Percent of Revenues 1976 – 2017

Respectfully submitted,

Original Signed by

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

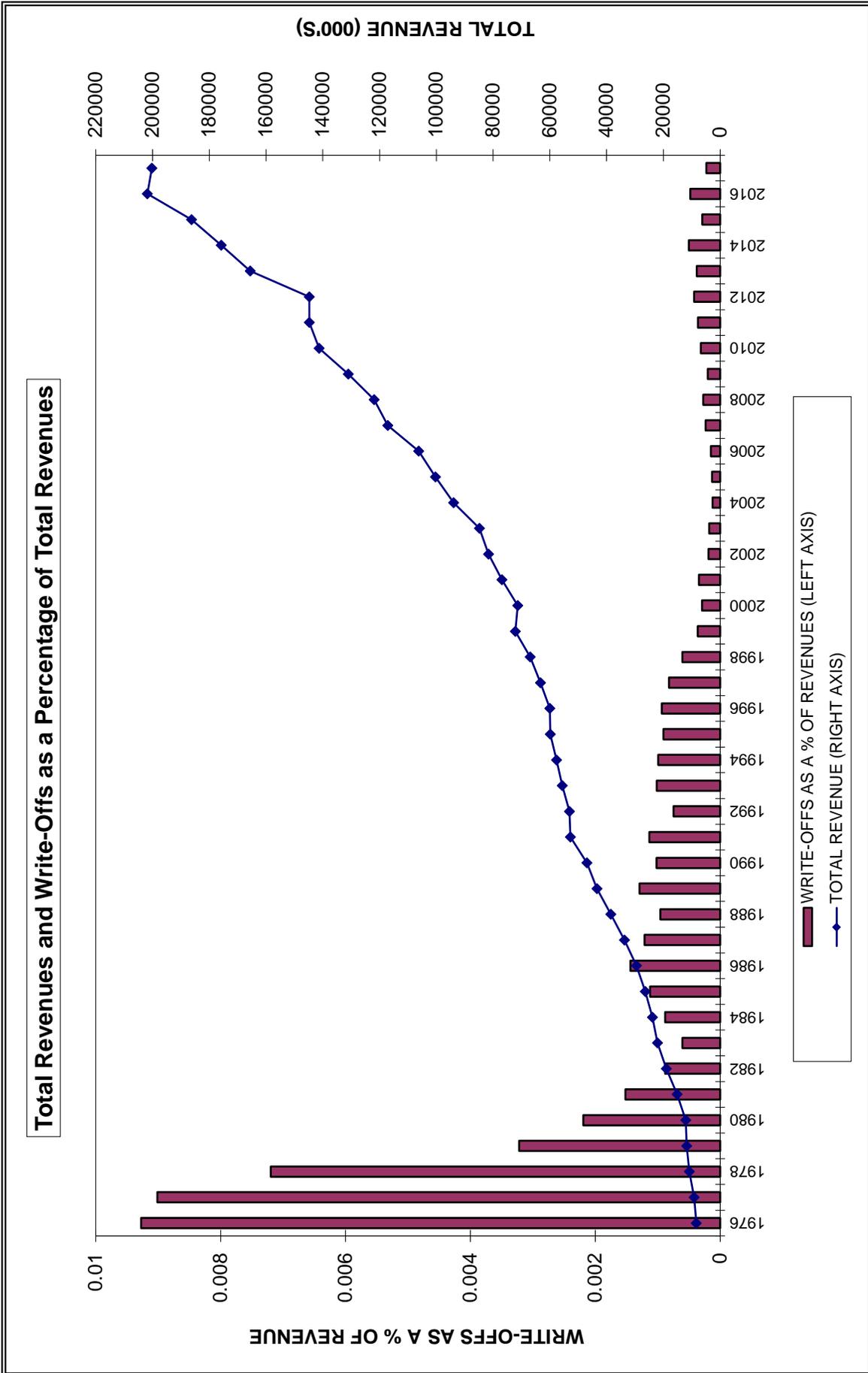
Original Signed by

G.H. Cubitt, MSW
Chief Administrative Officer

**THE REGIONAL MUNICIPALITY OF DURHAM
FINANCE DEPARTMENT - UTILITY FINANCE
SUMMARY OF WATER AND SEWER WRITE-OFFS
1997-2017**

<u>YEAR</u>	<u>ACCOUNTS PREVIOUSLY WRITTEN-OFF</u>	<u>ACCOUNTS RECOMMENDED FOR WRITE-OFF</u>	<u>LESS: COLLECTION AFTER WRITE-OFF</u>	<u>NET WRITE-OFFS</u>	<u>TOTAL WATER & SEWER REVENUES (\$000'S)</u>	<u>NET WRITE-OFFS AS A % OF REVENUES</u>
1997	\$57,463	\$0	\$5,648	\$51,815	\$63,312	0.08%
1998	\$47,448	\$0	\$6,989	\$40,459	\$66,906	0.06%
1999	\$33,448	\$0	\$7,407	\$26,041	\$72,179	0.04%
2000	\$20,966	\$0	\$375	\$20,591	\$71,295	0.03%
2001	\$35,086	\$0	\$9,054	\$26,032	\$76,869	0.03%
2002	\$22,332	\$0	\$7,210	\$15,122	\$81,638	0.02%
2003	\$21,473	\$0	\$6,735	\$14,738	\$84,767	0.02%
2004	\$15,367	\$0	\$3,754	\$11,613	\$93,929	0.01%
2005	\$13,070	\$0	\$109	\$12,961	\$100,341	0.01%
2006	\$15,694	\$0	\$40	\$15,654	\$106,217	0.01%
2007	\$27,469	\$0	\$108	\$27,361	\$117,132	0.02%
2008	\$33,254	\$0	\$50	\$33,204	\$121,901	0.03%
2009	\$26,266	\$0	\$35	\$26,231	\$130,976	0.02%
2010	\$43,956	\$0	\$96	\$43,859	\$141,329	0.03%
2011	\$51,473	\$0	\$203	\$51,270	\$144,751	0.04%
2012	\$60,170	\$0	\$59	\$60,111	\$144,751	0.04%
2013	\$61,828	\$0	\$52	\$61,776	\$165,615	0.04%
2014	\$88,004	\$0	\$0	\$88,004	\$175,764	0.05%
2015	\$53,073	\$52	\$0	\$53,125	\$186,228	0.03%
2016	\$96,131	\$248	\$0	\$96,379	\$201,808	0.05%
2017	\$0	\$44,719	\$0	\$44,719	\$200,212	0.02%

**THE REGIONAL MUNICIPALITY OF DURHAM
FINANCE DEPARTMENT - UTILITY FINANCE
SUMMARY OF WRITE-OFFS - PERCENT OF REVENUES
1976-2017**





The Regional Municipality of Durham Report

To: The Finance & Administration Committee
From: Acting Commissioner of Finance
Report: 2018-COW-131
Date: June 6, 2018

Subject:

Annual Development Charges Reserve Fund Statement

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

1.1 The attached schedules detail the activity in each development charge reserve fund for the year ended December 31, 2017, in the manner as prescribed by the Development Charges Act, policy reports, and By-laws adopted by Regional Council.

2. Compliance with the Development Charges Act and Regional Policy

2.1 In accordance with the Development Charges Act S.O. 1997, Section 43(1), "The treasurer of a municipality shall each year on or before such date as the council of the municipality may direct, give the council a financial statement relating to development charge by-laws and reserve funds established under section 33" (i.e. for each service to which the development charge relates).

2.2 Specific guidance with respect to the information to be included in the Treasurer's annual statement was provided in 2015 through amendments to Ontario Regulation 82/98 (released on December 18, 2015) and Bill 73, Smart Growth for Our Communities Act (received Royal Assent on December 3, 2015).

2.3 Under the current Development Charges Legislation, a municipality cannot impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to a development except as permitted by the Development Charges Act or another Act (Section 59.1 (1) of the Development Charges Act).

- 2.4 Furthermore, section 43 (2)(c) of the Development Charges Act requires that the Treasurer's financial report relating to development charges include a statement that the Region is in compliance with Section 59.1 (1) of the Development Charges Act, i.e. that the municipality did not impose a charge except as permitted by the Development Charges Act or another Act.
- 2.5 The Region has executed a number of agreements with the West Whitby Landowners Group and the Seaton Landowners, which provide for non-development charge contributions from the Landowners:
- A) Two front-ending agreements were executed with the West Whitby Landowners Group, one to advance the design of a sanitary sewer pumping station and trunk sanitary sewer (executed in 2014) and a subsequent front-ending agreement for the construction of the sanitary sewer pumping station and trunk sanitary sewer (executed in November 2015); and
 - B) A front-ending agreement with the Seaton Landowners for the design and construction of water supply, sanitary sewer and roads infrastructure required for the development of the Seaton Lands (executed in November 2015).
- 2.6 Under the executed front-ending agreement for design work with the West Whitby Landowners Group, the Region previously received a non-development charge contribution, to finance the shortfall in non-residential development charges. This work was completed prior to 2017 and no further contributions have been received. The Region received non-development charge contributions from the West Whitby Landowners Group under the construction front-ending agreement totalling \$695,323.25 in 2017. As the construction project was approved in 2016, the full amount of the contribution was disclosed in the applicable schedule at that time, along with the development charges for the project. These agreements were executed prior to the amendments of the Development Charges Act coming into force and therefore in my opinion, these payments do not contravene section 59.1 of the Development Charges Act.
- 2.7 The Region also received non-development charge contributions under the Seaton Phase 1 Regional Infrastructure Front Ending Agreement and the Durham Funding and Cost Sharing agreement, in connection with the ROPA 128 Minutes of Settlement. In 2017, contributions from the Seaton Landowners totalled \$4,000,000 (as per the Phase 1 Regional Infrastructure Front Ending Agreement) and \$4,538,914 was received as per the ROPA 128 Minutes of Settlement. These non-development charge contributions are intended to fund Regional capital facilities in the Seaton area, have been deposited in the Seaton Capital Facilities reserve fund, and consequently do not form part of the attached report. In my opinion, the contributions do not contravene section 59.1 of the Development Charges Act since the agreements were executed prior to the amendments of the Development Charges Act coming into force.
- 2.8 The attached schedules are fully compliant with the requirements of the Development Charges Legislation and the Region has not imposed any charge or a requirement to construct a service related to a development that contravenes Section 59.1 of the Development Charges Act.

2.9 This Annual Statement must be available to the public and to the Minister of Municipal Affairs, if requested.

3. Attachments

- Schedule 1: Residential Development Charges Reserve Funds Statement
- Schedule 2: Commercial Development Charges Reserve Funds Statement
- Schedule 3: Institutional Development Charges Reserve Funds Statement
- Schedule 4: Industrial Development Charges Reserve Funds Statement
- Schedule 5: Transit Non-Residential Development Charges Reserve Funds Statement
- Schedule 6: Area Specific Development Charges Reserve Funds Statement
- Schedule 7: Reserve Fund Statement for Residential and Non-Residential Development Charges Water Supply Capital Project Transfers
- Schedule 8: Reserve Fund Statement for Residential and Non-Residential Development Charges Sanitary Sewer Capital Project Transfers
- Schedule 9: Reserve Fund Statement for Residential and Non-Residential Development Charges Regional Roads Capital Project Transfers
- Schedule 10: Reserve Fund Statement for Residential Development Charges Go Transit Capital Project Transfers
- Schedule 11: Reserve Fund Statement for Residential and Non-Residential Development Charges Transit Capital Project Transfers
- Schedule 12: Development Charges Credits Statement

Original Signed by M.E. Simpson

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by G.H. Cubitt

G.H. Cubitt, MSW
Chief Administrative Officer

REGIONAL MUNICIPALITY OF DURHAM
RESIDENTIAL DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017

	Water Supply	Sanitary Sewage	Regional Roads	Police	Homes for the Aged	DC Study	EMS	GO Transit	Health & Social Services	Transit
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2017	140,957,851	55,672,637	49,364,200	9,355,205	220,636	567,188	2,049,096	-	876,446	11,120,993
Add Revenues:										
Development Charges <i>(Note 1)</i>	24,970,470	40,365,560	27,641,421	1,881,972	88,771	88,807	427,972	2,115,777	292,692	1,608,863
Interest Allocated	2,797,503	1,340,749	1,149,808	186,735	4,751	10,702	41,060	-	18,484	216,718
Total Revenues	27,767,973	41,706,309	28,791,229	2,068,707	93,522	99,509	469,032	2,115,777	311,176	1,825,581
Less Expenditures:										
Transferred to Capital Projects <i>(Schedules 7-11)</i>	7,665,809	14,287,560	29,568,933	-	-	-	-	2,115,777	-	23,000
(Excess)/Shortfall Financing on Prior Years' Completed Capital Projects <i>(Schedules 7-11)</i>	(2,475,465)	(256,161)	(1,847,443)	-	-	-	-	-	-	-
Debt Charges	-	9,141,119	-	-	222,198	-	-	-	-	-
Development Charges Review	-	-	-	-	-	89,878	-	-	-	-
Total Expenditures	5,190,344	23,172,518	27,721,490	-	222,198	89,878	-	2,115,777	-	23,000
Balance as at December 31, 2017 before commitments <i>(Note 3)</i>	163,535,480	74,206,428	50,433,939	11,423,912	91,960	576,819	2,518,128	-	1,187,622	12,923,574
Commitments as at December 31, 2017 <i>(Note 4)</i>	163,535,480	74,206,428	50,433,939	11,423,912	91,960	576,819	2,518,128	-	1,187,622	12,923,574
Uncommitted balance as at December 31, 2017	-	-	-	-	-	-	-	-	-	-

Notes:

- (1) By-law 16-2013, approved April 24, 2013, governs the imposition of uniform development charges against all lands within the Region's boundaries for residential and non-residential uses, by-law 86-2001, as amended, imposes a GO Transit residential development charge against all lands within the Region's boundaries, and by-law 47-2012, as amended, imposes Regional Transit residential and non-residential use development charges against all lands within the Region's boundaries.
- (2) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (3) Audited financial statement balances may differ due to Public Sector Accounting Board (PSAB) reporting requirements.
- (4) Development charge commitments include the 2017 budget and previously approved contributions to capital projects, debt charges expenditures, and the Region's share of commitments pursuant to various development agreements.

**REGIONAL MUNICIPALITY OF DURHAM
COMMERCIAL DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017**

	<u>Water Supply</u> \$	<u>Sanitary Sewage</u> \$	<u>Regional Roads</u> \$
Balance as at January 1, 2017	5,116,013	2,443,277	10,300,953
Add Revenues:			
Development Charges (Note 1)	874,044	5,328,313	2,603,195
Interest Allocated	100,270	79,669	208,562
	<u>974,314</u>	<u>5,407,982</u>	<u>2,811,757</u>
Total Revenues			
Less Expenditures:			
Transferred to Capital Projects (Schedules 7-9)	234,807	515,325	4,348,373
(Excess)/Shortfall Financing on Prior Years' Completed Capital Projects (Schedules 7-9)	13,584	(1,712)	(467,426)
Debt Charges	-	1,205,232	-
	<u>248,391</u>	<u>1,718,845</u>	<u>3,880,947</u>
Total Expenditures			
Balance as at December 31, 2017 before commitments (Note 3)	5,841,936	6,132,414	9,231,763
Commitments as at December 31, 2017 (Note 4)	<u>5,841,936</u>	<u>6,132,414</u>	<u>9,231,763</u>
Uncommitted balance as at December 31, 2017	<u>-</u>	<u>-</u>	<u>-</u>

Notes:

- (1) By-law 16-2013, approved April 24, 2013, governs the imposition of uniform development charges against all lands within the Region's boundaries for residential and non-residential uses.
- (2) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (3) Audited financial statement balances may differ due to Public Sector Accounting Board (PSAB) reporting requirements.
- (4) Development charge commitments include the 2017 budget and previously approved contributions to capital projects and debt charges expenditures.

**REGIONAL MUNICIPALITY OF DURHAM
INSTITUTIONAL DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017**

	<u>Water Supply</u> \$	<u>Sanitary Sewage</u> \$	<u>Regional Roads</u> \$
Balance as at January 1, 2017	8,190	4,084	115,739
Add Revenues:			
Development Charges (Note 1)	-	-	-
Interest Allocated	149	75	2,108
Total Revenues	<u>149</u>	<u>75</u>	<u>2,108</u>
Less Expenditures:			
Transferred to Capital Projects (Schedules 7-9)	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
Balance as at December 31, 2017 before commitments (Note 3)	8,339	4,159	117,847
Commitments as at December 31, 2017 (Note 4)	<u>8,339</u>	<u>4,159</u>	<u>117,847</u>
Uncommitted balance as at December 31, 2017	<u>-</u>	<u>-</u>	<u>-</u>

Notes:

- (1) By-law 16-2013, approved April 24, 2013, governs the imposition of uniform development charges against all lands within the Region's boundaries for residential and non-residential uses.
- (2) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (3) Audited financial statement balances may differ due to Public Sector Accounting Board (PSAB) reporting requirements.
- (4) Development charge commitments are for the projects set out in the development charge study.

**REGIONAL MUNICIPALITY OF DURHAM
INDUSTRIAL DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017**

	<u>Water Supply</u> \$	<u>Sanitary Sewage</u> \$	<u>Regional Roads</u> \$
Balance as at January 1, 2017	1,257,786	1,540,512	3,342,142
Add Revenues:			
Development Charges (Note 1)	817,744	1,631,950	1,222,375
Interest Allocated	26,592	35,248	68,113
Total Revenues	844,336	1,667,198	1,290,488
Less Expenditures:			
Transferred to Capital Projects (Schedules 7-9)	-	-	961,361
Total Expenditures	-	-	961,361
Balance as at December 31, 2017 before commitments (Note 3)	2,102,122	3,207,710	3,671,269
Commitments as at December 31, 2017 (Note 4)	2,102,122	3,207,710	3,671,269
Uncommitted balance as at December 31, 2017	-	-	-

Notes:

- (1) By-law 16-2013, approved April 24, 2013, governs the imposition of uniform development charges against all lands within the Region's boundaries for residential and non-residential uses.
- (2) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (3) Audited financial statement balances may differ due to Public Sector Accounting Board (PSAB) reporting requirements.
- (4) Development charge commitments are for the projects set out in the development charge study.

**REGIONAL MUNICIPALITY OF DURHAM
TRANSIT NON-RESIDENTIAL DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017**

	<u>Transit</u>
	\$
Balance as at January 1, 2017	2,708,628
Add Revenues:	
Development Charges (Note 1)	267,598
Interest Allocated	51,156
	318,754
Total Revenues	
Less Expenditures:	
Transferred to Capital Projects (Schedule 10)	12,000
	12,000
Total Expenditures	
	3,015,382
Balance as at December 31, 2017 before commitments (Note 3)	
Commitments as at December 31, 2017 (Note 4)	3,015,382
Uncommitted balance as at December 31, 2017	-

Notes:

- (1) By-law 47-2012, as amended, imposes Regional Transit residential and non-residential use development charges against all lands within the Region's boundaries.
- (2) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (3) Audited financial statement balances may differ due to Public Sector Accounting Board (PSAB) reporting requirements.
- (4) Development charge commitments reflect the projects set out in the development charge study.

**REGIONAL MUNICIPALITY OF DURHAM
AREA SPECIFIC DEVELOPMENT CHARGES RESERVE FUNDS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017**

	Carruthers	Seaton	Seaton
	Creek	Water	Sanitary
	Supply	Supply	Sewage
	<i>(Note 1)</i>	<i>(Note 2)</i>	<i>(Note 2)</i>
	\$	\$	\$
Balance as at January 1, 2017	214,070	-	-
Add Revenues:			
Area Specific Development Charges	-	-	-
Interest Allocated	3,907		
	3,907	-	-
Total Revenues	3,907	-	-
Less Expenditures:			
	-	-	-
	-	-	-
Total Expenditures	-	-	-
Balance as at December 31, 2017	217,977	-	-
before commitments			
Commitments as at			
December 31, 2017 (Note 4)	217,977	-	-
Uncommitted balance as at	-	-	-
December 31, 2017	-	-	-

Notes:

- (1) By-law 18-2013, approved April 24, 2013, governs the imposition of area specific development charges against all lands within the Carruthers Creek service area that are developed for residential and non-residential uses.
- (2) By-law 19-2013, approved April 24, 2013, governs the imposition of area specific development charges against all lands within the Seaton Community. The By-law came into force in November 2015, with the execution of the Seaton Front-Ending Agreement between the Region, and the Province of Ontario and the Seaton Private Landowners.
- (3) There were no amounts loaned or repaid between development charge reserve funds or borrowed from / repaid to reserve funds for other municipal purposes.
- (4) Commitments include financing for capital projects to be undertaken in the Carruthers Creek area and refunds to developers.

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
WATER SUPPLY CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Commercial Development Charges		User Rate	Other Financing	Description	Total Financing	Intended Purpose
	\$	\$	\$	\$					
Zone 3 watermain crossing Lynde Creek at Carnwith Drive from Way Street to 250 m east, Whitby	684,840	21,060	-	74,100	-	780,000	Construction of 300 mm watermain to service new development		
Zone 1 feedermain on Bloor Street from Stevenson Road to Wilson Road, Oshawa	1,756,000	54,000	-	190,000	-	2,000,000	Engineering design and construction of feedermain to accommodate growth		
Zone 1 feedermain on Toronto Street from Newcastle Water Pollution Control Plant to King Street, Clarington	3,753,450	115,263	-	631,287	-	4,500,000	Engineering design and construction of feedermain to service new development		
Feedermain on Scugog Line 3 from Old Simcoe Road to Simcoe Street, Scugog	167,180	5,148	-	1,127,672	-	1,300,000	Construction of feedermain to service new development		
Regional environmental laboratory expansion, Pickering	87,800	2,700	100,000	9,500	Region of York	200,000	Engineering design of Regional environmental laboratory upgrades and ventilation associated works to improve operational efficiency to service future growth		
West Whitby watermain extension, Whitby	1,191,359	36,636	-	128,906	-	1,356,901	Cost sharing for the construction of a watermain on Des Newnham Boulevard to service the West Whitby development		
Well interference works	25,180	-	-	-	-	25,180	Temporary water supply related to well interference in accordance with Regional policy: 2265719 Ontario Inc. North Glen Phase 1A, Bowmanville \$25,180		
Subtotal	7,665,809	234,807	100,000	2,161,465		10,162,081			

REGIONAL MUNICIPALITY OF DURHAM
 RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
 WATER SUPPLY CAPITAL PROJECT TRANSFERS
 FOR THE YEAR ENDED DECEMBER 31, 2017

Capital Project	Residential Development Charges		Commercial Development Charges		User Rate	Other Financing	Description	Total Financing	Intended Purpose
	\$	\$	\$	\$					
Subtotal carried forward	7,665,809	234,807	2,161,465	100,000			10,162,081		
Subtotal - Amounts transferred to Capital Projects before (Excess)/Shortfall Financing	7,665,809	234,807	2,161,465	100,000			10,162,081		
(Excess)/Shortfall Financing in Prior Years' Completed Capital Projects	(2,475,465)	13,584	(169,601)	-			(2,631,481)	Excess development charge financing: Residential: Bloor Street from Thornton Road to Stevenson Road \$3,879,843, Bloor Street from Stevenson Road to Albert Street (\$1,404,800), and Other Projects \$422 Commercial: Bloor Street Phase 2, (\$13,599), and Other Projects \$15.	
Total	5,190,344	248,391	1,991,864	100,000			7,530,599		

Note:
 There were no Institutional nor Industrial Development Charges transferred to Capital Projects in 2017.

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
SANITARY SEWER CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Development Charges			Other		Total		Intended Purpose
	Residential	Commercial	User Rate	Financing	Description	Financing		
	\$	\$	\$	\$		\$	\$	
Courtice trunk sewer, Phase 7, Greenhill Avenue from Grandview Street to Harmony Road and on Harmony Road from future Greenhill Avenue to Conlin	1,151,000	89,900	308,300	3,518,700	Developer Share	5,067,900		Cost sharing for the construction of a 1,350 millimetre trunk sanitary sewer to accommodate system expansion for new development
Courtice trunk sewer, Phase 2, 100 m north of Energy Drive to the intersection of Baseline Road and Courtice Road, Clarington	2,564,000	200,100	686,700	-		3,450,800		Engineering design and construction of trunk sewer to accommodate system expansion for new development
Foster Creek trunk sanitary sewer on North Street from Wilmot Street to north of CPR, Clarington	854,450	23,500	272,050	-		1,150,000		Engineering design for the construction of a trunk sanitary sewer to service new development
Wilmot Creek trunk sanitary sewer on Toronto Street and on easement to the north side of Highway 401, Clarington	7,132,800	-	2,467,200	-		9,600,000		Engineering design and construction to increase system capacity to service new development
Twinning of force main from Water Street Sanitary Sewage Pumping Station to Old Simcoe Road, Scugog	114,236	8,928	901,836	3,075,000	Clean Water and Wastewater Fund	4,100,000		Engineering design and construction of twinning of force main to provide additional capacity for new development and system security
Regional environmental laboratory expansion, Pickering	74,300	5,800	19,900	100,000	Region of York	200,000		Engineering design of Regional environmental laboratory upgrades and ventilation associated works to improve operational efficiency to service future growth
West Whitby trunk sanitary sewer, Whitby	2,335,026	182,277	846,371	-		3,363,674		Cost sharing for the construction of a 600 millimetre to a 750 millimetre sanitary sewer on Des Newman Boulevard to service the West Whitby development
Work in conjunction with Residential Subdivision Development	61,748	4,820	16,544	-		83,112		Regional share of sewer servicing in various locations related to subdivision development - E. Ovide Holdings (Altona) Inc. \$83,112
Subtotal	14,287,560	515,325	5,518,901	6,693,700		27,015,486		

REGIONAL MUNICIPALITY OF DURHAM
 RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
 SANITARY SEWER CAPITAL PROJECT TRANSFERS
 FOR THE YEAR ENDED DECEMBER 31, 2017

Capital Project	Development Charges			User Rate	Other Financing	Description	Total Financing	Intended Purpose
	Residential	Commercial						
	\$	\$	\$	\$	\$		\$	
Subtotal carried forward	14,287,560	515,325	5,518,901	6,693,700			27,015,486	
Subtotal - Amounts transferred to Capital Projects before Excess Financing	14,287,560	515,325	5,518,901	6,693,700			27,015,486	
(Excess)/Shortfall Financing in Prior Years' Completed Capital Projects	(256,161)	(1,712)	(118,053)	-			(375,926)	Excess development charge financing: Residential: Pringle-Corbett Diversion Trunk Sewer \$249,286, and Other Projects \$6,875; Commercial: Pringle-Corbett Diversion Trunk Sewer \$901, and Other Projects \$811.
Total	14,031,399	513,613	5,400,848	6,693,700			26,639,561	

Note:
 There were no Institutional nor Industrial Development Charges transferred to Capital Projects in 2017.

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
REGIONAL ROADS CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Commercial Development Charges		Industrial Development Charges		Other Financing		Total Financing	Intended Purpose
	\$	\$	\$	\$	\$	\$	\$	\$		
Brock Road / Goodwood Road Intersection, Uxbridge	183,600	27,000	48,600	-	40,800	-	-	300,000	Engineering and design required for intersection reconstruction to service growth	
Winchester Road from Baldwin Street to Garrard Road, Whitby	1,403,520	206,400	-	-	540,080	-	-	2,150,000	Intersection modifications and widen to 5 lanes from Thickson Road to Garrard Road to service growth	
Regional Road 3 (Concession 8) / Regional Road 57 Intersection, Clarington	183,600	27,000	48,600	-	40,800	-	-	300,000	Property acquisition required for intersection reconstruction to a roundabout to service growth	
Taunton Road / Enfield Road Intersection, Clarington	2,310,300	339,750	-	-	1,224,950	-	-	3,875,000	Engineering and design, utility relocation, and construction required to reconstruct and modify intersection to service growth	
Taunton Road / Courtice Road Intersection, Clarington	122,400	18,000	32,400	-	27,200	-	-	200,000	Engineering and design required for intersection reconstruction to service growth	
Taunton Road / Region Road 57 Intersection, Clarington	61,200	9,000	-	-	29,800	-	-	100,000	Engineering and design to reconstruct / modify intersection and to replace and widen bridge on west leg of intersection to accommodate growth	
Regional Road 12 / Lake Ridge Road Intersection, Brock	244,800	36,000	64,800	-	54,400	-	-	400,000	Property acquisition and utility relocation required for intersection reconstruction to a roundabout to service growth	
3rd Concession from Lake Ridge Road to west of Highway 12, Brock	2,448,000	360,000	648,000	-	2,044,000	-	-	5,500,000	Road rehabilitation and reconstruction including intersection modifications to accommodate growth	
Liberty Street from Longworth Avenue to Concession Road 3 Intersection, Clarington	244,800	36,000	-	-	119,200	-	-	400,000	Road rehabilitation including intersection signalization and modifications to service increased traffic volumes	
Subtotal	7,202,220	1,059,150	842,400	-	4,121,230	-	-	13,225,000		

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
REGIONAL ROADS CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Commercial Development Charges		Industrial Development Charges		Other Financing		Description	Total Financing	Intended Purpose
	\$	\$	\$	\$	\$	\$	\$	\$			
Subtotal carried forward	7,202,220	1,059,150	842,400	-	4,121,230	-	-	-		13,225,000	
Bayly Street / Church Street Intersection, Pickering	122,400	18,000	-	59,600	-	-	-	-		200,000	Engineering and design of intersection modifications including widening Bayly Street to seven lanes to accommodate growth
Bayly Street / Westney Road Intersection, Ajax	91,800	13,500	-	44,700	-	-	-	-		150,000	Intersection modifications and add eastbound right turn lane to service growth
Victoria Street from South Blair Street to west of Thickson Road, Whitby	69,360	10,200	-	40,440	-	-	-	-		120,000	Utility relocates and construction for the new alignment and widen road to five lanes to service growth
Consumers Drive Extension, Thickson Road to Thornton Road, Whitby / Oshawa	6,674,778	981,585	-	2,258,637	-	-	-	-		9,915,000	Property acquisition and construction of new road extension to service new development
Champlain Avenue / Thornton Road Intersection, Oshawa	3,162,000	465,000	-	1,373,000	-	-	-	-		5,000,000	Property acquisition and construction required to expand and signalize the Champlain Avenue/Thornton Road intersection to accommodate increased traffic volumes
Thickson Road from Wentworth Street to C.N. Rail Line, Whitby	28,560	4,200	-	17,240	-	-	-	-		50,000	Engineering and design to widen to four lanes to accommodate growth
Rossland Road / Brock Street (Regional Highway 12) Intersection, Whitby	283,968	41,760	-	154,272	-	-	-	-		480,000	Engineering, design, property acquisition and utility relocations to modify intersection to accommodate increased traffic volumes
Rossland Road / Garden Street Intersection, Whitby	30,600	4,500	-	14,900	-	-	-	-		50,000	Property acquisition to modify intersection to accommodate increased traffic volumes
Subtotal	17,665,686	2,597,895	842,400	8,084,019	-	-	-	-		29,190,000	

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
REGIONAL ROADS CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Commercial Development Charges		Industrial Development Charges		Other Financing		Description	Total Financing	Intended Purpose
	\$	\$	\$	\$	\$	\$	\$				
Subtotal carried forward	17,665,686	2,597,895	842,400	8,084,019	-	-	-	29,190,000			
Westney Road from north of Rossland Road to Taunton Road, Ajax	652,800	96,000	-	251,200	-	-	-	1,000,000			Engineering, design, property acquisition and utility relocations to widen road to four lanes to accommodate growth
Harmony Road from Coldstream Drive to Conlin Road, Oshawa	197,540	29,050	-	123,410	-	-	-	350,000			Utility relocates to accommodate widening road to five lanes
Townline Road / Pebblestone Road Intersection, Oshawa / Clarington	183,600	27,000	-	89,400	-	-	-	300,000			Engineering, design, property acquisition and utility relocations to modify intersection to accommodate growth
Martin Road from Baseline Road to south of Regional Highway 2, Clarington	489,600	72,000	-	338,400	-	-	-	900,000			Engineering, design and property acquisition to accommodate widening road to four lanes, including structure widening
Regional Road 57 from south of Highway 2 to north of Stevens Road, Clarington	163,200	24,000	-	112,800	-	-	-	300,000			Utility relocations for intersection modifications required to service growth
Manning Road / Brock Street Intersection, Whitby	153,000	22,500	-	74,500	-	-	-	250,000			Utility relocations for intersection modifications to service growth
Manning Road and Adelaide Avenue interconnection from Garrard Road to Thornton Road, Whitby / Oshawa	403,920	59,400	-	136,680	-	-	-	600,000			Engineering and design of a new three lane road including the crossing of Corbett Creek to service growth
Gibb Street from east of Stevenson Road to Simcoe Street, Oshawa	418,200	61,500	110,700	159,600	-	-	-	750,000			Property acquisition required to widen road to four lanes to accommodate growth
Subtotal	20,327,546	2,989,345	953,100	9,370,009	-	-	-	33,640,000			

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
REGIONAL ROADS CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges			Commercial Development Charges		Industrial Development Charges		Other Financing		Description	Total Financing	Intended Purpose
	Charges	Charges	Charges	Charges	Charges	Charges	Charges	Financing	Financing			
	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$	
Subtotal carried forward	20,327,546	2,989,345	953,100	9,370,009	-	-	-	33,640,000				
King Street / Maple Grove Road Intersection, Clarington	489,600	72,000	-	638,400	-	-	-	1,200,000				Construction of intersection modifications to service growth
Brock Street from north of Rossland Road to Taunton Road, Whitby	7,010,460	1,030,950	-	3,808,590	-	-	-	11,850,000				Construction to widen road to five lanes to accommodate growth
Bridge and Pavement Management Program	153,000	22,500	-	74,500	-	-	-	250,000				Updates and needs analysis of asset network in order to identify and prioritize expansion requirements of the road and bridge network to accommodate growth
Growth Related Signal Installation Program	979,200	144,000	-	476,800	-	-	-	1,600,000				Construction associated with new traffic signal installations, signal modifications and the underground infrastructure to accommodate increased traffic volumes due to new development
Intelligent Transportation System Initiatives	397,800	58,500	-	193,700	-	-	-	650,000				Technological upgrades and changes associated with the intelligent transportation system including traveler information, integration, traffic and emergency management to accommodate increased traffic volumes
Miscellaneous Engineering Activities	20,320	2,988	-	9,894	-	-	-	33,202				Miscellaneous engineering assignments linked to growth related projects at various locations
Miscellaneous Property Acquisition Program	31,208	4,589	8,261	6,935	-	-	-	50,993				Property acquisition at various locations related to road widening projects and intersection improvements to accommodate growth
Miscellaneous Landscaping Projects	91,800	13,500	-	44,700	-	-	-	150,000				Landscaping, including boulevard enhancements, for growth related projects
Subtotal	29,500,933	4,338,373	961,361	14,623,528	-	-	-	49,424,195				

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
REGIONAL ROADS CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Commercial Development Charges		Industrial Development Charges		Other Financing	Description	Total Financing	Intended Purpose
	\$	\$	\$	\$	\$	\$				
Subtotal carried forward	29,500,933	4,338,373	961,361	14,623,528	-	-	49,424,195			
Transportation Master Plan Studies	68,000	10,000	-	22,000	-	-	100,000			Transportation master plan studies to address outstanding recommended actions for growth related projects
Subtotal - Amounts transferred to Capital Projects before Excess Financing	29,568,933	4,348,373	961,361	14,645,528	-	-	49,524,195			
Excess Financing on Prior Years' Completed Capital Projects	(1,847,443)	(467,426)	-	(544,720)	-	-	(2,859,589)			Excess development charge financing: Residential: Winchester Road at Ritson Road Intersection \$671,866, Taunton Road from Simcoe Street to Ritson Road \$285,368, Bayly Street/Victoria Street Turning Lane and Surface Asphalt \$148,673, Lake Ridge Road at Myrtle Road \$91,800, and Other Projects \$649,736 Commercial: Winchester Road at Ritson Road Intersection \$216,330, Taunton Road from Simcoe Street to Ritson Road \$62,704, Bayly Street/Victoria Street Turning Lane and Surface Asphalt \$42,781, Lake Ridge Road at Myrtle Road \$13,500, and Other Projects \$132,111
Total	27,721,490	3,880,947	961,361	14,100,808	-	-	46,664,606			

Notes:
 (1) There were no Institutional Development Charges transferred to Capital Projects in 2017.
 (2) General Tax includes Roads Capital Reserve, Road and Bridge Rehabilitation Reserve Funds and General Tax sources.

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL DEVELOPMENT CHARGES
GO TRANSIT CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges	General Tax	Other Financing	Description	Total Financing	Intended Purpose
	\$	\$	\$		\$	
Growth / Enhancement Program for GO Transit	2,115,777	-	-		2,115,777	Municipal share of growth related capital per GO Transit billings
Total	2,115,777	-	-		2,115,777	

Note:
In accordance with Regional Council direction, payment to Metrolinx for the Region's share of GO Transit Growth Capital has been limited to the amount of Development Charges collected by the Region in 2017 for GO Transit purposes.

**REGIONAL MUNICIPALITY OF DURHAM
RESERVE FUND STATEMENT FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES
TRANSIT CAPITAL PROJECT TRANSFERS
FOR THE YEAR ENDED DECEMBER 31, 2017**

Capital Project	Residential Development Charges		Non Residential Development Charges		General Tax	Other Financing	Description	Total Financing	Intended Purpose
	\$	\$	\$	\$					
Small buses for North Strategy	19,000	10,000	-	371,000	-	Public Transit Infrastructure Fund (\$200,000) Ontario Gas Tax (\$171,000)	400,000	Small buses to service growth in north	
Fare boxes & radios	2,000	1,000	34,000	-	-		37,000	Fare boxes and radio equipment for new buses to service growth in north	
Annunciators and Intelligent Transportation System (ITS)	2,000	1,000	27,000	-	-		30,000	Annunciators used to announce upcoming stops and Intelligent Transportation Systems for growth buses	
Total	23,000	12,000	61,000	371,000	-		467,000		

REGIONAL MUNICIPALITY OF DURHAM
DEVELOPMENT CHARGES CREDITS STATEMENT
FOR THE YEAR ENDED DECEMBER 31, 2017

	Regional Development Charges				Area Specific Development Charges			
	Sanitary Sewerage		Roads		Sanitary Sewerage		Water	
	268499	Group	Landowners	Whitby Landowners	Ontario Realty Corporation, Lebovic Enterprises Limited and Mattamy (Brock Road) Limited	Seaton Landowners	Seaton Landowners	Group
Ontario Ltd.	\$	\$	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2017	280,247	1,919,898	147	3,998,507	974,075	6,781,133		13,954,007
Residential	-	11,789,592	-	-	-	-	-	11,789,592
Commercial	-	2,966,713	-	-	-	-	-	2,966,713
Residential/Non-residential	-	-	-	4,853,578	34,133,370	7,937,435		46,924,383
Total Credits Granted	-	14,756,305	-	4,853,578	34,133,370	7,937,435		61,680,688
Residential	-	-	-	-	-	-	-	-
Commercial	-	-	-	-	-	-	-	-
Total Credits Used	-	-	-	-	-	-	-	-
Balance as at December 31, 2017	280,247	16,676,203	147	8,852,085	35,107,445	14,718,568		75,634,695

Notes:

- (1) Section 12 of O. Reg 82/98 (Treasurer's Statement) requires information about development charge credits. Credits are granted upon approval of Council Reports or upon installation of servicing and are used as Subdivision Agreements are signed or as building permits are issued.
- (2) Credits granted will be applied to residential or non-residential development based on the Seaton Phase 1 Regional Infrastructure Front Ending Agreement.
- (3) All credits granted to Seaton Landowners Group will be indexed annually on July 1 as provided in the Seaton Phase 1 Regional Infrastructure Front Ending Agreement.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-132
Date: June 6, 2018

Subject:

2018/2019 Annual Risk Management and Insurance Report

Recommendations:

That the Committee of the Whole recommend to Regional Council that:

- A) The Acting Commissioner of Finance be authorized, on behalf of the Region of Durham, to enter into a contract of insurance in conjunction with the other member municipalities of the Durham Municipal Insurance Pool with the Frank Cowan Company for the period July 1, 2018 to June 30, 2019;
 - B) The Acting Commissioner of Finance be authorized, on behalf of the Region of Durham, to enter into the contract of insurance with the Frank Cowan Company for insurance coverage specific to Durham Region for the period July 1, 2018 to June 30, 2019 at an estimated cost of \$219,534 plus applicable taxes;
 - C) The Acting Commissioner of Finance be authorized on behalf of the Region of Durham to enter into a contract of insurance with the Frank Cowan Company for insurance coverages related to the Durham Region Transit for the period July 1, 2018 to June 30, 2019 at an estimated cost of \$1,305,733 plus applicable taxes;
 - D) The Acting Commissioner of Finance be authorized to retain consulting services for the continued implementation of a fulsome Enterprise Risk Management Framework at the Region of Durham at a cost not to exceed \$75,000 to be funded from the Region's Insurance Reserve Fund; and
 - E) The fundamentals of the Region's Risk Management Program continue to be supported in principle to ensure that the Region's assets are adequately protected and to ensure the financial stability of the Region.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide Regional Council with an update on the

Durham Municipal Insurance Pool and, more specifically, the Region's Insurance and Risk Management Program.

- 1.2 This report also includes a review of insurance claims against the Region and the proactive actions and plans that have been undertaken to minimize the risk exposures facing the Region through the Region's Risk Management Program.

2. 2017/2018 Highlights of the DMIP and the Region's Insurance and Risk Management Programs

- 2.1 The Durham Municipal Insurance Pool (DMIP) continues to fulfill its mandate to secure better insurance rates and coverage plans by virtue of increased buying power. This was further achieved in 2017/2018 with the City of Oshawa joining the DMIP effective July 1, 2017.
- 2.2 For 2018/2019, the DMIP negotiated with the insurer and has secured the broadest and most comprehensive coverage available to municipalities with a nominal rate increase in the insurance premium and claim funding for the 2018/2019 policy year. This increase is partially offset by an increase in investment income. Overall, the net cost for the annual DMIP insurance program has increased by 3.4 per cent excluding the additional claims handling services requested by and funded by the City of Oshawa.
- 2.3 The Region continues to benefit from the following three year rate stability agreement with the Frank Cowan Company for the DMIP member municipalities that was secured by the DMIP in 2017/2018:
 - The average rate per auto, by vehicle class, will remain at the 2017 level as long as risk continues to meet the definition of a fleet;
 - The average property rate for the total insured value will remain at the 2017 level; and
 - Frank Cowan's value added services will continue to be available to DMIP members at no additional cost.
- 2.4 In 2017/2018, DMIP administered approximately 583 insurance related claims with respect to public liability, errors and omissions, automobile fleet and property damage.
- 2.5 Also in 2017/2018, DMIP continued to provide timely, relevant and effective risk management services to its member municipalities, such as information seminars for municipal staff, building assessments and risk management/safety inspections, natural hazard review and maximum foreseeable loss study and contract reviews.

- 2.6 For 2018/2019, DMIP staff will continue to work with Regional staff and member municipalities on enhancing and improving Risk Management practices throughout all service delivery programs as a means to better manage the property and liability risk exposures of DMIP and Regional operations. In addition, the Insurance and Risk Management division of the Regional Finance Department will continue to enhance and expand the Region's enterprise wide risk management program.

Update on the Durham Municipal Insurance Pool

3. Background

- 3.1 In July 2000, the Durham Municipal Insurance Pool (DMIP) was launched with the participation of the Towns of Ajax and Whitby, the Municipality of Clarington, the Townships of Brock, Scugog and Uxbridge and the Region of Durham. The City of Oshawa joined the DMIP on July 1, 2017. DMIP continues to work with the City of Oshawa staff to transition Oshawa into the DMIP and advance their insurance and risk management programs.
- 3.2 The DMIP is an innovative risk financing program that provides its member municipalities with the following key benefits:
- increased price stability and protection against rising insurance costs through a larger insured base;
 - broader coverage and more favorable terms for members;
 - greater control over the handling and funding of claims below the \$500,000 deductible including input in claims resolution, funding levels and services offered;
 - increased investment income on the retained portion of the pre-funded claims loss reserve; and
 - pro-active, comprehensive and coordinated risk management services to reduce property and liability exposures.

4. Renewal of Insurance Contract for 2018/2019

- 4.1 DMIP's objective is to ensure that the Pool's insurance program remains current, competitive and is a leader amongst municipal insurance programs.
- 4.2 For the July 1, 2018 to June 30, 2019 renewal period, the overall net cost to the DMIP for insurance coverages, pool operating costs, allowance for self-insured claims and projected investment income will result in an increase of 4.3 per cent compared to the 2017/2018 policy year. This increase includes the additional claims handling services requested by and funded by the City of Oshawa. The increase, excluding these additional services, is 3.4 per cent.

- 4.3 This increase reflects the conditions in the broader insurance marketplace, including the increased risk of cyber crime, general increase in judicial awards, the increasing litigious nature of society and insurance rate increases for weather related events, such as hurricanes and wildfires.
- 4.4 In addition, other factors contributing to the increased insurance costs include an approximate 4 per cent increase in DMIP's building values, increase in the number of licensed automobiles, population growth and new development.
- 4.5 The 2018/2019 renewal reaffirms that the DMIP insurance pooling concept is beneficial to its member municipalities with an increase of 3.4 per cent compared to the inflation factor experienced on the broader municipal sector claims, which DMIP's insurer indicates is ranging between 6 and 8 per cent.

5. Status of DMIP Insurance Claims

- 5.1 In 2017/2018, the Durham Municipal Insurance Pool received and administered approximately 583 new insurance claims with respect to public liability, errors and omissions, automobile fleet and property damage as follows:
 - **Automobile/Fleet:** 59 automobile claims, including bodily injury, property damage and accident benefits line of coverage for police, fire, parks and recreation and vehicles owned and operated by the DMIP members.
 - **Third Party Liability:** 497 third party liability claims, including third party property, bodily injury and personal injury claims, Errors and Omissions liability, Environmental liability and Non-Owned Automobile liability.
 - **Property:** 27 fire, flood, theft, vandalism, and other property claims.
- 5.2 Each of these claims has been administered by the staff of the Risk Management and Insurance Division of the Region's Finance Department in consultation with staff of the member municipalities to ensure that the claims are expeditiously reported, adjusted and settled.
- 5.3 The majority of the DMIP's claims, approximately 80 per cent, are adjusted and handled "in-house" rather than contracting out to a third party adjuster. This approach keeps costs lower, ensures greater consistency and provides a high level of service to member municipalities.

6. DMIP Risk Management Strategies

- 6.1 The key objective of DMIPs Risk Management Program is to safeguard DMIP's assets and reputation through the process of effective loss prevention, claims administration, and risk financing practices. Incorporating the management of risk into daily business practices enhances public safety and improves quality of life for the citizens and employees of DMIP through the reduction of claims and claim settlements.

6.2 In 2017/2018, DMIP provided the following risk management services to its member municipalities:

Information Workshops & Seminars

6.3 DMIP held a number of individual information sessions for staff of its member municipalities, including the Region, with respect to risk management issues. These sessions were in response to specific requests from DMIP's member municipalities on topics, including the use of municipal facilities by outside organizations, maintenance operations, library board risk management and special events. Strategies were recommended and adopted to help reduce the risk exposures.

6.4 In addition, in 2017/2018, DMIP provided the following risk management seminars to its member municipalities:

- A fraud prevention seminar - the seminar focused on awareness of different types of fraud incidents on public entities and identified how the methods of sophisticated and organized criminals are evolving the business of fraud. Recommendations were provided on what member municipalities can do to prevent these incidents and minimize the impact of any fraudulent activity.
- Drone liability seminar - legal experts provided insights into the changes to federal legislation and regulations surrounding the operation of drones. Risk considerations, including privacy and insurance considerations were discussed, as were recommendations for mitigating these risk exposures.
- Update on Bill C-45 Cannabis Act - presenters reviewed the potential impact of this legislation on municipalities. Present challenges in the area of enforcement, housing, building and fire codes and other health and safety issues were identified.
- Ontario Traffic Manual Workshop - Book 18 Cycling Facilities – this presentation was provided by road specialists and focused on risk management skills development.

Building Assessments and Risk Management/Safety Inspections

6.5 In the past year, further replacement cost assessments were completed on DMIP insured buildings to estimate the actual cost to rebuild the structure with a new building of similar size and materials. Having current and accurate replacement cost estimates is necessary to ensure adequate insurance coverage is in place in the event of a claim.

6.6 Risk management/safety inspections were undertaken at DMIP arenas, parks, municipal offices, parking lots, libraries and fire halls. The objective of these inspections was to identify conditions or potential risks that could result in bodily injury, property loss or litigation. Reports were provided to member municipalities with recommendations to correct liability and property hazards that were identified during the inspection process.

Natural Hazard Review and Maximum Foreseeable Loss Study

- 6.7 Realizing that a major loss event, like a flood, windstorm or fire will not affect all the insured buildings across DMIP at one time, a natural hazard review and maximum foreseeable loss study was commenced to ensure adequate insurance coverage limits.
- 6.8 The study looked at what clusters of properties would be subject to any one major loss event within their geographical zone. Utilizing the DMIP's statement of values for over 760 insured properties, a natural hazard review was completed by geocoding and mapping insured locations to determine the potential for loss due to a natural hazard. A review of mapped properties was carried out to ensure there was no collective exposure to multiple buildings due to a single exposure.
- 6.9 Conclusion of the process confirmed that established total limits of property coverage for DMIP for a single insured event continues to be adequate.

Contract Risk Review Services

- 6.10 The Risk Management and Insurance Division provides contract risk management review services. This includes the accurate identification and proper treatment of contract-related risk issues through the process of identifying, reviewing, analyzing, evaluating, mitigating, managing, neutralizing, and/or eliminating the contractual risks within agreements.
- 6.11 This service also includes the review of the insurance requirements in procurement documents and assessment of supporting certificates of insurance for DMIP member municipalities.

Region of Durham Insurance and Risk Management Programs

7. Background

- 7.1 The Region currently utilizes a variety of techniques to finance insurance and insurance related losses. Through high policy deductibles, the Region pays for most routine and frequent losses. The Region also self-insures certain coverage types, such as environmental losses. Finally, the Region transfers the financial responsibility for very large losses to insurance companies by purchasing insurance contracts through DMIP.
- 7.2 The Region's Insurance and Risk Management Division is responsible for the oversight of Insurance and Risk Management for the Corporation. This responsibility falls into three primary areas:
- **Claims Administration:** including investigating and adjusting all insurance claims against the Region of Durham;
 - **Loss Prevention:** including reviewing and recommending loss prevention measures; and
 - **Insurance Administration:** ensuring appropriate insurance coverage is in place to protect the Corporation from financial loss.

8. Range of Risk Exposures

8.1 The Region's Insurance and Risk Management Program encompasses a wide range of risk exposures resulting from various Regional operations including:

- Transit
- Police Services
- Solid Waste Management
- Water Supply and Sanitary Sewage
- Social Housing
- Social Services
- Regional Roads
- Homes for the Aged
- Public Health Services
- Paramedic Services
- 911 and Emergency Response
- Children's Services
- Fleets for Police, Paramedic Services and Works

9. Types of Coverages

9.1 Under the integrated risk program of the Durham Municipal Insurance Pool, the Region maintains various lines of coverage to protect against liability and negligence resulting from the operations of the various Regional Services. These coverages include:

- Auto - including Garage Auto, Owned Auto, and Excess Auto
- Liability - including Non-Owned Auto, General Liability and Excess Liability
- Property and Data Processing
- Errors and Omissions

9.2 Certain lines of coverage are not included in the DMIP's general insurance policy and are covered under separate policies that are part of the Region's comprehensive integrated insurance program. These coverages include:

- Comprehensive Crime
- Board Member Accident
- Boiler & Machinery
- Conflict of Interest
- Legal Expenses
- Aviation for DRPS Helicopter
- Drone Coverage
- Cyber Coverage

10. Durham Region Transit Commission

- 10.1 The cost of providing an insurance and risk management program for public transit systems is significant. Durham Region Transit Commission (DRT) has liability exposures that are specific and relate only to Transit authorities. These include automobile negligence claims and accident benefit claims from the operation of transit vehicles and are insured separately from the DMIP on a stand-alone basis to ensure that there is no impact on the coverages of the DMIP member municipalities. The lower risk exposures, including property and non-auto casualty exposures for DRT, are part of the DMIP program.
- 10.2 In 2017, the number of negligence claims and accident benefit claims decreased 40 per cent while the severity of the claims increased from an average of \$11,000 to \$18,000 per claim.
- 10.3 For the 2018/2019 policy year, DRT's premium of \$1,305,733 plus applicable taxes has increased 19 per cent from the 2017/2018 premium. This increase is the result of increased exposures resulting from a net increase of 31 vehicles (13 per cent) and DRT's expanded service levels. The rate increase is also due to claims inflation in this historically challenging line of business.

11. Conclusion

- 11.1 For the 2018/2019 renewal period, the overall net cost for the annual DMIP insurance program has increased by 3.4 per cent, excluding the additional claims handling services requested by and funded by the City of Oshawa. In addition, the DMIP continues to benefit from a three year rate stability agreement with the Frank Cowan Company.
- 11.2 DMIP staff continue to address the operational, strategic and corporate risks that affect the Region and the DMIP member municipalities. These efforts help to manage exposures and minimize insurance cost increases providing greater budgetary stability and predictability. Pool members are being provided with the knowledge and tools that they need to manage all key exposure areas. The continued success of these efforts is dependent upon the continued support of each member municipality, including the Region's operating departments.
- 11.3 DMIP is committed to providing comprehensive, value-added insurance, claims management and risk management services to its member municipalities to safeguard their assets and resources.

Respectfully submitted,

Original Signed by M.E. Simpson

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by G.H. Cubitt

G.H. Cubitt, M.S.W.
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-133
Date: June 6, 2018

Subject:

The Issuance of Debentures on Behalf of the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That in the event that a determination is made under subsection 275(1) of the *Municipal Act, 2001*, S.O. 2001 c 25, as amended (the "Act") based on which the Council is prohibited from taking any action described in subsection 275(3) of the Act, at any time after July 27, 2018 being the first day during the election for a new Council and before the new Council takes office following the election (the "Period"), the outgoing Council is authorized to pass a by-law or by-laws to authorize long-term borrowing through one or more issues of debentures in respect of any one or more of the Capital Works, in a total principal amount not to exceed \$27,074,000 on behalf of the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington over the various terms as set out below with such terms not to exceed 20 years and at an average net yield not to exceed 5.00 per cent relating to the financing requirements as indicated below:

	<u>Amount</u> (Not to Exceed)	<u>Term</u> (Not to Exceed)
<u>City of Pickering</u>		
Don Beer Arena – Ice Rink 2 Renovations (Refinancing Debentures)	\$263,000	5 Years
Pickering Recreation Complex Doubles Squash Court and Aerobics Studio (Refinancing Debentures)	833,000	5 Years
Sheppard Avenue, Reinforced Soil System (Refinancing Debentures)	367,000	5 Years
Supply and Delivery of One New Latest Model Year Articulating Front Loader	200,000	5 Years
Supply and Delivery of One Fire Pumper Tanker	750,000	10 Years
Westney Road – Road Reconstruction	300,000	10 Years
Abbott Crescent Stormwater Management Pond - Reconstruction	342,000	15 Years
Conservation Barn Reconstruction at the Pickering Museum Village	850,000	20 Years
Altona Bridge Replacement	<u>488,000</u>	20 Years
Sub Total – City of Pickering	<u>\$4,393,000</u>	
<u>Town of Ajax</u>		
Fire Headquarters (Refinancing Debenture)	\$1,671,000	5 Years
Audley Recreation Centre – Phase 2	<u>12,000,000</u>	15 Years
Sub Total – Town of Ajax	<u>\$13,671,000</u>	
<u>Town of Whitby</u>		
Soccer Dome	<u>\$4,000,000</u>	20 Years
<u>Municipality of Clarington</u>		
Major Parking Lot Rehabilitation	\$2,000,000	15 Years
LED Streetlight Conversion Project	<u>3,010,000</u>	15 Years
Sub Total – Municipality of Clarington	<u>\$5,010,000</u>	
TOTAL DEBENTURE REQUIREMENTS	<u>\$27,074,000</u>	

- B) That in the event that a determination is made under subsection 275(1) of the Act based on which the Council is prohibited from taking any action described in subsection 275 (3) of the Act, at any time during the Period, any one or more of the Regional Chair and the Acting Treasurer are hereby authorized to cause the Debentures to be issued, the Clerk and the Acting Treasurer are hereby individually or jointly authorized to generally do all things and to execute all other documents and papers in the name of The Regional Municipality of Durham in order to carry out the issuance of the Debentures, and the Acting Treasurer is authorized to affix The Regional Municipality of Durham's municipal seal to any such documents and papers.
- C) That authorization be given to issue any of the above debentures, as requested by a lower-tier municipality, as internal debentures on behalf of the lower-tier municipality on the basis that the lower-tier municipality will purchase the internal debenture using reserve funds of the lower-tier municipality;

- D) That the Acting Commissioner of Finance be authorized to amend the proposed terms and conditions of the debenture issue as deemed necessary by the Fiscal Agents in order to successfully market the issue to prospective investors on the basis that the Region may purchase all or part of the debentures;
 - E) That the Region of Durham be authorized to issue the external debentures through CDS Clearing and Depository Services Inc.'s "Book Entry Only" system; and
 - F) Approval be granted for the requisite by-law.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek authority to pass the necessary by-law(s) to authorize the outgoing Council to pass a by-law or by-laws to authorize long-term borrowing through one or more issues of internal or external debentures in respect of all or a portion of the capital works as outlined in this report in the event that a determination is made under subsection 275(1) of the Act based on which the Council is prohibited from taking any action described in subsection 275(3) of the Act.

2. Background

- 2.1 The recommendations to issue debentures by the Region are brought forward at this time in response to requests for funding from the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington related to various capital works. To meet the financing needs of the area municipalities and the Region, it is anticipated that the Region will go to market or issue debentures internally for these debenture requests in the fall of 2018.
- 2.2 This report seeks authority to pass the necessary by-law(s) to authorize the outgoing Council to pass a by-law or by-laws to authorize long-term borrowing through one or more issues of internal or external debentures as outlined in this report in the event that a determination is made under subsection 275 (1) of the Act based on which the Council is prohibited from taking any action described in subsection 275 (3) of the Act.
- 2.3 Long-term municipal debenture yield rates remain relatively favourable compared to historical rates with the prospect of long-term interest rates increasing in the future.

3. Borrowing Requirements of the Lower-tier Municipalities

- 3.1 As outlined in the recommendations above, the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington have identified the following capital works as potentially requiring debenture financing in the fall of 2018 with a collective estimated principal borrowing requirement not to exceed \$27,074,000.

3.2 The final list of capital works requiring debenture financing will be confirmed in advance of the debenture issue and may not include all the capital works identified in this report. In addition, the final determination of whether the debentures will be internal or external debentures or a combination thereof will be determined closer to the issuance. The Regional Municipality of Durham will reserve the right to purchase all or part of the debentures.

3.3 City of Pickering

The City of Pickering has requested that the Region issue debentures on its behalf for any combination of the following projects not to exceed \$4,393,000 as outlined below:

Capital Projects	Amount (Not to Exceed)	Term (Not to Exceed)
Don Beer Arena – Ice Rink 2 Renovations (Refinancing Debentures)	\$263,000	5 Years
Pickering Recreation Complex Doubles Squash Court and Aerobics Studio (Refinancing Debentures)	833,000	5 Years
Sheppard Avenue, Reinforced Soil System (Refinancing Debentures)	367,000	5 Years
Supply and Delivery of One New Latest Model Year Articulating Front Loader	200,000	5 Years
Supply and Delivery of One Fire Pumper Tanker	750,000	10 Years
Westney Road – Road Reconstruction	300,000	10 Years
Abbott Crescent Stormwater Management Pond - Reconstruction	342,000	15 Years
Conservation Barn Reconstruction at the Pickering Museum Village	850,000	20 Years
Altona Bridge Replacement	488,000	20 Years
Total	<u>\$4,393,000</u>	

3.4 Town of Ajax

The Town of Ajax has requested that the Region issue debentures on its behalf for any combination of the following projects not to exceed \$13,671,000 as indicated below:

Capital Projects	Amount (Not to Exceed)	Term (Not to Exceed)
Fire Headquarters (Refinancing Debenture)	\$1,671,000	5 Years
Audley Recreation Centre – Phase 2	12,000,000	15 Years
Total	<u>\$13,671,000</u>	

3.5 Town of Whitby

The Town of Whitby has requested that the Region issue debentures on its behalf for the following project not to exceed \$4,000,000 as indicated below:

Capital Projects	Amount (Not to Exceed)	Term (Not to Exceed)
Soccer Dome	<u>\$4,000,000</u>	20 Years

3.6 Municipality of Clarington

The Municipality of Clarington has requested that the Region issue debentures on its behalf for any combination of the following projects not to exceed \$5,010,000 as indicated below:

Capital Projects	Amount (Not to Exceed)	Term (Not to Exceed)
Major Parking Lot Rehabilitation	\$2,000,000	15 Years
LED Streetlight Conversion Project	3,010,000	15 Years
Total	<u>\$5,010,000</u>	

4. External Services Required

4.1 The following external services are essential to complete an external debenture transaction:

4.2 Fiscal Agents:

- A) Over the past 30 years, RBC Dominion Securities Inc. and CIBC World Markets Inc. have acted as the Region's Fiscal Agents ("Fiscal Agents"). In this role, the Fiscal Agents have provided advice to Regional staff on an on-going basis and have successfully marketed the Region's debenture issues.
- B) Based on the Region's past practice of rotating the lead manager between the two agents, RBC Dominion Securities Inc. will act in this role for the external debenture issue.

4.3 Fiscal Solicitor:

- A) WeirFoulds LLP will provide legal advice for the debenture issue as the Fiscal Solicitor and will authenticate the debentures.
- B) WeirFoulds LLP has a sound reputation in providing fiscal solicitor services in respect of debentures issued by all of the GTA Regions.

4.4 CDS Clearing and Depository Services Inc.:

- A) CDS Clearing and Depository Services Inc. (CDS) is owned by TMX Group Inc. and has processed previous external debenture issues for the Region through its "Book Entry Only" (BEO) system, providing electronic records for the debenture issues. This means physical definitive debenture certificates issued to debenture holders are not required to market the external issue.

5. Annual Repayment Limits

- 5.1 In accordance with Section 4 of the Ontario Regulation 403/02 (Debt and Financial Obligation Limits Regulation), the Acting Regional Treasurer and the Fiscal Solicitor will ensure that the Long-Term Debt/Financial Obligation limits for the City of Pickering, the Town of Ajax, the Town of Whitby and the Municipality of Clarington were calculated and were not exceeded by the approval of the capital works which are to be financed through the issuance of the proposed debentures. They will confirm that approval by the Local Planning Appeal Tribunal was not required for the financing of these projects through the debenture issue(s) described in this report.

6. Conclusion

- 6.1 The recommendations contained in this report effectively authorize the current Council, Regional Chair, and the Acting Treasurer to cause the debentures described in this report to be issued in the event that a determination is made under subsection 275 (1) of the Act based on which the Council is prohibited from taking any action described in subsection 275 (3) of the Act, at any time during the Period.
- 6.2 Staff will seek the advice of the Fiscal Agents regarding the most opportune time to issue debentures and will advise the Committee of the Whole and Regional Council of the final terms and conditions of the debentures.

Respectfully submitted,

Original Signed by M.E. Simpson

M. E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by G.H. Cubitt

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: #2018-COW-134
Date: June 6, 2018

Subject:

VON Durham Community Corporation and Durham Hospice Request for Funding

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the funding request from VON Durham Community Corporation for the construction of a ten bed hospice in the Town of Whitby be approved at a maximum of \$569,250 in accordance with the established funding guidelines, with the required financing to be provided from the Region's Hospital Reserve Fund, and further, that funds be released to the VON Durham Community Corporation at the discretion of the Acting Commissioner of Finance for the approved capital project subject to the accountability of final capital costs reported upon completion; and
 - B) That the funding request from Durham Hospice for the construction of a five bed hospice in the Municipality of Clarington be approved at a maximum of \$265,650 in accordance with the established funding guidelines, with the required financing to be provided from the Region's Hospital Reserve Fund, and further, that funds be released to Durham Hospice at the discretion of the Acting Commissioner of Finance for the approved capital project subject to the accountability of final capital costs reported upon completion.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to respond to the May 18, 2018 detailed funding request from Durham Region Hospice, a partnership between VON Durham Community Corporation and Durham Hospice, for the construction of a ten bed hospice in the Town of Whitby and five bed hospice in the Municipality of Clarington.

2. Request for Funding from VON Durham Community Corporation and Durham Hospice

- 2.1 On May 18, 2018 Christine Raynor, Chair of VON Durham Community Corporation and Melodie Zarzeczny, Chair of Durham Hospice submitted a joint letter to the Regional Chair to seek Regional Council support and funding for the construction of a ten bed hospice in the Town of Whitby and a five bed hospice in the Municipality of Clarington (Attachment #1).
- 2.2 A residential hospice is a health care facility and registered charity that provides palliative care services by an inter-disciplinary team twenty-four hours a day, seven days a week in a home-like setting for an individual, at no cost to the user.
- 2.3 The Central East Local Health Integration Network's (CE LHIN) Hospice Strategy has identified the need for 33 residential hospice beds in Durham. It is the goal of the CE LHIN to have 20 residential hospice beds operational in Durham Region by March 31, 2019.
- 2.4 VON Durham Community Corporation received provincial approval for the construction of an 18,000 square foot ten bed residential hospice in the Town of Whitby. The total estimated capital cost of the project including design, engineering, construction, furniture, fixtures and equipment (FF&E), and contingency allowance is \$7,590,000 (Table 1). The province has committed \$2.0 million in funding for this capital project with \$5,590,000 to be funded in the community.
- 2.5 Durham Hospice received provincial approval for the construction of a 7,600 square foot five bed residential hospice in the Municipality of Clarington. The total estimated capital cost of the project including design, engineering, construction, FFE, and contingency allowance is \$3,542,000 (Table 1). The province has committed \$1.0 million in funding for this capital project with \$2,542,000 to be funded in the community.

Table 1
Capital Budget

	VON Durham Community Corporation (Whitby) \$	Hospice Durham (Clarington) \$
Construction Cost (\$300/sq.ft)	5,400,000	2,280,000
Furnishings, Fixtures and Equipment	800,000	400,000
Permits, Development Fees, Design Costs	400,000	400,000
15% Contingency	990,000	462,000
Total Capital Budget	7,590,000	3,542,000

3. Background on Region's Funding of Hospital Projects

- 3.1 Through the previous funding of hospital projects, Regional Council has established a precedent for a set of guidelines or conditions upon which future requests for hospital funding would be considered by the Region. These general guidelines included:
- A) The need for provincial project approval;
 - B) The commitment of at least 70 per cent provincial funding;
 - C) The necessity of financing including donations raised from the community;
 - D) Region's contribution representing 25 per cent of the community component (7.5 per cent of the total costs assuming 70 per cent provincial funding); and
 - E) Proof of project benefits to residents of the entire Region.
- 3.2 As part of the 2018 Region of Durham Business Plans and Budgets, Regional Council approved Oak Ridges Hospice of Durham Ltd.'s request for up to a maximum of \$350,000 in capital funding for the construction of a residential hospice facility in Port Perry.
- 3.3 The VON Durham Community Corporation residential hospice and the Durham Hospice residential hospice meet the general guidelines listed above with the exception of receiving approximately 27 per cent provincial funding. Consistent with the Region's contribution to the Oak Ridges Hospice of Durham Ltd., it is recommended that the Region contribute 7.5 per cent of the total capital construction costs.

4. Financial Implications

- 4.1 VON Durham Community Corporation has indicated that the total estimated capital budget for the ten bed residential hospice in the Town of Whitby including design, engineering, construction, FF&E and contingency allowance is \$7,590,000 million, of which the province to date has committed \$2.0 million in funding, with \$5,590,000 million to be raised in the community.
- 4.2 Durham Hospice has indicated that the total estimated capital budget for the five bed residential hospice in Municipality of Clarington including design, engineering, construction, FF&E, and contingency allowance is \$3,542,000 million, of which the province to date has committed \$1.0 million in funding, with \$2,542,000 million to be raised in the community.
- 4.3 Durham Region Hospice launched a \$15 million capital campaign in late February 2018. To date Durham Region Hospice has secured more than \$500,000 towards their goal.
- 4.4 Applying the Region's funding model of up to 7.5 per cent of the total capital costs, the contribution to VON Durham Community Corporation would be \$569,250 for their ten bed hospice in the Town of Whitby. The contribution to Durham Hospice would be \$265,650 for their five bed hospice in the Municipality of Clarington.

4.5 Funding is available in the Region's Hospital Reserve Fund for these two contributions. Consistent with previous contributions under the hospital funding program, and the contribution to the Oak Ridges Hospice of Durham Ltd., the funds will be released to VON Durham Community Corporation and Durham Hospice at the discretion of the Acting Commissioner of Finance subject to the accountability of final capital costs reported upon completion and in accordance with the Region's established funding guideline.

5. Conclusion

5.1 VON Durham Community Corporation has requested funding for the construction of an 18,000 square foot ten bed residential hospice in the Town of Whitby. The province has committed \$2.0 million towards the \$7,590,000 capital project budget, with \$5,590,000 to be raised in the community.

5.2 Durham Hospice has requested funding for the construction of a 7,600 square foot five bed residential hospice in the Municipality of Clarington. The province has committed \$1.0 million towards the \$3,542,000 capital project budget, with \$2,542,000 to be raised in the community.

5.3 Consistent with the Region's funding of hospital projects and Regional Council's approval of the request for funding from the Oak Ridges Hospice of Durham Ltd. for the construction of a residential hospice in the Township of Scugog, it is recommended that the Region fund 7.5 per cent of the total eligible capital costs for the two hospice projects to a maximum of \$569,250 for VON Durham Community Corporation and a maximum of \$265,650 for Durham Hospice, subject to the accountability of final capital costs. Funding is available in the Region's Hospital Reserve Fund for these two contributions.

Respectfully submitted,

Original Signed by M.E. Simpson

M. E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by G.H. Cubitt

G.H. Cubitt, MSW
Chief Administrative Officer



May 18, 2018

Ms. Gerri-Lynn O'Connor
Regional Chair
Durham Regional Headquarters
605 Rossland Rd. E
Whitby, ON L1N 6A3

Dear Ms. O'Connor and Members of Council,

According to the Regional Municipality of Durham's website, Durham Region is one of the fastest growing regions in the world with a 6.2% increase in population since 2011. As of 2016, 673,000 residents were living in the region with that number expected to increase to 1.2 million by 2041. Despite this significant growth, in combination with an advancing aging population (177,678 residents aged 55 and older in Durham Region – 24% of the population, with the number expected to increase to 34% by 2031), Durham Region is one of the only areas in Ontario of its size without a fully operational residential hospice care centre for individuals with a palliative diagnosis. Residential hospice provides comfort, care, and compassion at the end of life in a home-like setting. Governments around the world, including in Ontario, are recognizing the value of providing quality end-of-life care as part of the continuum of health care services.

In addition to the above, according to Hospice Palliative Care Ontario, 100,000 deaths are expected in Ontario annually, 4,044 of which are expected to occur in Durham Region (per Ontario Palliative Care Network). Of these, approximately 95% will not require specialized health-care services that are delivered in a hospital setting. Instead, these deaths could be handled more comfortably, more compassionately and less expensively in a residential hospice setting.

Based on the demographics of our region, there will be an estimated demand for 33 residential hospice beds in Durham by 2018/2019. According to the Central East LHIN's Residential Hospice Strategy, it is their aim to have 20 hospice beds operational in Durham Region by March 2019.

In order to support the construction of two new residential hospices in the south part of Durham Region, Durham Region Hospice is a partnership that formed between Durham Hospice and VON Durham Community Corporation. Residential hospice is a health care facility with a home-like environment that provides end-of-life care to patients, at no cost to them or their loved ones. Compassionate care and comfort is delivered 24 hours a day, 7 days a week by a highly qualified team of health professionals skilled in all aspects of palliative care and assisted by a team of experienced and passionate volunteer staff. Hospice care includes pain management as well as emotional, spiritual and social support, not only for the patients, but also for their families and loved ones. The tranquil setting offers an alternative to dying in a hospital or at home.

In alignment with the Central East LHIN's strategy, Durham Region Hospice has secured provincial approval for one five-bed and one 10-bed residential hospice, to be located in Clarington and Whitby respectively. The land for both the Clarington and Whitby locations have been secured – both donated by the respective municipalities.

Durham Region Hospice has embarked on a \$15 million capital campaign that will seek the support of individuals, services, local business and corporations as well as the community at large. Once certain milestones are met, the Provincial Government will contribute \$3,000,000 to the campaign. The balance must be raised in the community. To date, our campaign which launched in late February, has already secured more than \$500,000 towards our goal.



Our residential hospices will be based on the Standards for Community Residential Hospices developed by Hospice Palliative Care Ontario (HPCO). The operation of the facilities will be modelled after best practices established by many of the residential hospices currently serving other communities in Ontario.

Durham Region Hospice will strive to provide palliative patients and their families with seamless access to care by establishing partnerships and relationships with other community healthcare organizations including the Lakeridge Health Network, the Central East Home and Community Care, primary care physicians, Family Health Teams, Oak Ridges Hospice and Hearth Place. Both Saint Elizabeth and VON, award winning healthcare organizations with a special focus on palliative care initiatives, are eager to be key partners in residential hospice in Durham Region.

The financial support of local government has played a significant role in the success of many other residential hospice projects in Ontario. Continuous improvement to our region's health care services is a key factor in making Durham Region an attractive place to live and at the same time enhances our economic development. We recognize that Durham Region already has an impressive history of supporting Healthcare and Education facilities in our community such as Lakeridge Health, Oak Ridges Hospice, Grandview Children's Centre, Durham College and UOIT. It is our hope that the Region will partner with our organizations in a similar manner.

We are appreciative of the interest that the Region has shown for this worthwhile initiative and respectfully request that funding for our project in the amount of \$1,125,000.00 (\$750,000 for Whitby, \$375,000 for Clarington) over a 3 year period be considered to ensure that this endeavour becomes a reality for the residents of Durham Region, in a timely manner.

We have requested to appear as a delegation to Durham Region Committee of the Whole on Wednesday, June 6, 2018 in support of this correspondence. Should you require further information on our projects, please direct your inquiries to our campaign senior advisor, Donna McFarlane, either by phone at 905-240-4522 ext. 243, cell 905-767-1390 or by email at info@durhamregionhospice.ca.

Sincerely,

Christine Raynor
Chair
VON Durham Community Corporation

Melodie Zarieczny
Chair
Durham Hospice

cc. Garry Cubitt, Chief Administrative Office
Mary Simpson, Director of Financial Planning and Purchasing



Capital Campaign Target		
\$15,000,000	\$10,000,000	\$5,000,000
Expense Type - Capital	Whitby (10 beds + Ancillary Spaces)	Clarington (5 beds)
Construction Cost (@\$300/sq.ft)	\$5,400,000 (18,000 sq.ft)	\$2,280,000 (7,600 sq.ft)
Furnishings, fixtures & equipment	\$800,000	\$400,000
Permits, Development Fees, Design Costs	\$400,000	\$400,000
15% Contingency	\$1,245,000	\$642,000
Sub-total Capital	\$7,830,000	\$3,722,000
Other Costs		
Capital Campaign Cost (2 years)	\$200,000	\$200,000
Initial Operating Costs (2 years)	\$1,500,000	\$1,000,000
Sub-total Other	\$1,700,000	\$1,200,000
Total Estimated Costs	\$9,545,000	\$4,922,000
Funding Sources		
Ministry of Health & Long Term Care	\$2,000,000	\$1,000,000
Minimum Fund Raising	\$7,530,000	\$3,907,000



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Corporate Services
Report: #2018-COW-103
Date: June 6, 2018

Subject:

Electronic Voting in Council and Committee of the Whole

Recommendations:

The Committee of the Whole recommends to Regional Council:

- A) That Council approve the use of electronic voting only for the purposes of a recorded vote, at meetings held in the Regional Council Chambers;
- B) That Council choose one of the following two options for the display of the votes:
 - i) Votes are displayed as they are cast; or
 - ii) Votes are displayed once voting has closed;
- C) That Council choose one of the following two options for the timing of the votes:
 - i) Votes must be cast during a pre-set time limit, which will be adjusted at the direction of the Regional Chair as experience is gained; or
 - ii) Votes may be cast until the Chair calls for the close of voting and the Clerk manually stops the vote;
- D) That the Regional Clerk, or designate, be authorized to take any administrative and operational steps necessary to implement the use of electronic voting;
- E) That the Procedural By-law be updated accordingly; and
- F) That staff continue to investigate the potential for a Request to Speak function and bring back a further report in this regard.

Report:**1. Purpose**

- 1.1 The purpose of this report is to seek approval for the use of electronic voting technology in the Council Chambers and the options to be used to operationalize the service. A follow-up report on the options for adding a Request to Speak function will be provided at a later date.

2. Background

- 2.1 A number of discussions have taken place with respect to electronic voting and various reports have been prepared in this regard. At the December 7, 2016 Committee of the Whole meeting, a resolution was passed that staff provide a report outlining the details of an electronic voting (e-voting) system process and report back to the February 2, 2017 Committee of the Whole meeting.
- 2.2 At the February 2, 2017 Committee of the Whole meeting, Report #2017-COW-21 with respect to Electronic Voting was considered and staff was asked to provide a supplemental report providing clarification and recommendations for electronic voting, in conjunction with the concluding reports on the e-agenda system and any legislated requirements or limitations resulting from the finalization of Bill 68. Report #2017-COW-21 is included as Attachment #1 to this report for your reference.
- 2.3 On December 13, 2017, Regional Council considered Report #2017-COW-289 with respect to Recommended Actions Related to: Bill 68 – Modernizing Ontario’s Municipal Legislation Act. There were no recommendations made in Bill 68 that would impact e-voting.
- 2.4 Report #2018-INFO-36 regarding Automating Legislative Process Elements (E-Agenda) was included in the March 2, 2018 Council Information Package and was pulled for inclusion on the April 4, 2018 Committee of the Whole meeting agenda. The report announced implementation of integrated pdf agenda documents and noted that a further report on e-voting would be forthcoming. As an e-agenda software program was not purchased, the option to integrate the agenda with the e-voting system is not available.

3. E-Voting Current Status

- 3.1 As noted in a previous report, funds were made available in the 2017 budget for the e-voting initiative and Corporate Services – Legislative Services and IT divisions have been working closely together to move this project forward. Training and testing of the system has commenced and is expected to continue throughout the summer, along with software upgrades, with the hopes of having a fully operational system by September 2018.

- 3.2 The system will allow for voting with the use of key cards. Each member of Council would be assigned a card that must be inserted in the slot located on their microphone panel in order to allow them to vote. If the card is not inserted, the member would be shown as absent for the vote. It will be critically important for members of Council to remember to insert their card when they are in their seats and remove their cards should they leave their seats for any reason. Alternate members of Council would be assigned their own key cards which they would use during the meetings that they are attending.
- 3.3 Once a recorded vote is requested, the Clerk will start the electronic voting process and members of Council who have inserted their cards will use the buttons on their microphone panel to either select “yes”, “no” or “conflict”.
- 3.4 Votes will be displayed with the name, voting selection and pass/fail results.
- 3.5 The system will also allow for a print-out of the vote results for each vote which the Regional Clerk will retain and use for the development of the meeting minutes. The printed report will note the names of the Councillors and whether their vote was a yes or no, or conflict or they were absent during the vote (key card not inserted).
- 3.6 The system currently has a rudimentary Request to Speak function in which Members of Council may use a button on their console to add their name to a list of speakers which can be displayed on the monitors and overhead screens in the Council Chambers. An effective Request to Speak function is much more complex than the system currently available. If it is Council’s wish, staff will continue to investigate this possibility and will report back once further details become available. The Request to Speak function will require additional work and incur additional costs which are not quantified.

4. E-Voting Options

- 4.1 A number of considerations with respect to e-voting were outlined in Report #2017-COW-21 (Attachment #1).
- 4.2 The implementation of E-Voting does not mean that every Council decision requires an electronic vote. It is being recommended that the e-voting process mirror the current voting process as closely as possible by allowing only for e-voting during recorded votes in Council Chambers, which would include Council and Committee of the Whole meetings.
- 4.3 Votes may be displayed as they are cast, which would most closely mimic the current recorded vote process in which each vote is announced while it is being cast. The system may also be configured to allow for votes to only be shown once the voting period has closed.

4.4 The e-voting system can be configured to allow for a pre-set time limit for recorded votes, likely 30 seconds, with a countdown timer that would appear as the vote is being conducted. Members of Council would be able to submit/change their vote at any time during the 30 second window; votes are final and cannot be changed in the system once the timer stops. Another option is for the Clerk to control the length of time for each recorded vote by manually stopping the process once all members present have voted.

5. Next Steps

- 5.1 Further exploration will be done on the Request to Speak function and a report will be brought back in this regard.
- 5.2 The Procedural By-law will be updated and brought back to Council for approval at a later date.
- 5.3 Testing and training on the e-voting system will continue over the summer recess with the hopes of having a fully operational system by September 2018.
- 5.4 Should e-voting be implemented, Council will be provided with an orientation on its use.

6. Attachments

Attachment #1: Report #2017-COW-21 Electronic Voting

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2095



The Regional Municipality of Durham Report

From: Commissioner of Corporate Services
 Report: #2017-COW-21
 Date: February 1, 2017

Subject:

Electronic Voting

Recommendations:

In the event that Regional Council decides to implement electronic voting, the Committee of the Whole recommends to Regional Council:

- A) That the Commissioner of Corporate Services be authorized to implement unbudgeted electronic upgrades to the Regional Council Chambers for electronic voting at a cost not to exceed \$16,000, before tax;
 - B) That the Rules of Procedure By-law be amended in order to permit electronic voting to be utilized, when requested, at meetings held in the Regional Council Chambers;
 - C) That the Rules of Procedure By-law be amended such that electronic voting is used only for the purposes of a recorded vote, at meetings held in the Regional Council Chambers;
 - D) That the Commissioner of Corporate Services, or designate, be authorized take any administrative and operational steps necessary to implement the use of electronic voting; and
 - E) That funding for the unbudgeted services and equipment be provided at the discretion of the Commissioner of Finance.
-

Report:

1. Purpose

- 1.1 At its December 7, 2016 Committee of the Whole meeting, the following resolution was passed:

“That the memorandum from M. Gaskell, Commissioner of Corporate Services regarding Electronic Voting in the Council Chambers be referred to staff to provide a report outlining the details of an electronic voting system process and to report back to the February 2017 Committee of the Whole meeting.”

This report responds to Committee's direction, as well as to the issues raised during the meeting.

2. Electronic Voting Process

- 2.1 The *Municipal Act, 2001* provides that every member of a municipal council shall have one vote. It is the responsibility of the clerk of every municipality to record the decisions of Council. It is the responsibility of the clerk of a municipality “if required by any member present at a vote, to record the name and vote of every member voting on any matter or question.” Currently, the Regional Clerk records the results of every vote within Committee or Council, recorded or otherwise, manually. For recorded votes, the Clerk records the name and vote of every member of Council on the question.
- 2.2 “Electronic voting” as discussed herein, is the practice of utilizing electronic voting technology for the purpose of recording the vote of each member of Regional Council. In other words, electronic voting is merely a change in the process of a member of Regional Council communicating their vote for or against a question, and the manner in which the Regional Clerk records the outcome of the vote in Committee or Council.
- 2.3 The upgrades to the current voting system presently in the Regional Council Chambers, as referenced in the memorandum of the Commissioner of Corporate Services dated November 10, 2016 (attached as Appendix “A”), would facilitate the ability for electronic voting to be undertaken in Council Chambers under the control of the Regional Clerk. It would enable members of Regional Council to log into the electronic voting system through the use of a unique identifying access card. Members would be able to vote on a question by pushing a button located on the desk in front of them and would be permitted to vote “Yes”, “No” or “Recuse”. “Recuse” would be taken to mean that a member chose not to vote because they had declared an interest under the *Municipal Conflict of Interest Act*.
- 2.4 Electronic voting should be distinguished from the concept of a “recorded vote” pursuant to s. 246 of the *Municipal Act, 2001* which provides that:
- “246. (1)** *If a member present at a meeting at the time of a vote requests immediately before or after 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 his or her vote openly and the clerk shall record each vote.*
- 2.5 A decision to install the upgrades in order to implement electronic voting technology in Regional Council Chambers does nothing more than implement the possibility of a vote being recorded electronically.

- 2.6 Should Regional Council choose to authorize the investment to upgrade the voting equipment within Regional Council Chambers then decisions would need to be made as to how, and when, it would be utilized. A review of the practices of those municipalities which have the capability for electronic voting indicates that two approaches exist. The first approach is to utilize electronic voting for all votes in a meeting. The second, and more common, approach is for electronic voting to be utilized for recorded votes only.

3. Analysis and Options

Mandatory or Permissive?

- 3.1 Regardless of what approach is implemented, any amendments to the Rules of Procedure By-law would need to provide for electronic voting to be permissive rather than mandatory.
- 3.2 The proposed upgrades are for the Regional Council Chambers only. As the Committee of the Whole (“COW”) format is a pilot project of Council, the possibility exists that the Standing Committee format could resume at some point in time in the future. In that event, committee meetings would resume being scheduled within one or more of the committee meeting rooms. The technical capacity for electronic voting within committee meeting rooms is not within the scope of the upgrades referenced within this Report. As such, any amendments to the Procedural By-law to permit electronic voting will need to ensure that its usage is optional, and that the option exists to continue to vote utilizing the current manual process.

Scope of Usage of Electronic Voting

- 3.3 Should Council choose to authorize the investment of the electronic voting upgrades in the Regional Council Chambers, then it is the recommendation of staff that it be utilized, at least initially, only for the purposes of recorded votes.
- 3.4 Section 246 of the *Municipal Act, 2001* requires the Clerk to record the name and vote of every Member when a recorded vote is requested during a meeting. Meeting minutes include those results for every recorded vote taken during a meeting. Very few municipalities require a recorded vote for every non-procedural motion considered during a meeting, particularly with larger Councils (Toronto, London and Guelph record votes for all matters).
- 3.5 Currently, the average length of time to conduct a recorded vote is between 75 seconds and 90 seconds, compared to approximately 10 seconds for the Chair to call for and declare the outcome of a vote on a motion by a show of hands. In most cases recorded votes are reserved for significant or contentious matters. In 2016 Regional Council conducted 40 recorded votes, and in 2015 there were 35 recorded votes. When recorded votes are utilized for significant or contentious matters, these important issues stand out and are not lost among the other items in the minutes.

- 3.6 It is believed that the use of an electronic vote for every non-procedural motion considered at a meeting would increase the length of a meeting. It is estimated that an electronic vote would take between 15 and 30 seconds to process from the time that the Chair calls for the vote to the time the results are declared. This estimate has been formulated extrapolating from the time required in several other municipalities using electronic voting and factoring in the increased size of Regional Council. As such, the process of using an electronic vote for every vote may result in longer meetings.
- 3.7 If Regional Council is interested in investing further in the functionality of electronic voting, then it is recommended the Procedural By-law be amended so that an electronic vote would only be used when a recorded vote is requested. This would take the place of a recorded vote done through a roll call by the Clerk of the members present. Councillors would not be required to stand and declare their vote, they would simply press the appropriate button and the results would be printed and declared by the Clerk and then displayed on the screen in front of them and on the television screen for the webcast. A decision could be made to display the vote on the projection screens for the members of the public in the audience if desired.
- 3.8 In discussions with the Clerks from Mississauga, Guelph and London, we have been advised that the length of time required to conduct a vote electronically, once the system is up and running, is relatively short based upon their current systems and size of Council. However, each municipality uses different approaches for integrating these votes into the minutes after the meeting. In each instance as much, if not more, staff time is required as under our current system in order to build the minutes with the results of the electronic votes. For example, some Municipal Clerks prepopulate the minutes with motions for each report and agenda item prior to the meetings. These are then utilized during the meeting for the purposes of the votes. Of course, should motions get developed on the floor, which is often the case, sufficient time is required for staff to input the motions and ensure their accuracy prior to voting.
- 3.9 Other Municipal Clerks take the results of the electronic votes and have staff go back and correlate them to the items in the agenda and then transpose those results into the minutes manually. Only the City of London had an electronic voting system which was fully integrated with its electronic agenda such that the results were automatically input into the minutes as they were being prepared. In London's case, each Councillor has a computer in front of them which is linked into the system, and they display the individual votes of each Councillor for each vote. The system that the City of London was using however is no longer available and they advised that they anticipate moving to a new electronic agenda and voting system through an RFP process this year.

- 3.10 The City of Guelph also utilizes an electronic voting system. Again I have been advised that the time involved in conducting a vote in Guelph is relatively short. However, unlike in London, the staff of the Guelph Clerks Department has to retrieve the recorded votes, and go through the minutes and manually input the information as to the outcome and how everyone voted.
- 3.11 As a result of our review, the options available to Council appear to be as follows:
- A) Maintain status quo of manually recording votes;
 - B) Upgrade the electronic voting system in the Council Chambers and utilize it for COW and Council meetings for recorded votes only;
 - C) Upgrade the electronic voting system in the Council Chambers and utilize it for COW and Council meetings for all votes;
 - D) Wait for the conclusion of the e-agenda project and then revisit the issue to review the cost and ability of the Region to integrate electronic voting into the e-agenda system.
- 3.12 In order to provide Committee with the option of utilizing electronic voting for Committee or Council, amendments to the Procedure By-law will be required to permit the use of an electronic vote. A report will be brought back to Committee of the Whole and Council seeking approval of the required amendments in the event that Council chooses to proceed.
- 3.13 At this point in time, the proposals contained within Bill 68 regarding alternates for members of upper tier Councils could have an implication for the implementation of an electronic voting system. Further review of the final wording of Bill 68, if proclaimed, would need to be undertaken in order to determine how it would impact a card based electronic voting system.

4. Conclusion

- 4.1 Based upon our review, staff are not in a position to make a recommendation regarding whether to make the investments required at this time to implement electronic voting. Given that the electronic agenda management system contract is delayed due to the cancellation of the contract with Accela Ltd., it may be premature to consider making these investments until such time as an electronic agenda solution is chosen and implemented. Based upon our research, electronic voting is most efficient when integrated fully with an electronic agenda management system.
- 4.2 Should Council decide to authorize the investment in the Council Chambers in order to implement electronic voting, then it is staff's recommendation that electronic voting be utilized only for the purposes of recorded votes, and the Procedural By-law be amended accordingly.

5. Attachments

Attachment #1: Memorandum to Regional Chair Anderson and Members of Council from M. Gaskell dated November 10, 2017

Respectfully submitted,

Original signed by

M. Gaskell
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

If this information is required in accessible format please call 905-668-7711 Ext 2095



Interoffice Memorandum

Date: November 10, 2016

To: Regional Chair Anderson and Members of Council

From: M. Gaskell, Commissioner of Corporate Services

Subject: Electronic Voting in the Council Chambers

Corporate
Services –
Legislative
Services

At the May 18, 2016 meeting of Regional Council, staff were requested to investigate and report back on the logistics and costs to implement electronic voting in the Council Chambers.

Electronic voting can be activated on our current system based on upgrades completed in 2013. However, additional programming has been requested to include additional administrative and operational features requested by Legislative Services, and enabling their management of the system. The upper estimated cost is \$15,877 before tax to complete specialized AV system programming and engineering. It would take approximately one month to get the system operational and fully tested if Council desires this to be done.

In order for the system to be activated to record a vote, Members of Council would be required to utilize a special access card to activate and record their vote. The following functional requirements of the system were requested:

- System will be activated for the vote by the Regional Clerk and not through the AV booth
- Ability for each member to vote Yes or no
- If a member is absent, including absent for the vote, the system shall record the member as not voting
- Voting results shall be displayed on the projection screen
- An identifying agenda number will be displayed with the voting results, in order for Legislative Services to have an audit trail.

A number of comparator municipalities were contacted to determine if electronic voting is utilized for all motions, including procedural motions and if electronic voting is utilized at Standing Committee/Committee of the Whole or Council. Attached is a summary of the comments received to date.

Along with the ability to add electronic voting, the upgraded system also allows for the ability to implement an electronic speakers list, providing Members of Council with the ability to push a button when they wish to speak and for the list to be clearly displayed for the Regional Chair to follow.

The above is provided for your information at this time.

Original signed by

Matthew Gaskell
Commissioner of Corporate Services

Attachment #1 – Survey of Comparator Municipalities

Attachment #1

Questions Regarding Electronic Voting

The two questions asked on electronic voting are:

Question 1: Do you utilize electronic voting in Council Chambers?

Question 2: Do you have electronic voting on all motions?

CLERK/MUNICIPALITY	Q1-Yes/No	Q2-Yes/No	Comments
Barrie-Dawn McAlpine	No	No	None
Chatham-Kent-Judy Smith	Yes	No	None
Guelph-Stephen O'Brien	Yes	Yes	They vote on all motions except routine procedural matters (like adjournment). Do not record in Closed unless asked (as per the Act)
Halton-Karyn Bennett	No	No	None
Hamilton-Rose Caterini	No	No	None
Kingston-J. Bolognone	Yes	Yes	None
London-Cathy Saunders	Yes	Yes	None
Mississauga-Crystal Greer	Yes	Yes	As of January 2017
Muskoka-Debbie Crowder	No	No	None
Niagara Region-Ralph Walton	Yes	No	RV-as requested-manually
Ottawa-Rick O'Connor	No	Yes	eAgenda for Electronic Voting but do not use it
Peel Region-Kathryn Lockyer	No	No	Electronic voting system, but do not use it.
Sudbury-Caroline Hallsworth	No	No	No Electronic system
Thunder Bay-John Hannam	No	No	None
Vaughan- Jeff Abrams	Yes	No	Just at Council, upon request
Waterloo-Kris Fletcher	Yes	No	None
Windsor-Valerie Critchley	No	No	None



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Corporate Services
Report: #2018-COW-104
Date: June 6, 2018

Subject:

Community Member Appointment to the Durham Regional Police Services Board

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the following process for the appointment of a new community member to the Durham Regional Police Services Board be adopted, which includes
 - i) Corporate Services –Legislative Services placing advertisements for interested community members in the local newspaper(s);
 - ii) The review of all applicants by a Selection Committee comprised of the Regional Chair and the Chairs of the Standing Committees, or Vice-Chair in the absence of the Standing Committee Chair, as selected on December 5, 2018 at the first meeting of Council;
 - iii) Interviews of qualified applicants by the Selection Committee; and
 - iv) A recommendation by the Selection Committee for the consideration of Regional Council in early 2019;
 - B) That the Corporate Services – Legislative Services division be authorized to take all administrative steps necessary to give effect to this process; and
 - C) That the term of appointment for the current community member on the Durham Regional Police Services Board be extended to no later than the date that a new community member is appointed by Regional Council.
-

Report:**1. Purpose**

1.1 The first purpose of this report is to respond to questions raised at the May 2, 2018 Committee of the Whole meeting regarding appointments to the Durham Regional Police Services Board. More specifically the questions were posed as follows:

- When Bill 175 is expected to be proclaimed into force?
 - See Section 2.1
- What causes a sitting member of the Board appointed by Regional Council to be ineligible to sit on the Durham Regional Police Services Board?
 - See Section 4.4 for Bill 175 criteria and Section 5.3 for current criteria
- What constitutes a qualified applicant?
 - See Section 4.4 for Bill 175 criteria and Section 5.3 for current criteria
- Whether police background checks are requested from applicants as part of the Region's selection process?
 - See Section 5.1 for current Regional process
- Required training for Board members under Bill 175 and if this would be provided at the Region's expense?
 - See Sections 4.6 and 4.7 for details on Bill 175 training requirements and Section 5.5 for current training requirements

1.2 The second purpose of this report is to make recommendations to initiate the process for the selection of a community member for appointment to the Durham Regional Police Services Board by Regional Council for the next term. It should be noted that Committee of the Whole amended recommendation A) ii) with the addition of the following "or Vice-Chair in the absence of the Standing Committee Chair", so that is now reads:

- "ii) The review of all applicants by a Selection Committee comprised of the Regional Chair and the Chairs of the Standing Committees, or Vice-Chair in the absence of the Standing Committee Chair, as selected on December 5, 2018 at the first meeting of Council;"

2. Discussion

- 2.1 On March 8, 2018, Bill 175, the Safer Ontario Act, 2018, received Royal Assent. The Bill repeals and replaces the Police Services Act, 1990, with the Police Services Act, 2018, amends the Coroners Act, and creates a new Missing Persons Act and Forensics Laboratories Act. **The Provisions related to Municipal Police Service Boards, Appointment of Police Service Board Members and Municipal Diversity Plans will come into force on January 1, 2020.**

3. Durham Regional Police Services Board

- 3.1 The Durham Regional Police Services Board is a seven member board made up of the following:
- a) the head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council;
 - b) two members of the council appointed by resolution of the council;
 - c) one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
 - d) three persons appointed by the Lieutenant Governor in Council.
- 3.2 The appointment of members of Council to the Durham Regional Police Services Board for the 2018-2022 term of Regional Council will take place at the first meeting of Regional Council on December 5, 2018.
- 3.3 Provincial board members are appointed by the Lieutenant Governor, by Order in Council. Information regarding Ontario Government Appointees is available on the Public Appointments Secretariat website.

4. Police Services Act, 2018 (new provisions)

- 4.1 Provisions in the new Police Services Act, 2018, which come into force on January 1, 2020, provide that Regional Council may determine, by resolution, that the Police Services Board be composed of five, seven or nine members. The transition provisions provide that the Police Services Board may continue to have the number of members it had under the Police Services Act, 1990, until the earlier of the day the municipal council passes a resolution under subsection 31(3) of the Act or the day that a new municipal council is organized following the first regular municipal election after the day subsection 31(13) of the Act comes into force.

- 4.2 Subsection 31(8) of the Act provides that if Regional Council reduces the size of the Durham Regional Police Services Board to a five member board, the appointments for all members to the board are terminated. Subsection 31(9) of the Act provides that if Regional Council increases the size of the Durham Regional Police Services Board, the appointments for all members to the board continue and new members shall be appointed to meet the requirements set out in subsections 31 (4) to (6) of the Act.
- 4.3 The appointment of one community member to the Durham Regional Police Services Board by Regional Council would continue to be a requirement, regardless of whether the Police Services Board is composed of five, seven or nine members.
- 4.4 The following provisions for the appointment of Police Services Board Members are included in the new Police Services Act, 2018:

Appointment Considerations

33 (1) In appointing or reappointing a member of a police service board, the appointing person or body shall consider,

- (a) the need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;
- (b) the need for the police service board to have members with the prescribed competencies, if any; and
- (c) any applicable diversity plan.

Police record check

(2) The appointing person or body must consider the results of a potential appointee's police record check that was prepared within the past 12 months before appointing him or her as a member of a police service board.

Revocation of appointments

(3) For greater certainty, the power to appoint a member of a police service board includes the power to revoke the appointment and to appoint a replacement.

Other ineligible persons

- (4) The following persons are not eligible to be members of a police service board:
1. A judge or justice of the peace.

2. A member of a police service, a special constable or a First Nation Officer.
3. Any person who practises criminal law as a defence counsel or as a prosecutor.
4. A director, officer or employee of a prescribed policing provider.

Former members of a police service

(5) A former member of a police service is not eligible to be a member of a police service board unless,

- (a) the police service board does not maintain a police service that the person was a member of; and
- (b) at least two years have passed since the person ceased to be a member of any police service.

Seat vacated by ineligibility

(6) A member of a police service board shall vacate his or her seat if he or she becomes ineligible to be on the board.

Notice of vacancies

(7) If a seat becomes vacant, the police service board shall notify the person or body responsible for appointing a replacement.

- 4.5 Transition provisions are also included in the Police Services Act, 2018, which provide that subsections 33 (4) and (5) of the Act “do not prevent a person who was a member of a police service board immediately before those subsections came into force from serving the remainder of their term”.
- 4.6 Section 35 of the Act includes the following new provisions related to required training and conduct of members of a police services board:

Required training

35 (2) A member of a police service board shall, within the prescribed period,

- (a) complete prescribed training with respect to the role of a police service board;
- (b) complete the prescribed training with respect to human rights and systemic racism;

- (c) complete the prescribed training that promotes recognition of and respect for,
 - (i) the diverse, multiracial and multicultural character of Ontario society, and
 - (ii) the rights and cultures of First Nation, Inuit and Métis Peoples; and
- (d) complete any other prescribed training.

If training not completed

35 (3) A member of the police service board who does not complete the training referred to in subsection (2) shall not exercise the powers or perform the duties of a board member until the training is completed.

Code of conduct

35 (4) Every member of a police service board shall comply with the prescribed code of conduct.

- 4.7 The required training under Section 35 of the Police Services Act, 2018, has not yet been prescribed. The Executive Director of the Durham Regional Police Services Board has advised that necessary revisions will be made to Board policies once additional direction is received from the Province.
- 4.8 Section 28 of the Act includes a new requirement for every municipal council that maintains a police services board to prepare and, by resolution, approve a diversity plan to ensure that the members of the municipal board appointed by the council are representative of the diversity of the population in the municipality. The diversity plan must be approved before the later of 2 months after the day this section comes into force; and 12 months after the municipal council constitutes its municipal board.

5. Community Member Appointment

- 5.1 In 1997, Bill 105, the Police Services Amendment Act 1997, provided for a community member appointment to the Durham Regional Police Services Board and, at that time, the Ministry of the Solicitor General and Correctional Services, Policing Services Division, offered the following guidelines:
 - an advertisement be placed in local newspapers seeking a community member to serve on the Police Services Board, which would provide the Selection Committee with applications for review; and

- candidates undergo an interview conducted by a panel to determine their understanding of the role of the Police Services Board in the community, especially as it relates to the aspect of civilian governance of a police service.
- 5.2 The guidelines outlined in Section 5.1 have been followed by Regional Council for appointing a community member to the Durham Regional Police Services Board, since 1997.
- 5.3 Subsection 27(13) of the Police Services Act, 1990, states “A judge, a justice of the peace, a police officer and a person who practices criminal law as a defence counsel may not be a member of a board”.
- 5.4 Members of Police Services Boards must also comply with Ontario Regulation 421/97: Members of Police Services Board – Code of Conduct. If a Board determines that a board member has breached the Code of Conduct, the Board may require the member to appear before the board and be reprimanded; request that the Ministry of Community Safety and Correction Services conduct an investigation into the member’s conduct; or request that the Commission conduct an investigation into the member’s conduct under Section 25 of the Act. Regulation 421/97 does not speak to ineligibility when a member is found to have breached the Code of Conduct.
- 5.5 Subsection 31(5) of the Police Services Act, 1990, states “The board shall ensure that its members undergo any training that the Solicitor General may provide or require”. The current policy of the Durham Regional Police Services Board requires Board members to undergo training that may be required by the Ministry of Community Safety and Correctional Services. There is currently no such training provided by the Ministry.

6. Conclusion

- 6.1 The purpose of this report is to respond to questions raised at the May 2, 2018 Committee of the Whole meeting regarding appointments to the Durham Regional Police Services Board and to make recommendations to initiate the process for the selection of a community member for appointment to the Durham Regional Police Services Board by Regional Council for the next term.
- 6.2 It is recommended that the process for the appointment of a new community member to the Durham Regional Police Services Board, as outlined in Recommendation A) of this report, be adopted.
- 6.3 Should Council wish to follow any of the new provisions for appointments in the Police Services Act, 2018, which are not yet proclaimed in force, this could be added as part of the process by amendment to Recommendation A) of this report.

6.4 Alternatively, should Council wish to delay initiating the process for the appointment of a new community member to the Durham Regional Police Services Board until the Police Services Act, 2018, is proclaimed in force, it is suggested that Council direct staff to contact Mr. Stindar Lal, the current community member appointed by Regional Council to the Durham Regional Police Services Board, to determine his willingness to remain a member of the Board, and to present a report at the beginning of the next term of Regional Council recommending the appointment of Mr. Lal until the Police Services Act, 2018, is proclaimed in force.

7. Attachments

Attachment #1: Report #2018-COW-77, Community Member Appointment to the Durham Regional Police Services Board

Respectfully submitted,

Original signed by

D. Beaton, B.Com, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097



The Regional Municipality of Durham Report

To: The Committee of the Whole
 From: Commissioner of Corporate Services
 Report: #2018-COW-77
 Date: May 2, 2018

Subject:

Community Member Appointment to the Durham Regional Police Services Board

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the following process for the appointment of a new community member to the Durham Regional Police Services Board be adopted, which includes
 - i) Corporate Services –Legislative Services placing advertisements for interested community members in the local newspaper(s);
 - ii) The review of all applicants by a Selection Committee comprised of the Regional Chair and the Chairs of the Standing Committees, as selected on December 5, 2018 at the first meeting of Council;
 - iii) Interviews of qualified applicants by the Selection Committee; and
 - iv) A recommendation by the Selection Committee for the consideration of Regional Council in early 2019.
 - B) That the Corporate Services – Legislative Services division be authorized to take all administrative steps necessary to give effect to this process; and
 - C) That the term of appointment for the current community member on the Durham Regional Police Services Board be extended to no later than the date that a new community member is appointed by Regional Council.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to initiate the process for the selection of a community member for appointment to the Durham Regional Police Services Board by Regional Council for the next term.
- 1.2 In preparation for the process of Committee/Board appointments after the municipal election in October 2018, the Corporate Services – Legislative Services division wishes to seek approval to advertise in the local newspapers in September 2018 for individuals interested in serving as the community member on the Durham Regional Police Services Board, with the deadline for applications in November 2018. This will allow the opportunity for interested individuals to submit applications to the Regional Clerk in advance of the municipal election for the review and consideration by the Selection Committee in January 2019.

2. Background

- 2.1 The Durham Regional Police Services Board is a seven member board made up of the following:
 - a) the head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council;
 - b) two members of the council appointed by resolution of the council;
 - c) one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
 - d) three persons appointed by the Lieutenant Governor in Council.
- 2.2 In 1997, Bill 105, the *Police Services Amendment Act 1997*, provided for a community member appointment to the Durham Regional Police Services Board and, at that time, the Ministry of the Solicitor General and Correctional Services, Policing Services Division, offered the following guidelines:
 - an advertisement be placed in local newspapers seeking a community member to serve on the Police Services Board, which would provide the Selection Committee with applications for review; and
 - candidates undergo an interview conducted by a panel to determine their understanding of the role of the Police Services Board in the community, especially as it relates to the aspect of civilian governance of a police service.
- 2.3 Although the *Police Services Act* does not specify that board members must reside in the municipality in which they serve, the Province has stated in the past that it prefers the board members have ties to the community either through residence or ownership of a business.

2.4 It is suggested by the Ministry that the interview include discussion of the time commitment involved in serving on a police services board. On average, approximately 20 hours per month are required to carry out the duties. In addition to the regular monthly board meetings, candidates should be made aware that there are training sessions, zone meetings, conferences and sub-committee meetings to attend. Often, applicants to police services boards are unaware of the considerable time commitment above and beyond one meeting per month that is required to perform this function.

3. Conclusion

3.1 The purpose of this report is to initiate the process for the selection of a community member to the Durham Regional Police Services Board.

3.2 An advertisement will be placed by Legislative Services in newspapers within each of the Area Municipalities in September 2018. Applications will be received by Legislative Services and forwarded to the Selection Committee for review and recommendation to Regional Council.

3.3 It is anticipated that the Selection Committee would submit their recommendation to Regional Council no later than the February 2019 Regional Council meeting.

3.4 Remuneration paid to the community member will be at the same rate paid to the Provincial appointees. The current amount of remuneration for 2018 is \$11,298.00 per annum.

3.5 The first meeting of the Durham Regional Police Services Board in 2019 is currently scheduled for January 14, 2019. It is recommended that the term of appointment for the current community member on the Durham Regional Police Services Board be extended to no later than the date that a new community member is appointed.

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Don Beaton, Commissioner of Corporate Services
Report: #2018-COW-105
Date: June 6, 2018

Subject:

Renewal of Microsoft Unified Support (formerly known as Microsoft Premier Support) Services Agreement with Microsoft Canada Inc.

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) the Microsoft Unified Support Services Agreement with Microsoft Canada Inc. be renewed, leveraging the Master Business Agreement between the Province and Microsoft with a term commencing June 29, 2018 expiring June 28, 2019 at a cost of \$186,778 (with a potential discount of \$56,012) to be funded from the 2018 approved Corporate Services-Information Technology operating budget; and
 - B) That the Regional Chair and Regional Clerk be authorized to execute the renewal with Microsoft Canada Incorporated subject to review by the Director of Legal Services and the Acting Commissioner of Finance.
-

Report:

1. Background

- 1.1 The Region of Durham has over 300 servers and 3300 desktops operating on the Microsoft platform. Several of the Region's key applications run on this Microsoft platform. Microsoft Unified support includes 24x7 Problem Resolution Support, Proactive Assistance, Reactive Support, Dedicated Support Engineer to assist Regional Information Technology staff, On-Demand Assessments as well as Workshop Library On-Demand and Webcasts.
- 1.2 The Region has utilized the Provincial agreement with Microsoft since July 2010 to obtain the benefit of the advantageous pricing offered to the Province. The agreement model for Unified Support Services offered by Microsoft on their products is that PFO's (Provincially Funded Organizations) like the Region must execute their own agreement directly with Microsoft.

1.3 The current Premier Support Agreement with Microsoft Canada expires on June 28, 2018. The option exists for the Region to renew its support agreement with Microsoft Canada for an additional year, commencing June 29, 2018 and expiring on June 28, 2019, at a total cost of \$186,778 (with a potential discount of \$56,012).

2. Benefits

- It ensures the availability of enhanced support services by increasing available hours where a dedicated Microsoft Technical Support individual would be available to be onsite to support project implementation(s).
- For this renewal the Region negotiated the availability of the Microsoft Unified Support agreement for the Durham Regional Police Services at an annual fee of \$9,275 for an initial 25 hours of dedicated support and unlimited technical telephone support which is included in the total cost. The Durham Regional Police Services will be taking advantage of this service if Regional Council approves the renewal.

3. Financial Implications

- Funding is available in the Council-approved 2018 Corporate Services – Information Technology budget.
- Section 13 of the Purchasing By-law 68-2000 (Amended) permits entering into arrangements with public bodies or authorities on a co-operative or joint basis where there are economic advantages in so doing.

4. Conclusion

- 4.1 It is recommended that the Microsoft Unified Support Services Agreement with Microsoft Canada Inc. be renewed, leveraging the Master Business Agreement between the Province and Microsoft, with a term commencing June 29, 2018 and expiring June 28, 2019 at a cost of \$186,778 (with a potential discount of \$56,012).
- 4.2 It is also recommended that the Regional Chair and Regional Clerk execute the renewal agreement with Microsoft Canada Incorporated subject to review by the Director of Legal Services and the Acting Commissioner of Finance.
- 4.3 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Corporate Services
Report: #2018-COW-136
Date: June 6, 2018

Subject:

Recruiting and Selection Process to Appoint a Successor to the Chief Administrative Officer

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That an Ad-Hoc Committee lead by the Regional Chair be established to recruit, select and appoint by bylaw the Chief Administrative Officer;
 - B) The Ad-Hoc Committee be delegated all the necessary powers to negotiate the terms and make such offers of employment as are deemed necessary to carry out the appointment of the Chief Administrative Officer;
 - C) That the recruiting, selection and appointment of the Chief Administrative Officer take place between June 11, 2018 and September 4, 2018, and the Ad-Hoc Committee shall report back to Regional Council to advise of the appointment of the Chief Administrative Officer on September 12, 2018;
 - D) The Ad-Hoc Committee be supported by the Manager, Talent Acquisition and Development and the Regional Clerk to facilitate compliance with the Municipal Act, and
 - E) That the Regional Clerk be authorized to prepare the necessary by-law to appoint the candidate selected as the Chief Administrative Officer and that the Ad-Hoc Committee be delegated the authority to enact said appointment by-law.
-

Report:

1. Purpose

- 1.1 With the recent announcement by the Chief Administrative Officer of his pending retirement at the end of this Council Term and following the advice of outside legal counsel with concurrence of the Director of Legal Services, that Council can proceed during the potential 'restricted acts' period, The purpose of this report is for Council

to authorize the establishment of an Ad Hoc Committee to take on the role of recruiting, selecting and advising Council of the selected candidate for the position of Chief Administrative Officer.

- 1.2 Membership in the Ad-Hoc Committee will be made up of the Regional Chair, as the Chair of the Ad-Hoc Committee, with members being made up of the Mayors of the Area Municipalities. All meetings will fall under the meeting process of the Municipal Act. (This includes agendas, publication of notice, open and closed meeting minutes etc.).
- 1.3 The Regional Clerk will serve the Committee as portions of the process will be considered an open meeting, with closed session(s) and as such the Regional Clerk will provide the necessary Legislative oversight.
- 1.4 Members of the Ad Hoc Committee will need to ensure that time is allocated in their calendars to complete the process of review, interview and selection and attend all meetings, and maintain confidentiality of the process.

2. Appointment of a Facilitator/Secretary

- 2.1 The Ad Hoc Selection Committee will be supported by a senior staff member, Ms Tracey Macaulay, Manager, Talent Acquisition and Development, for administrative items to deal with advertising, handling enquiries, scheduling interviews and follow-up. Ms Macaulay has been involved in several Senior Recruitment processes, and maintains the confidentiality required.

3. Use of an Executive Search Agency

- 3.1 When recruiting for this level of position, the majority of municipal organizations use an executive search firm to fill these positions. Given the timelines and need to complete this process expeditiously, Ms Margaret Campbell, National Partner, Municipal and Public Sector Practice of Odgers Berndston, has been engaged by Corporate Services to assist with the recruitment.
- 3.2 The use of executive search firm ensures that staff is not seen as having an undue influence over the appointment of their own eventual administrative chief. Additionally, the firm would be in a better position to carry out initial contacts, testing, evaluation, and reference checking. In addition, eligible candidates are often more willing to speak to executive search firms than directly to the hiring organization for reasons of confidentiality.

4. Conclusion

- 4.1 That the Committee of the Whole recommend to Regional Council that an Ad Hoc Committee, lead by the Regional Chair, be established to recruit, select and offer/negotiate the position of Chief Administrative Officer to replace the retiring Mr. G. Cubitt, that the Regional Clerk be authorized to prepare and submit the necessary appointment by-law, and that the Ad-Hoc Committee be delegated the authority to enact said appointment by-law.

Respectfully submitted,

Original signed by

Don Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Approved for presentation to Committee

Original signed by

Gerri Lynn O'Connor
Regional Chair



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Corporate Services
Report: #2018-COW-139
Date: June 6, 2018

Subject:

Routine Disclosure and Active Dissemination By-law and Policy

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the draft Routine Disclosure and Active Dissemination Policy (Attachment #1) be approved;
 - B) That copies of the Routine Disclosure and Active Dissemination – Guidelines for Regional Staff (Attachment #2) and the Access and Privacy – Guidelines for Councillors (Attachment #3) be received for information; and
 - C) That the draft Routine Disclosure and Active Dissemination By-law (Attachment #4) be approved.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Council approval of a Routine Disclosure and Active Dissemination (RD/AD) Policy (Attachment #1). Enquiries have been received from Councillors requesting that the Region provide information regarding the sharing of documents with Council members. This will enable the Region to meet its legislative requirements under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) of routinely or automatically making available certain records to the public. This will ensure that an appropriate balance exists between ease of access to information in the custody or under the control of the Region, while protecting the privacy of personal and confidential information.

2. Background

- 2.1 The Region of Durham is committed to streamlining services and ensuring that information is available to members of the public, along with supporting a culture of open and transparent government. Formal Freedom of Information (FOI) requests should be used as a last resort to seek access to Regional records. This will ensure information held by the Region is made available to the public, and any exceptions to this should be limited and specific.
- 2.2 At times, staff is unsure whether or not they should be providing information when a request has been made from a Councillor or member of the public. As such, a guideline entitled Routine Disclosure and Active Dissemination – A Guide for Regional Staff as set out in Attachment #2 to this report was created to assist staff in understanding the rules under MFIPPA that allow for the routine disclosure of information.
- 2.3 Similarly, Councillors are challenged with separating constituency information from Regional information. Information in Councillors' offices normally includes records pertaining both to constituency and the Region. Records created in connection with Regional business, e.g. a schedule of meetings or meeting agendas, are considered Regional records. Records related to the Councillor's responsibilities as a Member of Council or to some aspect of Regional Council's mandate (e.g. as a member of a standing committee or special task force), are subject to the provisions of MFIPPA.
- 2.4 The Region's Council Code of Conduct places an obligation upon Members not to secure or attempt to secure information from Regional officials to which they are not entitled to have access.
- 2.5 Guidelines to Access and Privacy for Councillors as set out in Attachment #3 to this report has been created to give Councillors a clear understanding of their rights and obligations in their role to reduce the potential risks of mishandling Regional information.

3. Conclusion

By implementing Routine Disclosure and Active Dissemination practices at the Region, we will streamline citizen access to Regional information, reduce staff time and costs associated with processing requests for information, and adhere to legislated requirements.

4. Attachments

- Attachment #1: Draft Routine Disclosure and Active Dissemination Policy
- Attachment #2: Routine Disclosure and Active Dissemination – Guidelines for Regional Staff
- Attachment #3: Access and Privacy – Guidelines for Councillors
- Attachment #4: Draft Routine Disclosure and Active Dissemination By-law

Respectfully submitted,

Original signed by

Don Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



Regional Municipality of Durham
 Corporate Services
 Policy and Procedures Manual

Title: Routine Disclosure and Active Dissemination Policy		
Policy #:	Issued: DRAFT	Page #: 1 of 5
Revised:		
Approved by: Commissioner of Corporate Services		
Responsibility: Corporate Services – Legislative Services		Section: RIM

1. Policy

The Regional Municipality of Durham will routinely provide information to the public, to engage citizens and encourage public access to information that matters the most to them. The Region will utilize open and fair practices to provide for the routine disclosure of information in an efficient and cost effective manner, while ensuring compliance with applicable legislation, and safeguarding confidentiality and personal privacy.

Regional departments shall provide public access to information by making certain records routinely available in response to information requests or by means of periodically releasing certain records. This will ensure information held by the Region is made available to the public, and any exceptions to this should be limited and specific.

1.1 Purpose

This policy identifies the requirements for Regional departments to develop Routine Disclosure and Active Dissemination (RD/AD) Plans for routinely releasing or automatically making available certain records to the public. In order to ensure that an appropriate balance exists between ease of access to information and protection of privacy and of confidential information, Regional departments will adhere to the requirements of the Municipal Freedom of Information Protection of Privacy Act (MFIPPA) in respect of exemptions to disclosure of personal information, proprietary third party information, and other confidential information.

MFIPPA provides the public a formal right of access to records that are in the Region's custody, or under its control, subject to limited and specific exemptions to disclosure. While the Region may legitimately require that formal access requests be submitted in respect of certain types of records for a variety of reasons, a practice of providing RD/AD for "everyday" non-confidential records is beneficial as it allows the Region to:

- Make more records available to the public and ensure that information is easily accessible to the residents of the Region of Durham.
- Proactively streamline the access to information process.

- Reduce staff time in responding to formal requests for information, resulting in great cost efficiencies.
- Assist in reducing administrative costs.
- Provide greater accountability and transparency in its day-to-day operations.
- Ensure a balance between providing greater access to Regional information while at the same time protecting personal and confidential information.

RD/AD is consistent with the Information and Privacy Commissioner/Ontario's access by design principles and existing Region practices to make certain information available to the public, such as open data initiatives.

1.2 RD/AD Plan

All regional departments shall establish a RD/AD Plan that identifies official records that are to be disclosed without a requirement for submission of a formal access to information request. The plan must also state the method by which the department will make the records available to the public, either in response to an informal request from the public or a periodic release of information.

The development of a RD/AD Guideline will follow this Policy to assist staff in developing their RD/AD Plan. The guideline will identify among other things, the types of records that are not suitable for RD/AD and the specific types of information that must be excluded (severed) within records prior to disclosure.

2. Definitions

Confidential Information: Includes information in the possession of or received in confidence by the Region.

Note: MFIPPA restricts or prohibits disclosure of information based on defined exemptions, for example, trade secrets, law enforcement investigations, corporate, commercial, scientific or technical information received from third parties in confidence, information that is subject to solicitor-client privilege, matters related to an identifiable individual, personal, labour relations, litigation, property acquisition and the security of property of the municipality or local board.

MFIPPA: Municipal Freedom of Information and Protection of Privacy Act.

Open Data: Data that can be freely used, reused and redistributed by anyone - subject only, at most, to the requirement to attribute and share alike.

Personal Information: Personal Information means recorded information about an identifiable individual, including:

- Information relating to the race, national or ethnic origin, religion, age, gender (sex), sexual orientation or marital or family status of the individual.

- Information relating to the education or the medical, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved.
- Any identifying number, symbol or other particular assigned to the individual.
- The home address, telephone number and email address of the individual.
- Fingerprints or blood type of the individual.
- The personal opinions or views of the individual except if they relate to another individual.
- The views or opinions of another individual about the individual.
- Correspondence sent to the Region by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence.
- The individual's name if it appears with other personal information relating to the individual or where disclosure of the name would reveal other personal information about the individual.

Records Security Classification: Assesses the sensitivity and importance of Regional records. Access and security controls operate as a dual system that security classifications are applied to information in conjunction with access restrictions being applied to personnel.

Routine Disclosure and Active Dissemination (RD/AD): Routine disclosure (RD) is the routine or automatic release of certain records in response to information rather than formal requests made under MFIPPA. Active Dissemination (AD) is the periodic release of certain records in the absence of a request, for example periodic posting of operational records to the Region's website.

3. Procedures

- Requests for information received from a member of the public that departmental staff wouldn't provide in the normal course of business, should be directed to the Corporate Services Department, Legislative Services Division for review and disclosure under the MFIPPA process.
- Requests for information that is routinely made available may be submitted verbally, by fax, email or in writing by regular mail. The Region reserves the right to require that a request for information be submitted in writing where the verbal request is unclear or where the information being requested is of a personal, detailed or sizeable nature.
- Where it is reasonable and practical, individuals may visit the Regional department to review public records. Upon request, the department will provide the requestor with the specified records in a designated area in the office. The public records must remain in the department.

- Information requests for information that is routinely and easily available will be provided as soon as possible, but no later than 10 business days following the request.
- Information requests for information that is not routinely and easily available (information that is aged, sizeable amounts of information or information requiring research) will need to be assessed by the department and a determination made as to the amount of staff time required and applicable fees and charges to provide the information. The requestor will be provided with a response outlining time frames and fees no later than 10 business days after submitting the request. Upon authorization of the requestor, the information will be provided no later than 30 business days after the response is provided to the requestor.

4. Fees

Fees are not applicable for requests and searching for information that is routinely and easily available up to a limit of 12 requests per calendar year. After 12 requests per year, the Schedule of Fees and Charges listed below is applied to each request. However, the aforementioned fees do apply if the information is readily available on the Regional website but the requester requests that staff search and provide the information.

- Request for Information - \$5.00
- Developing a Computer Program - \$15.00 per 15 minutes
- External Costs - as invoiced
- Disks/CD - \$10.00 each
- Manual Search - \$7.50 per 15 minutes
- Photocopies - \$0.20 per page
- Preparing Record for Disclosure - \$7.50 per 15 minutes

5. Roles and responsibilities

5.1 Department Heads

- Actively support and promote compliance with the Routine Disclosure and Active Dissemination policy.
- Ensure RD/AD Plans are developed for their Department.
- Ensure annual review of RD/AD Plan is conducted.

5.2 Management

- Directors/Managers shall develop RD/AD Plans for their divisions, identifying records suitable for inclusion.
- Refer to the Region's Directory of Records to identify general classes of records and personal information banks held within their respective departments.

- Provide Department Heads with updates or modifications to the RD/AD Plan with respect to their area as new classes of records are created; existing classes are deleted, or as otherwise needed.
- Ensure RD/AD Plans are forwarded to the Office of the Regional Clerk to ensure the records security classification is updated on the Corporate Classification Scheme identifying records routinely provided to the public.
- Provide the Office of the Regional Clerk with annual statistics on numbers of routine disclosure requests received in order to calculate performance metrics measures for the organization.
- Ensure RD/AD Plans are developed using the RD/AD Guideline.
- Ensure staff is trained on the RD/AD Plan to ensure compliance with this policy.

5.3 Employees

- All employees must comply with the Routine Disclosure/Active Dissemination Policy and applicable departmental AD/RD Plan(s).

6. Application

This policy applies to all Regional employees and to all records in the custody and under the control of the Region. Personal and constituency records of the Region's elected representatives are not considered to be in the custody and control of the Region and therefore not subject to this policy.

7. References

7.1 Corporate Policy and Procedures Manual including the following policies:

- Open Data Policy #14.22

7.2 Information Management References

- Access and Privacy User Manual
- Municipal Freedom of Information Search Tip Sheet
- Routine Disclosure and Active Dissemination Guidelines for Staff
- Access and Privacy Guidelines for Councillors

8. Inquiries

For further information regarding this policy contact the Corporate Services Department, Legislative Services Division.



Routine Disclosure and Active Dissemination

Guidelines for Regional Staff

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Routine disclosure and active dissemination guidelines

Overview

One of the key principles of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is that "information should be available to the public." MFIPPA provides for a right of formal access to records through filing an access request. However, MFIPPA also provides that the Municipality may establish a routine disclosure program, when there is nothing in the Act to prevent the Municipality from giving access to information. It's important to note that the rules governing access and privacy under MFIPPA apply to both formal and information requests for information.

The Regional Municipality of Durham routinely provides information to the public, to engage citizens and encourage public access to information that matters the most to them. The Region utilizes open and fair practices to provide for the routine disclosure of information in an efficient and cost effective manner, while ensuring compliance with applicable legislation, and safeguarding confidentiality and personal privacy.

The following guideline outlines the main rules in MFIPPA that allow for the routine disclosure of information. It will assist staff in developing departmental Routine Disclosure and Active Dissemination (RD/AD) Plans identifying records that should be routinely provided or automatically made available to the public.

Principles of the RD/AD plan

The following underlying principles shall guide the development of the RD/AD Plan:

- All department RD/AD Plans need to be approved the by Regional Clerk to ensure MFIPPA requirement are met.
- The focus on identifying records that are subject to RD/AD processes should be based on records that are of interest to the public, for which there are no exemptions to disclosure under MFIPPA and that do not contain any confidential information.
- In determining which records are to be subject to RD/AD, staff should not consider the identity of requestor(s).
- Service excellence should always be considered when developing RD/AD Plans and the method by which the records are disseminated should provide the public ease of access to information.
- New programs and policies should be developed with an understanding of the routine disclosure and active dissemination opportunities, and this should be incorporated into any related staff report and/or department RD/AD Plan.
- The department shall review and update RD/AD Plan(s) annually.

Council documents

Many Council related documents are routinely available to the public. Under the Municipal Act, 2006, the Municipal Clerk must make publicly available:

- Regional by-laws and resolutions.
- Minutes and proceedings of regular, special or committee meetings of Council, whether the minutes and proceedings have been adopted or not.
- Records considered at a meeting, except those records considered during that part of a meeting that was closed to the public ("in camera" meeting).
- The records of Council.
- An itemized statement on remuneration and expenses paid in the previous year to each member of Council and each person appointed by the Region to serve as a member of any body.

This public access is limited by the exemptions in MFIPPA. The Region may refuse to disclose:

- A draft by-law.
- A record that reveals the substance of deliberations of a meeting of Council or a committee, where the Municipal Act, 2006 authorizes holding that meeting in the absence of the public ("in camera" meeting).

However, the Region may not apply this exemption to:

- Draft by-laws that have been considered in a meeting open to the public.
- Records of an "in camera" meeting, where the subject matter of the deliberations has been considered in a meeting open to the public.
- Records that are more than 20 years old.

Reports and proposals

The Region may refuse to disclose under MFIPPA, records that would reveal the advice or recommendations of a Regional employee or consultant. This is discretionary, so the Region may also choose to disclose such information. It is best to speak to your Records Analyst in the Legislative Services Division for advice on these matters.

There is a long list of exceptions to this rule. The Region may **not** use this exemption to refuse access to:

- Factual material.
- Statistical surveys.
- Reports by a valuator.

- Environmental impact statements or similar records.
- Reports or studies on the performance or efficiency of the Region.
- Feasibility studies or other technical studies, including a cost estimate, relating to a Region policy or project.
- Reports containing the results of field research undertaken before the formulation of a policy proposal.
- Final plans or proposals to change a Regional program, or for the establishment of a new program, including a budgetary estimate for the program.
- Reports of internal committees or similar bodies, established for the purpose of preparing a report on a particular topic.
- Reports of bodies attached to the Region, established for the purpose of undertaking inquiries and making reports or recommendations to the Region.
- Reasons for a final decision, order or ruling of Regional staff made during or at the conclusion of the exercise of discretionary power conferred by or under an enactment or scheme administered by the Region.
- Records more than 20 years old.

Law enforcement reports

The Region may refuse to disclose certain records relating to the Region's law enforcement programs, as outlined in MFIPPA, except for:

- Reports prepared in the course of routine inspections by the Region.
- Records on the degree of success achieved in a law enforcement program, including statistical analyses.

Confidential information from another government

The Region is obliged to keep confidential information received in confidence from a federal or provincial government ministry or agency. However, if the other ministry or agency consents to the disclosure, the Region must disclose the information.

Confidential information from a third party

The Region is required to keep financial, technical or commercial information received in confidence from a third party, such as a private company, where disclosure of the information could reasonably cause harm to the third party's interests. However, the Region is allowed to release this information if the third party consents.

Personal information

The Region is required to protect the privacy of personal information relating to individuals, except in limited circumstances. This is one of the key principles of MFIPPA.

It is not an invasion of privacy to disclose the following:

- Classification, salary range and benefits, or employment responsibilities of an individual who is or was an officer or employee of the Region.
- Financial or other details of a contract for personal services between an individual and the Region.

Individuals have the right to obtain access to their own personal information. This can be done under routine disclosure as well as through a formal request. Access may be restricted where another exemption applies to the information, or where disclosure would invade another individual's privacy.

Personal information may also be disclosed, without a formal access request, as follows:

- If the person to whom the information relates has identified that information in particular and consented to its disclosure.
- For the purpose for which it was obtained or compiled, or for a consistent purpose which an individual might reasonably expect.
- To an officer or employee of the Region who needs the record in the performance of his or her duties and disclosure is necessary and proper in the discharge of the Region's functions.
- For the purpose of complying with any federal or provincial legislation, an agreement or arrangement under such legislation, or a treaty.
- To an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.
- In compelling circumstances affecting the health or safety of an individual if upon disclosure notification is mailed to the last known address of the individual to whom the information relates.
- In compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or is deceased.
- To the Government of Canada or the Government of Ontario in order to facilitate the auditing of shared cost programs.

This guideline has been prepared to assist staff in understanding what information they are able to share with the public or members of Council. As departments develop RD/AD plans that fall within the Council approved policy, an important resource is the Records Analyst in the Legislative Services Division.



Access and Privacy

Guidelines for Councillors

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Access and Privacy for Councillors

Overview

The rights of Regional councillors to access information and their obligations to protect the confidentiality of information are set out in:

- Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- The Regional Municipality of Durham (Region) Council Code of Conduct.

This guide will assist Members of Council in understanding their rights and obligations surrounding access and privacy to Regional information.

Access to Regional information

Individual Councillors are provided access to Regional information as directly as possible, subject only to specific legislative restrictions.

Councillors have the same rights of access to Regional records as a member of the public. A Councillor does not have greater rights of access to confidential information by virtue of office, although Councillors may be entitled to confidential records through their role as a result of their work on Council or Committees. Councillors may request Regional information from the appropriate Department Head or through the Office of the Regional Clerk.

The Region's Council Code of Conduct prohibits members from using their authority to coerce or influence staff with the intent of interfering with that person's duties. The prohibition includes an obligation upon Members not to secure or attempt to secure information from Regional officials to which they are not entitled to have access.

Information regarding specific legislation and legislative restrictions governing access to Regional records is available from the Office of the Regional Clerk.

To promote a culture of openness and commit to delivering accountable government, the Region's information is made available and accessible to the public unless prohibited by law. Opening up government information leads to collaboration and information sharing, promotes citizen engagement, delivers more efficient public services, demonstrates accountability and provides economic development opportunities.

The Region is committed to providing individuals with the right of access to information in its custody and control, including most operational records and records containing their own personal information, where applicable, subject to very specific and limited exemptions. This process is called routine disclosure and allows certain records to be disclosed, without having to make a formal request under MFIPPA.

Regional departments will develop departmental Routine Disclosure and Active Dissemination Plans summarizing records that can be requested by Councillors and the public directly from the department and identify records that are publically available on the Region's website. These records do not need to be processed as formal requests under MFIPPA.

Formal requests for information under MFIPPA

MFIPPA places rules regarding the collection, use, disclosure and disposal of personal information in the custody and control of a municipal institution.

The Act gives individual's the right to access municipal government information, including most general records and records containing their own personal information, subject to very specific and limited exemptions. As well, the Act provides individuals with the right to request a correction of their personal information which they believe to be false or inaccurate and/or to attach a statement of disagreement to their records. An individual is also provided with the opportunity to request an independent review from the Information and Privacy Commissioner/Ontario of the decisions made under MFIPPA by the head of an institution.

There are three **mandatory exemptions** under MFIPPA:

- Information concerning relations with governments, if the information was received in confidence.
- Third party information, if supplied in confidence and its disclosure could prejudice the interests of the third party.
- Personal information about an individual other than the requester.

There are eight **discretionary exemptions**:

- Draft by-laws, records of closed meetings
- Advice or recommendation
- Law enforcement
- Economic and other interests
- Solicitor-client privilege
- Danger to safety or health
- Published information
- Limitation on access to own personal information

Access to personal information by Councillors

Councillors may obtain personal information about individuals only under the following conditions:

- With the written consent of the individual to disclosure of the particular information.
- Under compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.
- Without consent of the individual in a closed meeting of Council/committee, for the purpose of conducting Council/committee business.

Protecting personal and confidential information

Members of Council are prohibited by the Council Code of Conduct from disclosing confidential information unless required by law or authorized by Council. Confidential information may be shared with a Councillor through his or her role by Regional staff as a result of their work on Council or its committees or by a constituent or member of the public.

Councillors who have access to Regional records containing personal or other confidential information have a responsibility to protect this information while it is in their possession. Councillors must ensure that the privacy of the individual's personal information is protected at all times and kept physically secure to avoid unauthorized access or destruction.

Councillors are accountable for how their staff handles confidential information. It is recommended that Councillors emphasize to their staff the need to handle confidential information responsibly.

Documents containing confidential or personal information should be stored in locked cabinets except when in active use. Data stored on laptop computers, USB drives or similar devices should be encrypted or otherwise password protected. Documents and devices should not be left unattended in vehicles or in other offices.

Care should be taken to ensure that personal information is not disclosed during public meetings without prior, written consent of the affected individual(s).

Confidential Council Reports

Councillors are provided with confidential information when decisions need to be made at closed meetings of Council or one of its committees (for example, decisions relating to employment matters, legal advice, or details of ongoing negotiations or transactions). There are normally only a small percentage of confidential agenda items that are discussed in closed sessions. As noted above, Councillors must be authorized by law or the express authorization of Council to release confidential information in any form.

Personal Information

Personal information supplied by a constituent to deal with a specific matter should not be used for other unrelated purposes. For example, if an individual asks to be included on a distribution list about a particular issue, that individual should not be identified with the issue in a newsletter without their permission. Councillors should not disclose the constituent's personal information to others without the constituent's consent.

The Integrity Commissioner

Complaints citing failure to observe the Council Code of Conduct or a breach of privacy are periodically filed by members of the public against Councillors. The Integrity Commissioner investigates these complaints. If the Commissioner concludes that a violation did occur, the Integrity Commissioner may recommend to Council that a reprimand be administered. The

compliance section of the Council Code of Conduct provides additionally for penalties that include:

- Suspension for a period of up to 90 days.
- Removal from membership of a Committee or local board (restricted definition).
- Removal as Chair of a Committee or local board (restricted definition).
- Repayment or reimbursement of moneys received.
- Return of property or reimbursement of its value.
- A request for an apology to Council, the complainant, or both.

The Information and Privacy Commissioner/Ontario

The Information and Privacy Commissioner (IPC) may investigate a privacy complaint made against a Member of Council when the complaint relates to Regional records.

Examples of privacy breaches include the following:

- Disclosing personal information to a third party or in a public meeting without the individual's consent.
- Misdirected mailings or release of e-mails involving personal information.
- Insecure disposal of documents containing personal information, e.g. in a blue bin instead of shredding console.
- Stolen/lost laptops or other devices that contain unencrypted personal information.

IPC contact information:

Information and Privacy Commissioner/Ontario
 2 Bloor Street East
 Suite 1400
 Toronto ON M4W 1A8
 Telephone: 416-326-3333/1-800-387-0073
 Facsimile: 416-325-9195
 TDD/TTY: 416-325-7539

Managing information in a Councillor's office

Risks of mishandling information are reduced if steps are taken to manage that information appropriately. Information in Councillors' offices normally includes records pertaining both to constituency, e.g., email from constituents, and the Region, e.g., committee minutes. It makes sense to administer both kinds of records in ways that help Councillors and their staff protect confidential and personal information. Keeping the two categories of records – constituency and Region – separate will help. Ensure that the information in each is handled appropriately. Determine what purpose the information was provided for in order to clarify whether information relates to Region or constituency business.

Managing Regional information

Documents and records created in connection with Regional business, e.g., a schedule of meetings or meeting agendas, are considered Regional records. Records related to the Councillor's responsibilities as a Member of Council or to some aspect of Regional Council's mandate, e.g. as a member of a standing committee or special task force, are subject to the provisions of MFIPPA. It is recommended that Councillors ensure that copies of these records are held by the relevant business department(s). Regional business departments are responsible for the records of decisions and plans to ensure the effective, ongoing operation of the Region.

The Regional Chair, as Head of Council, is an officer of the Region. The Regional Chair's records that relate to Regional Chair duties are considered to be in the Region's custody or control and are therefore subject to MFIPPA.

Managing Constituency information

Documents and records received or created interacting with constituents is considered personal. Constituency records generally relate to issues the Councillor is dealing with involving one or more members of the public who either live or own a business within the Councillor's ward. Constituency records may include letters, emails, faxes, telephone messages, and mailing lists.

Constituency information is not subject to MFIPPA. The IPC has confirmed that, except in unusual circumstances, a Councillor is not an officer or employee of the Region. Councillors' constituency liaison records are considered "personal" and are not subject to MFIPPA. Accordingly, under MFIPPA, a person generally does not have a right to access a Councillor's constituency records.

The Office of the Regional Clerk

Council has delegated responsibility for overseeing the administration of MFIPPA to the Regional Clerk. The Office of the Regional Clerk also has overall responsibility for setting standards, policies, implementing effective procedures and tools for the management of Regional information, and providing training to Regional staff for the efficient and effective management of Regional information.

Glossary of terms

Access to Information: Information should be available to the public. Necessary exemptions from the right of access should be limited and specific.

Regional Records: Documents and information received or created by Regional employees in the operation of the Region and delivery of services to the public.

Constituency Records: Documents and information received or created by Councillors, including their staff that relate to matters dealing with their constituents.

Confidential Information: Includes information in the possession of or received in confidence by the Region.

Note: MFIPPA restricts or prohibits disclosure of information based on defined exemptions, for example, trade secrets, law enforcement investigations, corporate, commercial, scientific or technical information received from third parties in confidence, information that is subject to solicitor-client privilege, matters related to an identifiable individual, personal, labour relations, litigation, property acquisition and the security of property of the municipality or local board.

Information and Privacy Commissioner (IPC): The IPC is a provincial officer independent of the Ontario (and municipal) government charged with upholding and promoting open government and the protection of personal privacy in Ontario.

Integrity Commissioner: The Integrity Commissioner is a municipal officer independent of the Region administration charged with providing advice and education to Members of Council and members of Regional Boards to assist in maintaining a high standard of ethical behaviour in Regional government; investigating complaints (formal or informal) about the conduct of Members of Council and members of Regional Boards to determine whether the Region's Code of Conduct has been violated.

MFIPPA: The *Municipal Freedom of Information and Protection of Privacy Act (Ontario)*.

Open Data: Data that can be freely used, reused and redistributed by anyone - subject only, at most, to the requirement to attribute and share alike.

Personal Information: Personal Information means recorded information about an identifiable individual, including:

- Information relating to the race, national or ethnic origin, religion, age, gender (sex), sexual orientation or marital or family status of the individual.
- Information relating to the education or the medical, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved.
- Any identifying number, symbol or other particular assigned to the individual.
- The home address, telephone number and email address of the individual.
- Fingerprints or blood type of the individual.
- The personal opinions or views of the individual except if they relate to another individual.
- The views or opinions of another individual about the individual.
- Correspondence sent to the Region by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence.

- The individual's name if it appears with other personal information relating to the individual or where disclosure of the name would reveal other personal information about the individual.

Privacy Breach: A privacy breach occurs when personal information is collected, used, disclosed or destroyed in ways that are not in accordance with privacy legislation.

Privacy Protection: Governments have an obligation to protect the privacy of individuals with respect to personal information about themselves held by government. This includes controls over the collection, use, disclosure, and security of that information and a duty to provide individuals with a right of access to their own personal information.

Routine Disclosure and Active Dissemination (RD/AD): Routine disclosure (RD) is the routine or automatic release of certain records in response to information rather than formal requests made under MFIPPA.

By-law Number **-2018
of The Regional Municipality of Durham

Being a by-law to authorize the Routine Disclosure and Active Dissemination Policy.

Whereas under Section 253 of the *Municipal Act, 2001 c.25*, subject to the *Municipal Freedom of Information and Protection of Privacy Act*, any person may at all reasonable times, inspect any of the records under the control of the Regional Clerk;

And Whereas under Section 254 of the *Municipal Act, 2001 c. 25*, a municipality shall retain and preserve the records of the municipality and its local boards in a security and accessible manner;

And Whereas under Section 391 of the *Municipal Act, 2001, c. 25*, authorizes a municipality to impose fees or charges on persons, for services or activities provided;

And Whereas the Regional Municipality of Durham is committed to ensuring the public are provided with government records and information easily, informally, and in accordance with the Region's commitment to accountability and transparency, as well as the principles of the *Municipal Act*, PHIPA and MFIPPA and therefore deems it expedient to adopt a Routine Disclosure and Active Dissemination Policy.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That the Regional Council of The Regional Municipality of Durham adopt the Routine Disclosure and Active Dissemination Policy in accordance with Schedule "A" attached hereto and forming part of this By-law.
2. That a condition to Paragraph 1 of this By-law be that the Fees under Section 4 of the Routine and Active Dissemination Policy come into force upon being added to Purchasing By-law No. 68-2000 with the corresponding amendments and adopted by Regional Council.
3. That this By-law comes into force upon its adoption

This By-law read and passed on the XX day of XXX, 2018.

DRAFT

Gerri Lynn O'Connor, Regional Chair and CEO

DRAFT

R. Walton, Regional Clerk



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner & Medical Officer of Health
Report: #2018-COW-147
Date: June 6, 2018

Subject:

Award of the Request for Proposal (RFP-458-2018) for the Provision of Nursing Staff for Immunization Clinics.

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Request for Proposal (RFP-458-2018) be awarded to Saint Elizabeth Health Care to provide nursing staff for immunization clinics for a four (4) year term from July 1, 2018, with the option to extend the contract for up to one (1) additional year term, in accordance with the terms and conditions set forth in RFP-458-2018;
 - B) That the RFP-458-2018 be awarded to Saint Elizabeth Health Care for a total cost of \$243,000 in the first year, with subsequent year term increases to apply based on Statistics Canada Consumer Price Index (CPI) rate increases, in accordance with the terms and conditions set forth in RFP-458-2018; and
 - C) That the Acting Commissioner of Finance be authorized to execute any applicable agreement(s), including any extensions.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and seek authorization to award the Request for Proposal (RFP) RFP-458-2018 to Saint Elizabeth Health Care to provide nursing staff for immunization clinics in accordance with the terms and conditions as set out in the RFP.

2. Background

- 2.1 The Finance Department (Purchasing Section), in conjunction with the Health Department, conducted a competitive process to procure the supply of nursing staff

for Health Department immunization clinics.

2.2 The RFP-458-2018 closed on April 26, 2018 and resulted in the submission of seven (7) proposals. All proposals were reviewed by the Purchasing Section for completeness and were deemed compliant. Proposals were received from: Saint Elizabeth Health Care, Workplace Medical Corp., Venture Healthcare Inc., SRT Med Staff, Lifemark Workplace Health & Wellness, Bayshore Home Health and DHS Healthcare Services.

3. Evaluation of Submissions

3.1 Evaluation of the proposals was carried out by an Evaluation Committee comprised of Health Department staff and overseen by the Purchasing Section.

3.2 The proposals were evaluated against the following criteria (120 points):

- A) Company Background and Experience (20 points)
- B) Work Team Background, Qualifications and Experience (20 points)
- C) Communication and Reporting (10 points)
- D) Methodology and Work Plan (20 points)
- E) Training and Education (10 points)
- F) Pricing (20 points)
- G) Presentations were provided by the top three scoring proponents: Saint Elizabeth Health Care, SRT Med Staff and Bayshore Home Health (20 points)

3.3 It is recommended that the highest scoring proponent, Saint Elizabeth Health Care, be awarded the contract to provide nursing staff for the immunization clinics as required in RFP-458-2018.

4. Financial Implications

4.1 Article 10.4 of the Region's Purchasing By-law 68-2000 (amended) requires the approval of Regional Council to award a contract for services over \$125,000 acquired through an RFP process.

4.2 The 2018 Health Business Plans and Budgets include funding for the supply and delivery of nursing services for various types of immunization clinics in schools and the community. Subsequent annual Health Business Plans and Budgets will also include appropriate funding.

5. Conclusion

5.1 It is recommended that RFP-458-2018 be awarded to Saint Elizabeth Health Care to provide nursing staff for immunization clinics for a four year term beginning July 1, 2018, with the option to extend the contract for up to one (1) additional year term.

5.2 It is recommended that the RFP be awarded for a total cost of \$243,000 in the first year, with subsequent year term increases to apply based on Statistics Canada CPI

rate increases.

5.3 In addition, it is recommended that the Acting Commissioner of Finance be authorized to execute any applicable agreement(s), including any extensions.

5.4 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner & Medical Officer of Health
Report: #2018-COW-148
Date: June 6, 2018

Subject:

Additional funding for the 2018-19 funding year to support the provision of public health programs and services

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That additional unbudgeted funding from the Ontario Ministry of Health and Long-Term Care (MOHLTC) in the amount of \$793,100 in additional base funding and \$284,900 in one-time funding be received as supplementary to the 2018 Health Department – Public Health Business Plan and Budget and be allocated as outlined in Section 4 of this report; and
- B) Approval be granted to increase the Health Department’s staffing complement by 5.8 new permanent positions at an estimated annual cost of \$744,600 to be funded entirely from the additional Provincial funding allocation as follows:
 - i) one (1) full-time Assistant Manager, Health Equity at an annual estimated cost of \$151,300;
 - ii) three (3) full-time Public Health Nurses at an annual estimated cost of \$347,900;
 - iii) one (1) part-time Public Health Nurse (0.3 FTE) at an annual estimated cost of \$32,200;
 - iv) one (1) full-time Manager, Health Analytics and Research at an estimated annual cost of \$151,300; and
 - v) the conversion of one (1) part-time Epidemiologist to one (1) full-time position at an estimated annual incremental cost of \$61,900.

Report:**1. Purpose**

- 1.1 To recommend to Regional Council that additional provincial base and one-time funding be received and be allocated in accordance with Section 4 of this report. In addition, this report seeks Regional Council approval to increase the Health Department's staffing complement by 5.8 new permanent positions.

2. Background

- 2.1 On May 7, 2018, the MOHLTC advised the Durham Region Health Department (DRHD) that it will provide the Board of Health with \$793,100 in additional base funding and up to \$284,900 in one-time funding for the 2018-19 funding year to support the provision of public health programs and services in Durham Region.
- 2.2 This brings the total maximum funding available under the Public Health Funding and Accountability Agreement (PHFAA) for the 2018-19 funding year to \$30,668,300 (\$30,373,400 in base funding and \$294,900 in one-time funding).
- 2.3 The Board of Health for the Durham Region Health Department and the MOHLTC entered into the PHFAA January 1, 2014. The MOHLTC has provided two copies of Amending Agreement No. 9, effective as of January 1, 2018, that contains the terms and conditions governing the provincial funding for public health programs and services.

3. New Public Health Requirements

- 3.1 In 2017, the MOHLTC communicated a number of policy changes including statutory and regulatory changes and the release of the modernized *Ontario Public Health Standards: Requirements for Programs, Services, and Accountability* (OPHS) which directly impact DRHD's programs and services. Many changes are significant and impact program and service delivery directly.
- 3.2 New staff positions are required to address new public health requirements and obligations for DRHD in the following areas:
- a. Health Equity: A new *Health Equity Guideline* articulates the requirements for implementing the new Health Equity Standard in the OPHS. New requirements place a greater emphasis on: multi-sectoral collaboration for addressing health equity; research and knowledge exchange activities that advance the knowledge base for health equity; and designing strategies to improve the health of the entire population while decreasing health inequities. Expertise in health equity is required to:
- Educate staff across DRHD on applying a health equity approach within all aspects of their work.
 - Ensure that priority populations are engaged in the design and

- implementation of assessment, surveillance, research and evaluation processes as well as programs.
- Foster multi-sectoral collaboration across all DRHD programs to decrease health inequities.
 - Lead, support and participate with other stakeholders in health equity analysis, policy development and advancement of healthy public policies that decrease health inequities.
- b. Immunization: Additional resources are required in the Immunization Program to address the following new requirements in the *Immunization for Children in Schools and Licensed Child Care Settings Protocol*:
- Public health units (PHUs) are required to provide in-person education sessions to parents requesting immunization exemptions. This new requirement requires additional support to provide oversight of the education sessions, support related changes to Panorama, respond to questions and assist families in making informed decisions.
 - PHUs are required to collect immunization information from parents and healthcare providers via the new online application Immunization Connect Ontario (ICON). It is anticipated that there will be a significant amount of support required for parents and healthcare providers requiring information and support related to the online registration process, enrollment, data entry and accessing electronic records.
- c. Mental Health: Mental health promotion is a new addition to the OPHS and its importance is highlighted by its inclusion in four program standards: Chronic Disease Prevention and Wellbeing, Healthy Growth and Development, School Health and Substance Use and Injury Prevention. In addition, a new *Mental Health Promotion Guideline* has been released. Additional resources are required to continue to plan, implement and evaluate evidence-based primary prevention strategies that increase positive mental health and decrease negative outcomes associated with mental health issues including youth suicide. New strategies will include:
- Programming focusing on key transitions during childhood and adolescence.
 - Supports for health and social service providers working with parents, children and youth including priority populations.
 - Additional programming in the school population.
 - Development of a regional mental health strategy for children and youth.
- d. Substance Misuse Prevention: It is anticipated that recreational cannabis will be legal in Canada in the summer of 2018 and Ontario has passed new legislation related to consumption and purchase of recreational cannabis. Additional public health staff is required to meet new obligations and expectations articulated in legislation as well as the new *Substance Use Prevention and Harm Reduction Guideline* under the OPHS. New staff will:

- Act as a referral point to community based cannabis cessation support services.
 - Advocate to the provincial government to maintain a strong public health approach to cannabis regulation within the province of Ontario.
 - Develop and implement programs and services to prevent use and/or delay the age of initiation by youth.
 - Implement a harm reduction strategy targeted to adults, in order to increase awareness of cannabis related harms and the low risk cannabis use guidelines.
 - Increase awareness regarding the legislation and regulations related to cannabis use in Durham Region.
 - Inform development and implementation of a local surveillance system in order to monitor usage rates and cannabis related harms.
 - Work with local stakeholders to address drug impaired driving.
 - Work with municipalities regarding sensitive land use considerations for retail stores as well as advertising/sponsorship regulations.
- e. Health Analytics: New requirements related to cannabis and harm reduction also lead to the need for additional data collection, analysis and reporting for effective program development and implementation. An additional part-time Epidemiologist will support the additional requirements related to cannabis and harm reduction. A new Manager, Health Analytics & Research is required to: reduce the number of direct reports for the Commissioner & Medical Officer of Health; address increased capacity needs; ensure effective collaboration across DRHD; and ensure efficient management of the diverse and complex work related to health analytics.

4. Financial Implications

- 4.1 The additional provincial base funding of \$793,100 will be used for new staff positions and administrative costs to address new provincial requirements and expectations for public health as articulated in new legislation, the new OPHS, and related Protocols and Guidelines. The following provides the details on the annual allocation for this additional base funding:
- a. One full-time Assistant Manager, Health Equity (1.0 FTE) at an estimated annual cost of \$151,300;
 - b. Three full-time and one part-time Public Health Nurses (PHNs) (3.3 FTE) at an estimated annual cost of \$380,100 for Immunization, Mental Health and Substance Misuse Prevention program requirements;
 - c. One full-time Manager, Health Analytics & Research (1.0 FTE) at an estimated annual cost of \$151,300;
 - d. The conversion of one part-time Epidemiologist to a full time position (1.0 FTE) to support opioids and harm reduction at an estimated annual incremental cost of \$61,900;
 - e. Computer costs for the above new positions estimated at \$15,000;
 - f. Incremental administration costs estimated at \$17,000 annually; and

- g. Incremental annual costs estimated at \$16,500 for the Region's needle exchange program.
- 4.2 Further reallocations may be required in 2018, based on the final hire dates of the new positions, to ensure the increased provincial funding is fully utilized in 2018.
- 4.3 The additional 100% provincial one-time funding of \$284,900 will be used in the following program areas:
- a. Quality and Transparency: A new requirement in the OPHS requires that results of all inspections be publicly disclosed. One-time funds will be used to support staff with expertise in the database, portal requirements, on-site posting of signs and website design, to ensure all inspections are reported in accordance with the OPHS. (\$25,000)
 - b. Migrant Farm Workers – Housing Inspections: Changes in Service Canada's requirements and processes have resulted in a 100% increase in the number of inspections required annually under the OPHS. Durham Region has 106 migrant farm workers housing locations that require inspection in accordance with the OPHS. (\$15,000)
 - c. Healthy Growth/School Health Vision Screening: Vision screening is mandated in the OPHS and is a new program for public health. Organizations have been conducting vision screening in Durham Region schools for a number of years. One-time funding will be used to explore opportunities for collaboration and provide oversight through coordination, management and reporting of the vision screening program. (\$38,100)
 - d. *Healthy Menu Choices Act, 2015* (HMCA) – Enforcement: In accordance with *Menu Labelling Protocol* inspections and re-inspections are required of all applicable food service premises to ensure compliance with the HMCA. In 2018, an additional inspection is required to ensure compliance with the requirement to include a revised contextual statement on signs and menus which came into force on January 1, 2018. (\$54,000)
 - e. Healthy Smiles Ontario (HSO) Program – Portable Dental Compressor: One-time funding will be used to replace the existing, at end of life, compressor currently used in DRHD's preventive clinics in high-needs schools located in priority neighbourhoods. Free preventive dental services are provided to children identified through the school screening process, already enrolled or eligible for HSO. (\$20,000)
 - f. Immunization/Infectious Diseases – Epidemiology Practicum Student: One-time funds will be used to hire a 16-week practicum student to work on updating the Health Neighbourhoods data utilizing a number of data sources. (\$16,800)
 - g. Immunization/Infectious Diseases – Immunization Part-Time Staff: Due to increased requirements under the OPHS relating to the children in child care centres and schools, additional part-time support is needed to maintain compliance with the *Immunization of School Pupils Act*. Work will include supporting the immunization clinics at the schools, screening warning letters, suspensions, and telephone calls/communications with students, parents,

healthcare providers and school staff. (\$116,000)

- 4.4 As always, there are risks to the Region with increases in provincial funding. In the event that the Provincial government decreases the level of funding, does not increase the level of funding to accommodate inflationary and contractual increases, or provide sufficient administrative funding to cover the Region's administrative costs to deliver the increased level of service, the Region's costs would need to increase to maintain the same level of services to the community.

5. Conclusion

- 5.1 It is recommended that additional unbudgeted provincial funding for the 2018-19 funding year in the amount of \$793,100 in base funding and \$284,900 in one-time funding be received and allocated, including the approval of 5.8 full-time equivalent positions (6 full-time – including the conversion of a part-time position to a full-time position and 0.3 part-time) at an estimated annual cost of approximately \$744,600, as outlined above.
- 5.2 The Amending Agreement No. 9 will be provided to the Regional Chair for signature following Regional Council approval. When all parties have signed the Amending Agreement, the MOHLTC will begin to flow the funds reflected in Schedule A of the Amending Agreement.
- 5.3 Cash flow from MOHLTC may be adjusted to match actual services provided.
- 5.4 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner & Medical Officer of Health
Report: #2018-COW-149
Date: June 6, 2018

Subject:

A Primary Care Outreach Pilot

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the first eight (8) months of a Primary Care Outreach Pilot (PCOP), ending on February 28, 2019, be implemented at an upset cost not to exceed \$290,000;
- B) That the estimated 2018 cost of this pilot of \$161,250 be funded from within the approved 2018 Health Department Business Plans and Budget and the estimated 2018 cost of \$57,000 be funded from within the Social Services Department Business Plans and Budget or any other surplus funds as determined by the Acting Commissioner of Finance;
- C) That the estimated 2019 cost of the pilot of \$52,750 be included for consideration in the 2019 Health Department Business Plan and Budget and the estimated 2019 cost of \$19,000 be included for consideration in the Social Services Department Business Plans and Budget;
- D) That authorization be granted to retain one Rapid Response Vehicle (RRV), slated to be decommissioned, to be used for PCOP services to transport supplies and park at various sites to serve priority populations for the course of the pilot;
- E) That Regional staff be authorized to negotiate a contract for the necessary part-time nurse practitioner services for the PCOP;
- F) That the Region of Durham continue to work with the provincial government and the Central East Local Health Integration Network (CELHIN) to obtain provincial funding for the PCOP; and

- G) That continuation of the PCOP beyond February 28, 2019 be subject to 2019 Health Department and Social Services Department Budget deliberations and be informed by an evaluation of the first eight (8) months of the pilot.
-

Report:**1. Purpose**

- 1.1. To provide a plan including identifying capital and operating costs for a PCOP to provide primary care outreach services to at-risk priority populations with targeted implementation as directed by Regional Council.
- 1.2. To report back on a funding strategy for implementation of a PCOP in Durham Region in 2018.
- 1.3. To identify the risks of implementing a PCOP in Durham Region, for consideration by Regional Council.

2. Background

- 2.1. On May 2, 2018, Report #2018-COW-96 provided Committee of the Whole with detail, as directed by Regional Council, on the estimated cost of operating mobile outreach health services including addiction counseling. See Attachment #1.
- 2.2. An alternate option and associated costs utilizing a community paramedicine model for provision of outreach primary care services was also provided for consideration by Regional Council.
- 2.3. On May 9, 2018, Regional Council approved the following motion:
 - a. That the Health and Social Services Department develop a community paramedicine services program supported by community outreach services (Social Services Personnel) for at-risk and hard to reach populations across Durham Region with targeted implementation;
 - b. That any capital and operating costs associated with the program's implementation in 2018 be absorbed within the approved budget; and
 - c. That staff report back to Council on a funding strategy at the June Committee of the Whole meeting.
- 2.4. A PCOP for consideration includes outreach primary care and social services provided to priority populations, administered by the Health Department in collaboration with the Social Services Department.

3. Scope of the Primary Care Outreach Pilot

- 3.1. The proposed PCOP will provide primary care and social services to priority populations, focused primarily on Oshawa's priority neighbourhoods. A vehicle

- similar to a Rapid Response Vehicle (RRV) will be used to transport supplies and park at various sites to reach priority populations.
- 3.2. Services will be scheduled at the various sites so that potential clients are aware of when and where they can access service. Locations where priority populations are known to gather, based on Paramedic Services and Social Services experience, will inform where the vehicle will be parked, as well as Health Neighbourhoods demographic and health indicators.
 - 3.3. The vehicle will not have the space for clients to enter the vehicle to receive service or treatment. Services will be provided outside the vehicle, where clients are located.
 - 3.4. The pilot will operate five days per week beginning with an 8 a.m. to 4 p.m. schedule. The timings for operations will be evaluated and adjusted to address client needs.
 - 3.5. The pilot will be staffed by one full-time Advanced Care Paramedic (ACP) and one full-time social worker. It is anticipated that the paramedic and social worker will work together, unless there is an unanticipated lack of coverage. A part-time nurse practitioner will be contracted through a local community agency to provide services two days per week.
 - 3.6. Through a PCOP, the ACP can provide primary care outreach services to priority populations in order to assess and treat non-acute patients. It is anticipated that the ACP will provide services such as: client assessment including blood sugar testing and checking vital signs, emergency care, medical triage, referrals to health care supports such as mental health, addictions, or medical treatment and wound care.
 - 3.7. The social worker can provide support for a variety of emotional and mental health issues including assessment, triage, crisis intervention, substance abuse counselling, as well as referrals and linkages to social services supports. A social worker for the PCOP will be selected based on experience and fit, with particular attention to experience in addiction counselling and mental health.
 - 3.8. The nurse practitioner will provide primary care services within his/her scope of practice which includes diagnosis, ordering diagnostic tests, prescribing medication and other treatment for clients. These are outside the scope of practice for ACPs. The nurse practitioner can also provide other primary care services based on need which may be out of scope for the ACP or social worker such as foot care, health promotion and teaching, sexual health services as well as appropriate referrals to health care supports. The primary care services that will be provided will be significantly limited by the lack of space and privacy.
 - 3.9. It is anticipated that the skills and scope of the ACP, nurse practitioner and social worker will complement and support each other.

- 3.10. The aim of the PCOP will be to engage with priority populations, improve coordination between health and social services for priority populations and monitor and follow-up with clients where possible. There is currently no information available on the estimated number of clients expected to be reached through this model.
- 3.11. Due to budgetary constraints and limited capacity, the scope of services provided will avoid duplication of services that are currently available in the region such as harm reduction services and HIV point of care and hepatitis C testing. These services are currently provided through Carea Community Health Centre, John Howard Society of Durham Region and AIDS Committee of Durham Region.
- 3.12. Education and training will be required to ensure that ACPs have the appropriate skills to provide services to target populations.
- 3.13. The operational costs associated with the first eight months of the pilot are estimated at **\$290,000** with approximately **\$218,250** expended in 2018 and \$71,750 expended in 2019. This includes the cost of salary and benefits, supplies and training for one full-time ACP five days per week, one full-time social worker five days per week, and one part-time nurse practitioner two days per week.
- 3.14. An evaluation plan will be developed in collaboration with the Social Services Department to measure program outcomes once detailed objectives of the PCOP are finalized.

4. Financial, Risk and Legal Implications

- 4.1. It is proposed that the PCOP services be offered through an RRV type vehicle. A vehicle for a PCOP would not require additional features typical of an emergency response vehicle such as lights, siren, etc. Should the PCOP program be extended beyond the first eight (8) months of the pilot period a new vehicle at an estimated cost of \$42,000 would be required.
- 4.2. Operating costs over an eight (8) month period including staffing, fuel and supplies, as indicated by Paramedic Services and Family Services Division is summarized as follows:
 - a. Staff resources are estimated at **\$232,334**: \$125,667 (1.4 FTE ACPs) + \$76,000 (1.0 FTE social worker) + \$30,667 (0.4 FTE nurse practitioner). Costs are inclusive of salary and benefits. Please note that 1.4 FTE ACP is required to account for absence and vacation coverage. Coverage for the social worker will be provided from an existing position, as needed.
 - b. Supplies are estimated at **\$40,000**. This estimate is based on current cost and use of supplies as there is no information available on expected number of clients and anticipated use of supplies.
 - c. Training and annual education are estimated at **\$3,000**.
 - d. Fuel costs will vary depending on vehicle use and fuel price. An estimate based on current RRV use and the current price of fuel is **\$5,666**.

- e. Vehicle maintenance costs and insurance are estimated at **\$9,000**.
 - f. Total operating costs over an eight (8) month period for the PCOP are estimated at **\$290,000**: \$232,334 + \$40,000 + \$3,000 + \$5,666 + \$9,000.
- 4.3. Since Regional Council has directed that costs be absorbed within the approved 2018 budget, resources must be diverted from existing programs and services as no provincial or outside funding is currently available for this pilot. This funding structure is not sustainable on a go forward basis. Since 2014, Paramedic Services has seen a significant increase in call volumes (a 28% increase) without an equivalent increase in staffing resources. Diverting funds from the 2018 approved budget will further impact capacity to manage current call volumes. Should the proposed PCOP continue beyond February 28, 2019, additional funding will be required. The absence of secured funding creates a significant risk that the program may be discontinued beyond the first eight (8) months of the pilot.
- 4.4. Funding for this initiative will likely not be available from an external agency such as the CELHIN. The province and LHINs have funded community paramedicine services in the past which are based on three broad models including: assessment and referrals of frequent 911 callers; home visits to provide care and monitor seniors and other patients at risk of losing their independence to live at home; or community paramedic-led clinics that provide flu shots and assessment and education related to chronic disease prevention and healthy living. Region of Durham Paramedic Services' previous applications to the province for funding for a community paramedicine program have been unsuccessful.
- 4.5. Key areas of risk and potential mitigation based on the Region's Enterprise Risk Management Risk Identification model are outlined below and will need to be addressed include:
- a. Privacy risks:
 - Client records, charts, test results must be stored and locked in a fire safe filing unit. Any computers must be safely secured and if possible locked in place to prevent theft of computers containing clients' medical information.
 - The two-way communication of patient care records related to the care between the program and the affiliated hospitals/physicians and other care providers must be assured.
 - Any patient waivers signed must also include privacy statements allowing the PCOP to provide any client medical information to test laboratories or other service providers.
 - b. People Risks:
 - Safety and Security for Staff and Clients
 - Safety measures and sufficient awareness for staff need to be considered and implemented.

- An abuse protocol will be required to ensure safety of staff and clients.
- Safe work protocols and procedures will be required for staff to prevent harm while working in the PCOP vehicle.
- There may be concerns raised by residents or business operators in welcoming primary care paramedic services into their community and operating on their streets.
- In order to protect the vehicle from potential vandalism or theft, it is recommended that the vehicle be returned to the municipal garage facility every night.

Future Competency/Training Needs

- Training and recruitment considerations are required to ensure service providers have required competencies to support them in the need to deliver services while meeting quality standards for the new PCOP.

c. Strategic Risks:

Sustainability

- There is a significant risk in establishing a PCOP program targeted at priority populations without the certainty of sustainability. Clients may come to expect services that may not be available on an ongoing basis due to funding constraints.
- The PCOP needs to confirm that it is not in conflict with other licensing agencies or authorities, including: nursing, physician, home health care, primary care, or others.
- The pilot will need to develop comprehensive protocols that guide staff to ensure consistency of care is delivered.

d. Financial Risks:

- With the direction to absorb the costs within the approved 2018 budget, resources must be diverted from existing programs and services. This funding structure is not sustainable on a go forward basis.
- The availability of funding from the Province and the CELHIN for similar programs has been limited. It is recommended that the Region continue to work with the provincial government and the CELHIN to obtain funding for primary care outreach services.

5. Limitations of a Primary Care Outreach Pilot

5.1. The proposed PCOP has a number of limitations:

- a. Client anonymity: Many mobile services clients do not present with health cards or other official forms of identification and some may use aliases when seeking treatment. Client anonymity limits the services that can be provided as prescriptions, referrals or requisitions for further diagnostic tests cannot be provided.
- b. Evaluating program effectiveness and outcomes will likely be limited to client satisfaction, number of clients seen and number of services provided rather

- than health outcomes or cost-effectiveness due to the nature of the services and client population.
- c. Fragmentation of care: Literature has shown that a substantial proportion of clients of mobile health services do not attend referral appointments or cannot be contacted for follow-up. The ability to monitor clients may be a challenge due to the transient nature of the anticipated client population as well as potential client anonymity.
 - d. Privacy: As noted above, due to the inability to provide treatment and counselling services inside the vehicle, client privacy is significantly limited. Potential clients may refuse services due to the lack of privacy.
 - e. Staffing challenges and low retention rates which have been reported for mobile health services may also apply to PCOP services (Morphew et. al., 2013).
- 5.2. Community paramedicine programs described in the literature are significantly different than those proposed for the PCOP. Community paramedicine programs focus on services provided to seniors or rural populations at home, frequent callers to 911, or those discharged from hospital. As such, published evaluation results are not applicable to the proposed PCOP for Durham Region.

6. Conclusion

- 6.1. The aim of the PCOP will be to engage with priority populations, focused primarily on Oshawa's priority neighbourhoods, improve coordination between health and social services for priority populations and monitor and follow-up with clients where possible. There is currently no information available on the estimated number of clients expected to be reached through this model.
- 6.2. An ACP, nurse practitioner and social worker would work in collaboration to provide primary care and social support services to priority populations.
- 6.3. The PCOP proposed for Durham Region is not typical of other community paramedicine models in Ontario that aim to address frequent users of hospital emergency departments.
- 6.4. Available funding in the 2019 budget is required to continue the pilot program beyond February 28, 2019. As funding has not been identified to sustain the PCOP beyond the first eight (8) months of the pilot period, a significant risk is that priority populations that may come to expect services will no longer have PCOP services available beyond February 28, 2019.
- 6.5. Evaluation results for a time-limited pilot program will be very limited and may not demonstrate impact.
- 6.6. Given the uncertainties and risks noted above, Regional Council may want to consider availability of ongoing funding prior to implementation of a PCOP in the region. As an effective primary care outreach program requires resources beyond the Region's current capacity, advocacy efforts directed towards the provincial

government and provincial agencies are required as soon as possible.

- 6.7. The Commissioner of Social Services has reviewed this report and concurs with its recommendations.
- 6.8. The Finance Department has reviewed this report and the Acting Commissioner of Finance concurs with the financial recommendations.

Attachments

Attachment #1: #2018-COW-96 Additional Information re: Mobile Health Unit

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Recommended for Presentation to Committee

Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3324



The Regional Municipality of Durham Report

To: Committee of the Whole
 From: Commissioner & Medical Officer of Health
 Report: #2018-COW-96
 Date: May 2, 2018

Subject:

Additional Information re: Mobile Health Unit

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

- 1.1. To provide further detail, as directed by Regional Council, on the funding and administration of mobile health services in other regions and the estimated cost of operating mobile health services for outreach services including addiction counselling.
- 1.2. To provide an alternate option and associated costs, for consideration by Regional Council utilizing a community paramedicine model for provision of outreach primary care services, including addiction counselling.

2. Background

- 2.1. Fentanyl overdoses have been identified as a public health crisis. The Ontario Ministry of Health and Long-Term Care (MOHLTC) has announced that the Health Department will be responsible for new program requirements aligned with the following scope of work: Local Opioid Response; Naloxone Distribution and Training; and Opioid Overdose Early Warning and Surveillance.
- 2.2. Locally, a coordinated region-wide opioid response is under development by a local task force. Membership is comprised of several community stakeholders and planning is being facilitated by the Health Department.
- 2.3. On November 8, 2017, Regional Council approved a motion to:

- a. “determine the estimated cost of operating a mobile health unit staffed with outreach, addiction counselling, medical and health professionals operating in partnership with local health and social service agencies to support and care for at-risk populations across the Region, including those using opioids; and,
 - b. “report back on the cost of a mobile health unit for consideration in the 2018 budget” (Delegations, Motions, Notice of Motions: November 8, 2017).
- 2.4. On February 6, 2018, Report #2018-COW-28 provided Committee of the Whole with background information on mobile health services and the estimated cost of purchasing a mobile health unit for outreach services, including addiction counselling. See Attachment #1.
 - 2.5. On February 14, 2018, Regional Council approved a motion to refer the report back to staff to identify operating costs and determine how similar services in other regions are administered and funded to inform decisions for Region of Durham.
 - 2.6. Mobile health services are transportable healthcare units that enable the provision of community-based care offsite from institutions and healthcare agencies to underserved populations that may be hard to reach (Guruge et. al., 2009).
 - 2.7. Results of an environmental scan indicate that mobile health services currently exist in York/South Simcoe, Peel, Toronto, Elgin St. Thomas, Hamilton, and Thunder Bay. The scope of services vary and may include needle exchange, harm reduction services, naloxone distribution, sexual health screening, hepatitis C outreach, treatment of sexually-transmitted infections (STIs), emergency contraception, vaccinations, oral health care, wound care, addiction services, crisis support, and referrals to other services in the community.
 - 2.8. Organizations that administer the mobile health services also vary and include, but are not limited to, the Canadian Mental Health Association of York and South Simcoe, Sherbourne Health Centre, and local community agencies, such as Carea Community Health Centre.
 - 2.9. In some cases, where there is a demonstrated need to service large geographical distances, such as communities within the jurisdiction of the Thunder Bay District Health Unit, public health units (PHUs) are the administrators of the mobile health services. Services provided are within the scope and mandate of public health, as outlined in the [Ontario Public Health Standards: Requirements for Programs, Services, and Accountability](#) (OPHS).
 - 2.10. Funders of mobile services also vary. The Toronto Central LHIN and Central LHIN fund services in their regions, funding or resources may be provided by local community agencies, funding is sometimes secured through grants, or in cases where PHUs are administering public health services in accordance with the OPHS, funding is also provided by public health.
 - 2.11. Where funders of the service are not the lead administrators of the service,

- organizations have Memorandums of Understanding (MOUs), contracts, or agreements in place for service provision. MOUs may also be required for other reasons. For example, the oral health bus operated by Toronto Public Health has MOUs in place with numerous community agencies allowing it to park the mobile unit and provide services where required in the community.
- 2.12. Results of a local stakeholder consultation concluded that downtown Oshawa is currently the priority area that needs to be addressed due to its demographics and concentration of those in need of harm reduction services.
 - 2.13. Stakeholder feedback identified priority populations as follows: sex trade workers, street involved and marginalized individuals, Indigenous populations, those at risk for infectious diseases and individuals experiencing mental health and addictions issues.
 - 2.14. Stakeholders identified current gaps and potential local mobile services as: medical triage for priority populations, abscess and foot care, nourishment, crisis interventions, HIV point of care testing, hepatitis C testing, needle exchange, health promotion and teaching, sexual health, as well as referrals to mental health and addictions treatment and other health or social services. Most of the services identified are primary care services and not within the scope or mandate of public health.
 - 2.15. Currently, within Durham Region, needle exchange services and referrals to addictions treatment programs are provided by John Howard Society of Durham Region (JHSDR) through Project X-Change which is funded by the Health Department. Services are provided in offices located in Ajax, Clarington, Oshawa and Whitby.
 - 2.16. The Health Department provides sexual health clinical services for diagnosis, treatment and management of STIs as well as birth control, emergency contraception and vaccinations at its sexual health clinic sites in Clarington, Oshawa and Pickering.
 - 2.17. The Health Department has been in contact with AIDS Committee of Durham Region (ACDR), JHSDR, and the CE LHIN to identify opportunities for partnerships and in-kind support to deliver mobile health services.
 - 2.18. To date, no organization has offered in-kind support or contributions, but rather has offered to provide staff if funding is provided by an external agency.
 - 2.19. ACDR is willing to contribute services of 1.8 FTE at an annual cost of \$90,000, if funding is provided by an external agency. Services would include sexual health counselling and education (e.g. education about safe sex practices), harm reduction services including access to harm reduction supplies, rapid HIV and hepatitis C testing (depending on availability of appropriate training) and referrals to community services.

- 2.20. JHSDR is willing to contribute services of 1.0 FTE at an annual cost of \$53,800, if funding is provided by an external agency. Services would include harm reduction services including needle exchange and provision of safer inhalation equipment as well as education and counselling.
- 2.21. Current gaps identified through stakeholder consultation such as medical triage, abscess and foot care, nourishment and crisis intervention would not be addressed through mobile health services staffed only by ACDR and JHSDR.
- 2.22. Additional qualified primary health care providers (e.g. a nurse practitioner) would be required at significantly higher costs to meet the aforementioned services. No primary care service provider has been identified to provide mobile health services at this time but estimated costs have been outlined below for information. Additional discussions would be required with funder(s) and a potential administrator to identify interest in expanding the scope of services beyond those within the mandate of ACDR and JHSDR.
- 2.23. The CE LHIN is willing to work with Pinewood Centre of Lakeridge Health to develop an implementation plan for a mobile health unit that includes staffing plans, costs and clearly articulated roles for each partner.
- 2.24. It has come to the attention of the Health Department that Carea Community Health Centre is interested in supporting a mobile health services initiative by providing an outreach worker, if funding is available. This would expand the scope of services Carea provides through its mobile health services, which is currently limited to hepatitis C outreach.
- 2.25. Should mobile health services be established in the region, once the model of service delivery is determined, the Social Services Department would support the exploration of its appropriate role to contribute to the success of the initiative.
- 2.26. An administrator and/or lead agency needs to be identified to coordinate services, recruit stakeholders, develop service plans and service agreements and manage day to day operations including: safety concerns, unanticipated staffing shortages and/or absences as well as management of supplies and ongoing vehicle maintenance. The CE LHIN is only able to commit to a planning partnership at this time and has indicated that it is willing to work with the Health Department to identify an appropriate lead agency.
- 2.27. The administrator or lead agency will need to develop and implement a data collection/program monitoring system which can be utilized to complete an evaluation regarding effectiveness of the mobile health services.

3. Financial, Risk and Legal Implications

- 3.1. Based on expenditures reported by other regions, as well as current market value, a mobile health services vehicle ranges from **\$150,000** to **\$300,000**. This estimate is highly dependent upon the level of service being offered and the associated

- retrofitting requirements.
- 3.2. Annual operating costs including insurance, staffing and supplies, as indicated by ACDR and JHSDR, as well as vehicle maintenance is summarized as follows:
 - a. Equipment and supplies are estimated at **\$14,950**: \$14,600 (ACDR) + \$350 (estimated cost of disposal of used needles).
 - b. Staff resources are estimated at **\$296,300**: \$115,500 (1.0 FTE nurse practitioner) + \$90,000 (1.8 FTE ACDR) + \$53,800 (1.0 FTE JHSDR) + \$37,000 (1.0 FTE driver as recommended through stakeholder consultation). Please note the cost of the driver is an estimate and excludes costs of benefits.
 - c. Vehicle and maintenance costs are estimated at **\$9,000**: \$4,000 (ACDR estimate for liability, insurability and vehicle insurance) + \$5,000 (vehicle maintenance).
 - d. Total annual operating costs for the organization funding the mobile health services are estimated at **\$320,250**: \$296,300 + \$14,950 + \$9,000.
 - 3.3. The above costs do not include fuel costs, which would need to be estimated based on the service plan developed.
 - 3.4. Based on these estimates, the total one-time costs for the purchase of a vehicle are estimated at **\$300,000**.
 - 3.5. Annual operating costs for the agency providing ongoing funding are estimated at **\$320,250**. This estimate does not include the cost of benefits for a driver and also does not include potential equipment/supplies cost for the nurse practitioner.
 - 3.6. No organization has offered in-kind contributions or any commitment to provide one-time or ongoing funding for this initiative at this time.
 - 3.7. If the Region of Durham were to provide one-time or ongoing funding, a source for funding would need to be identified.
 - 3.8. An alternate approach to mobile health services is to provide outreach primary care services through community paramedicine services, administered by the Health Department, and costs borne by the Region of Durham. Through a community paramedicine model, Community Paramedics (Advanced Care Paramedics) can provide primary care outreach services in priority neighbourhoods in order to assess and treat non-acute patients. Community Paramedics can also provide referral services to addictions, health and social services. The operational costs associated with this service are estimated at **\$407,806** per year. This includes the salary and benefits for three Advanced Care Paramedics, five days per week, approximately 8 hours per day, at \$383,806 per year + annual vehicle maintenance costs of \$3,000 per year + annual education and training expenses at approximately \$21,000. The scope of community paramedicine services is broader than counselling, education and harm reduction.
 - 3.9. Education and training would be required to ensure that the paramedics have the appropriate skills to provide services to target populations, such as basic addiction

counselling.

- 3.10. The advantages of a community paramedicine model are that it draws from existing assets such as dispatch services, a data collection system within the scope and mandate of Paramedic Services to support evaluation, appropriate job classifications, and there is potential to provide primary care outreach services that are beyond the scope and mandate of ACDR and JHSDR outreach workers.
- 3.11. The community paramedicine services could be offered through a Rapid Response Vehicle (RRV) at a purchase cost of approximately **\$42,000**. A vehicle for a community paramedicine program would not require additional features typical of an emergency response vehicle such as lights, siren, etc. If an older vehicle were to be used to provide services, annual maintenance costs would significantly increase to approximately \$12,000 annually.
- 3.12. Once the vehicle is operating, an annual budgeted cost of **\$450,000** would ensure sufficient funds for operating the services, ongoing education and training and required supplies.
- 3.13. A number of operational, people, governance, financial and strategic risks were identified. Key areas of risk include the use, operation and safety of the vehicles; and the safety, security and privacy of the staff providing mobile health services and the clients receiving them. These risks along with insurance requirements will need to be addressed by the administrator and service providers involved in the operation of mobile health services.
- 3.14. The CE LHIN suggested that MOUs or agreements would be required to identify funding responsibilities as well as between funders and service providers.
- 3.15. Legal Services has confirmed the above and advised that MOUs should be established between all service agencies participating in the mobile health services initiative to ensure that staffing issues, liability, and operational considerations are appropriately covered and to minimize exposure to liability.

4. Limitations of Mobile Health Services

- 4.1. Based on a review of the evidence and consultation with local community agencies, limitations of mobile health services are identified as follows:
 - a. Agency representatives report current staffing limitations and expressed concerns about providing in-kind contributions toward mobile health services.
 - b. Financial costs of maintaining and operating the mobile unit.
 - c. Increased exposure to liability if services are outside the scope of the administrator's mandate or core service delivery.
 - d. Increased risk of experiencing fragmentation of care (Yu et. al., 2017).
 - e. Limited evidence to indicate mobile health services will decrease rates of opioid use and overdose.
 - f. Spatial constraints and associated privacy and confidentiality issues if multiple

- clients are on board (Yu et. al., 2017).
- g. Staffing challenges and low retention rates (Morphew et. al., 2013).

5. Conclusion

- 5.1. Mobile health services can be considered to help address the health needs of hard to reach populations in Durham Region. To maximize the effectiveness, health benefits and reach, mobile health services should be broad, varied and relevant to the needs of Durham Region's target populations. The evidence that mobile health services decrease rates of opioid use and overdose is weak.
- 5.2. The services provided by the Health Department are heavily prescribed by statute, regulations, the [OPHS](#) and associated Protocols and Guidelines. There are very few primary care services within the public health mandate of the Health Department; for example, immunization and oral health services, which do not require mobile health services as they are primarily provided within school settings. Portable preventive oral health services are provided in high-risk schools, based on need and opportunities to provide oral health clinical services in rural communities are being explored.
- 5.3. The scope and mandate of the CE LHIN includes planning and implementation of primary care services, which are the main services proposed above for mobile health services. The CE LHIN recognizes the potential value of mobile health services but is unable to make a financial commitment at this time. A CE LHIN representative has stated that she is not aware of any new base or one-time funding that will be made available this fiscal year and that a detailed business case would need to be considered for funding requests. The CE LHIN can only commit to a planning partnership at this time.
- 5.4. ACDR and JHSDR are willing to provide mobile health services within their mandate and operate the vehicle if an external agency can provide sufficient ongoing funding.
- 5.5. The CE LHIN is willing to support the initiative by developing an implementation plan that includes staffing plans, costs and clearly articulated roles for each partner. Further discussions are required with the CE LHIN to identify commitment from a potential lead agency to provide ongoing oversight of operations of the mobile health services and develop an evaluation plan, in accordance with its standard operating practices. However, further discussions are pending funding availability.
- 5.6. To date, there has been no commitment from any agency to provide primary care services and/or ongoing or one-time funding for this initiative.
- 5.7. If the Region of Durham provides one-time costs for a mobile health services vehicle, total one-time costs for the Region are estimated at \$300,000. A funding source would need to be identified.

- 5.8. While the proposed mobile health services are not within the scope and mandate of public health services, the Health Department can support development of a business case, in partnership with interested community agencies, for future CE LHIN consideration.
- 5.9. Given the uncertainties and risks noted above, an alternate approach for the Region is the establishment of community paramedicine services with the purchase cost of a RRV at \$42,000 and annual budgeted operating costs at approximately \$450,000, to be borne by the Region.

Attachments

Attachment #1: #2018-COW-28 Mobile Health Unit for At-Risk Populations, Including Those Using Opioids

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3111



The Regional Municipality of Durham Report

To: Committee of the Whole
 From: Commissioner & Medical Officer of Health
 Report: #2018-COW-28
 Date: February 7, 2018

Subject:

Mobile Health Unit for At-Risk Populations, Including Those Using Opioids

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

- 1.1 To identify the estimated cost of purchasing a mobile health unit for outreach services including, addiction counselling. Daily operating costs, including staffing costs, will need to be further explored if a health services plan is developed and a lead agency is identified. As per the motion set forth, the staffing model consists of community-based medical and health professionals operating in partnership through in-kind contributions by local health and social service agencies.

2. Background

- 2.1 Fentanyl overdoses have been identified as a public health crisis. The Ministry of Health and Long-Term Care (MOHLTC) has announced that the Health Department will be responsible for new program requirements aligned with the following scope of work: Local Opioid Response; Naloxone Distribution and Training; and Opioid Overdose Early Warning and Surveillance.
- 2.2 Locally, a coordinated Region-wide opioid response is under development by a local task force. Membership is comprised of several community stakeholders and planning is being facilitated by the Health Department.
- 2.3 On November 8, 2017, Regional Council approved a motion to:

- a. “determine the estimated cost of operating a mobile health unit staffed with outreach, addiction counselling, medical and health professionals operating in partnership with local health and social service agencies to support and care for at-risk populations across the Region, including those using opioids; and,
 - b. “report back on the cost of a mobile health unit for consideration in the 2018 budget” (Delegations, Motions, Notice of Motions: November 8, 2017).
- 2.4 Mobile health services are transportable healthcare units that enable the provision of community-based care offsite from institutions and healthcare agencies to underserved populations that may be hard to reach (Guruge et. al., 2009).
- 2.5 Mobile health services provide an alternative way of organizing healthcare resources for hard to reach populations such as the under-housed, individuals in rural communities, recent immigrants and low-income individuals. Barriers to accessing healthcare services among hard to reach populations include transportation or geographic barriers, linguistic and cultural barriers, lack of healthcare providers, and psychological barriers (Yu et. al., 2017).
- 2.6 Offering mobile health services could help to reduce health inequalities in hard to reach populations and connect clients to wider community resources (Yu et. al., 2017).
- 2.7 Mobile health services may yield a cost-benefit savings to healthcare systems by reducing emergency department (ED) visits, length of stay in hospital and improving the quality of life in later years.
- 2.8 As evidenced by research, mobile health units are most cost effective for chronic disease management. American based statistics report a return on investment ratio of 36:1, meaning for every dollar invested in funding, \$36 were returned in combined value of life years saved and ED costs avoided (Oriol et. al., 2009). Return on investment is higher for mobile health units that offer a broad range of services (Morphew et. al., 2013). Evidence also suggests that mobile health services are effective at screening high-risk populations for infectious diseases, such as HIV (Yu et. al., 2017).
- 2.9 Results of an environmental scan of Ontario indicate that mobile health services currently exist in York/South Simcoe, Peel, Toronto, Elgin St. Thomas, Hamilton, and Thunder Bay. These areas deliver varied services including chronic disease management as well as harm reduction services such as needle exchange, sexually-transmitted infection testing, HIV testing and crisis counselling.
- 2.10 Results of a stakeholder consultation concluded that while a mobile health service could be utilized across Durham Region, downtown Oshawa is currently the priority area that needs to be addressed due to its demographics and concentration of those in need of harm reduction services.
- 2.11 Stakeholder feedback identified priority populations as follows: sex trade workers, street involved and marginalized individuals, indigenous populations, those at risk

for infectious diseases and individuals experiencing mental health and addictions issues.

- 2.12 Stakeholders identified current gaps and potential mobile services as: medical triage for priority populations, abscess and foot care, nourishment, crisis interventions, HIV point of care testing, hepatitis C testing, needle exchange, health promotion and teaching, sexual health, as well as referrals to mental health and addictions treatment and other health or social services.

3. Financial Implications

- 3.1 Based on expenditures reported by other regions, as well as current market value, a mobile health unit vehicle ranges from \$150,000 to \$300,000. This estimate is highly dependent upon the level of service being offered and the associated retrofitting requirements.
- 3.2 Daily operating costs including insurance, vehicle maintenance, and staffing as well as equipment and supplies will need to be identified and assumed by the agency coordinating the mobile health unit. Preliminary estimates indicate vehicle maintenance costs to be approximately \$5000 per year. Thus, in order for a mobile health unit to be feasible a funder to support ongoing costs will need to be investigated.

4. Limitations of a Mobile Health Unit

- 4.1 Based on a review of the evidence and consultation with local community agencies, limitations of a mobile health unit are identified as follows:
- a. Financial costs of maintaining and operating the mobile unit;
 - b. Limited evidence to indicate mobile health units will decrease rates of opioid use and overdose;
 - c. A service delivery model that relies on in-kind contributions from local service agencies can result in limited or fragmented care. In Durham Region, various community agencies support a mobile health unit in principle, not withstanding, agency stakeholders identified concerns related to the ongoing costs and staffing expenses associated with operating a mobile unit;
 - d. Agency representatives report current staffing limitations and expressed concerns about providing in-kind contributions toward a mobile unit. To date, one agency has stated that they are in a position to offer in-kind staffing services, while all other agencies have stated that they may be unable to commit to providing in-kind staffing due to budget and staffing constraints. To address these concerns, stakeholders identified the need for a lead agency and/or mobile health services coordinator to recruit stakeholders, develop service plans and manage day to day operations including: safety concerns, unanticipated staffing shortages and/or absences as well as management of supplies and ongoing vehicle maintenance.

5. Conclusion

- 5.1 A mobile health unit is a type of health service that can be considered to help address the health needs of hard to reach populations in Durham Region. To maximize the reach, health benefits and effectiveness of a mobile health unit, services should be broad, varied and relevant to the needs of Durham Region's target populations. The evidence that mobile health units decrease rates of opioid use and overdose is weak.
- 5.2 The cost of a mobile health unit vehicle ranges from \$150,000 to \$300,000. Annual vehicle maintenance costs are approximately \$5,000.
- 5.3 A lead agency to support ongoing operations of a mobile health unit, a funder to support ongoing operating costs and commitments to provide in-kind contributions will need to be identified.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services and Acting Commissioner of Finance
Report: #2018-COW-106
Date: June 6, 2018

Subject:

Green Ontario Fund (GreenON) – Social Housing Program

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Chair and Regional Clerk be authorized to execute the Transfer Payment Agreement (TPA) with the Housing Services Corporation (HSC) to participate in the Green Ontario Fund (GreenON) Social Housing Program and secure total available Provincial program funding in the amount of \$630,578 to be applied towards retrofit activities that reduce greenhouse gas (GHG) emissions;
 - B) That no Regionally-incurred administrative costs related to delivery of Program initiatives be recovered from the Region's allocation of GreenON Social Housing Program funding in order to maximize the funding available for GHG-reducing retrofit activities,
 - C) That in order to secure all available provincial GreenON Social Housing Program funding it is recommended that, subject to the approval of the Acting Commissioner of Finance and the Commissioner of Social Services, that staff be authorized to allocate funding to ranked projects and redirect unspent GreenON Social Housing Program funds to ranked projects that require additional funding, where applicable; and,
 - D) That the Regional Chair and Regional Clerk to authorized to execute any necessary agreements with the housing provider for the use of the funds.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Council approval to participate in the provincially-funded Green Ontario Fund (GreenON) Social Housing Program to fund retrofit activities aimed at reducing greenhouse gas (GHG) emissions.

2. Background

- 2.1 The Green Ontario Fund (GreenON) is a not-for-profit provincial agency, funded through proceeds from the province's carbon market, tasked with reducing GHG emissions in buildings and industry.
- 2.2 On February 9, 2018, the GreenON announced the launch of the GreenON Social Housing Program for eligible social housing apartment buildings across Ontario. The program, which is being administered by the Housing Services Corporation (HSC), will invest \$25 million to support GHG reducing retrofits in social housing apartment buildings with less than 100 units.
- 2.3 Service Managers were required to submit a business case to the HSC by March 28, 2018 illustrating how proposed projects would effectively reduce GHG emissions among housing providers.

3. GreenON Social Housing Program Guidelines

- 3.1 The objective of GreenON Social Housing Program is to fund eligible retrofits including those that utilize the latest low-carbon or carbon-free energy technologies/systems in social housing apartment buildings with less than 100 units to reduce overall GHG emissions.
- 3.2 Projects are eligible to receive funding if they meet the following eligibility criteria:
 - Must be a single social housing apartment building;
 - Must contain less than 100 units;
 - Must be social housing: i.e. must be subject to a transferred housing program under the *Housing Services Act, 2011*; and
 - Must not have previously received or be receiving funding under existing GHG reduction programs including Social Housing Apartment Retrofit Program (SHARP), Social Housing Apartment Investment Program (SHAIP), Social Housing Electricity Efficiency Program (SHEEP) or Municipal GHG Challenge Fund funding.
- 3.3 The key target outcomes of the program include:
 - reduced GHG emissions;
 - increased comfort and quality of life for Ontario's low-income and vulnerable tenants;
 - decreased operating costs for social housing providers through the energy savings resulting from the retrofit activities, increasing the long-term sustainability of existing social housing stock; and
 - supporting the GHG retrofit sector and creating local jobs across Ontario.
- 3.4 Funded housing projects must remain affordable for a three-year period after the completion of the funded retrofit work, including a minimum of three (3) years during which it will operate as social housing under the *Housing Services Act, 2011*. This

requirement applies regardless of any mortgage obligations or agreements between a Service Manager and Eligible Housing Provider.

3.5 The Region must enter into a Transfer Payment Agreement (TPA) with HSC, no later than June 30, 2018, in order to participate in the program. The TPA contains an accountability framework between HSC and the Region and outlines the Region's roles and responsibilities under the Program.

3.6 The TPA outlines:

- Financial provisions (i.e. administration fees, payment claims and financial accountability)
- Program description and timelines
- Eligibility criteria
- Indemnification and repayment provisions
- Reporting, auditing and other accountability enforcement provisions
- Participation in potential case studies and client satisfaction surveys
- Other requirements (e.g. French Language Services).

3.7 As part of the GreenON Social Housing Program funding, the Region must conduct an evaluation of eligible buildings for the purposes of allocating the approved program funds in order to maximize potential GHG emission reductions. In order to commit the funding, the Region is required to submit, no later than June 30, 2018, a Program Delivery and Fiscal Plan (PDFP) that outlines how the funding allocations will be used.

3.8 It is recommended that the Regional Chair and Regional Clerk be authorized to execute the Transfer Payment Agreement (TPA) with the Housing Services Corporation (HSC) to participate in the GreenON Social Housing Program and secure Provincial funding in the amount of \$630,578 to be applied to retrofit activities that reduce GHG emissions.

4. Business Case Submission and Funding Allocation

4.1 Following release of the program guidelines and staff participation in HSC-hosted webinars, staff canvassed eligible housing providers for retrofit projects consistent with program guidelines. Requests for funding were received for twenty-one (21) eligible apartment buildings and included 62 individual retrofit projects.

4.2 Following consolidation of the housing provider submissions, a business case was submitted by the Region to HSC on March 28, 2018 requesting total funding in the amount of \$15,960,350.

4.3 On April 24, 2018, the Region of Durham received correspondence from HSC (Attachment #1) confirmation a total Regional allocation of \$630,578 in funding under the GreenON Social Housing Program.

5. Project Selection and Housing Provider Agreement

- 5.1 Regional Housing Services, Works and Finance staff will review projects submitted by housing providers for GreenON Social Housing Program funding and rank projects based on the program criteria.
- 5.2 The Region is responsible for creating and entering into project contribution agreements with each Eligible Housing Provider that will receive funding. These agreements will be developed with assistance from Corporate Services – Legislative Services and will include the necessary terms to ensure reporting, transparency and ability to undertake audits, in compliance with the program guidelines.
- 5.3 In order to secure all available provincial GreenON Social Housing Program funding it is recommended that, subject to the approval of the Acting Commissioner of Finance and the Commissioner of Social Services, that staff be authorized to allocate funding to ranked projects and redirect unspent GreenON Social Housing Program funds to ranked projects that require additional funding, where applicable.

6. Financial Implications

- 6.1 As part of the program administration, the Region will be required to report to HSC on several aspects of the program during its operation, and the years following the completion of the funded retrofit work, including the following:
 - Project Delivery and Fiscal Plan;
 - Pre-Retrofit Energy Audit and Project Information Form;
 - Quarterly Financial Progress Report;
 - Repair Completion Form;
 - Post-Retrofit Energy and Emissions Savings Report;
 - Case Studies;
 - Annual Program Compliance Attestation Report; and,
 - Critical Three Year Energy Usage Data Report.
- 6.2 Service Managers may use up to five (5) per cent of their total GreenON Social Housing Program funding allocation to assist with administrative costs incurred in delivering program initiatives. Service Managers are responsible for determining the amount required and identifying the amount in their respective PDFP. However, no Regional administration fee is recommended to be recovered from approved program funds in order to maximize the funding available for GHG-reducing retrofits. Project monitoring and reporting requirements to HSC will be undertaken with the Region's existing administrative and technical resources across the Housing Services, Works and Finance Departments.

In accordance with the TPA, goods and services acquired by the Service Manager will be undertaken through a process that promotes the best value for money, and will comply with the *Broader Public Sector Accountability Act, 2010*.

7. Conclusion

- 7.1 The Green Ontario Fund (GreenON) Social Housing Program, administered by the Housing Services Corporation (HSC), is investing \$25 million to support greenhouse gas (GHG) reducing retrofits in social housing apartment buildings with less than 100 units.
- 7.2 In order to secure the Region's approved Provincial funding allocation of \$630,578, the Region of Durham must enter into a Transfer Payment Agreement (TPA) with HSC and submit an approved Program Delivery and Fiscal Plan (PDFP) to HSC by June 30, 2018.
- 7.3 Regional staff will develop the necessary detailed business processes, agreements and accountability mechanisms to maximize the benefits of GreenON Social Housing Program funded projects within the Region's housing portfolio over the life of the program. Regional staff will be providing updates on its funding allocation through information reports, as required by the Transfer Payment Agreement (TPA).

8. Attachments

Attachment #1: HSC Confirmation of Funding Letter

Respectfully submitted,

Original signed by:

Dr. Hugh Drouin
Commissioner of Social Services

Original signed by:

Mary E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original signed by:

G. H. Cubitt, MSW
Chief Administrative Officer

**Housing Services Corporation**

30 Duncan Street, Suite 500 | Toronto, ON Canada | M5V 2C3
t. 416 594 9325 | tf. 1 866 268 4451 | f. 416 594 9422 | www.hscorp.ca

Sent via e-mail only
alan.robins@durham.ca

April 24, 2018

Alan Robins
Regional Municipality of Durham
605 Rossland Road East, P.O. Box 623
Whitby, ON L1N 6A3

Dear Mr. Robbins:

Thank you for your application for the GreenON Social Housing program, RFA 18-228-07. Through the Green Ontario Fund, the province is providing \$25 million to help Ontario social housing buildings with less than 100 units invest in energy efficient retrofits. The program is administered by the Housing Services Corporation (HSC) in support of Ontario's Climate Change Action Plan.

Interest in the \$25M program far surpassed expectations, and HSC received 41 submissions from Service Managers across the province representing over \$210M in funding requests. Submissions were evaluated by an independent panel of representatives from the Ontario Ministry of Housing, Manitoba Housing, and the Green Ontario Fund. The panel was pleased to see the quality of the submissions and the caliber of projects put forward. In fact, all applications demonstrated a need for funding in their region and the ability to fulfill the program objectives of reducing greenhouse gas emissions across the province.

Accordingly, the panel determined that all Service Manager applicants would be given the opportunity to undertake at least one project in their region that contributes to the goal of reducing greenhouse gas emissions. To ensure fairness in funding allocations, a model was developed that allocated a percentage of program funding weighted by quartile. Service Managers were then assigned to a specific quartile based on the ranking of their scored submission, and allocations were calculated based on the quartile percentage.

I am pleased to inform you that Regional Municipality of Durham has been awarded a funding allocation of \$630,578. We ask that you keep this information confidential until May 5, 2018, to give the province the opportunity to announce the funding publicly in your region in the coming weeks.

Given the overwhelming level of interest and need demonstrated by the volume of applications for the program, HSC will also be providing a detailed report to the province to hopefully inform future program opportunities.

Attached you will find a copy of the Transfer Payment Agreement (TPA) and Electronic Funds Transfer (EFT) form, which must be executed by June 29, 2018 under the GreenON Social Housing program requirements. Your fully executed TPA should be submitted electronically to Rosabelle Gonzales at rgonzales@hscorp.ca by no later than 5:00pm on June 29, 2018. Along with the TPA, please ensure the following:

- Schedule B of the TPA is completed for Contact information of the Primary Contact and the Senior financial person in the Service Manager organization to respond as required to requests from HSC;
- Schedule G of the TPA is completed with information for your Program Delivery Fiscal Plan as outlined;
- your completed EFT form is submitted; and
- proof of insurance is submitted as outlined in Section A12 of the TPA in the amount set out in Schedule B of the TPA and includes Housing Services Corporation listed as an additional insured.

A member of our team will be in touch with you shortly to discuss the allocation and next steps. If you have any questions regarding the application process or Transfer Payment Agreement in the meantime, please contact Rosabelle Gonzales at rgonzales@hscorp.ca. We look forward to continuing to work with you on this initiative to reduce greenhouse gas pollution and improve the sustainability of Ontario's social housing stock.

Sincerely,

HOUSING SERVICES CORPORATION



Howie Wong
CEO

Attachments



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services and Acting Commissioner of Finance
Report: #2018-COW-124
Date: June 6, 2018

Subject:

Portable Housing Benefit – Special Priority Policy (PHB-SPP)

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Chair and Clerk be authorized to enter into a Transfer Payment Agreement with the Ministry of Housing to participate in the Portable Housing Benefit-Special Priority Policy (PHB-SPP) program.
-

Report:

1. Purpose

1.1 The purpose of this report is to seek authorization for the Regional Municipality of Durham to enter into a Transfer Payment Agreement with the Ministry of Housing (MHO) for administrative funding and reimbursement of assistance for first and last months' rent paid to eligible applicants under the Portable Housing Benefit – Special Priority Policy (PHB-SPP) program.

2. Background

2.1 In November 2017, the Province committed \$30 million over the next three years to support up to 3,000 survivors of domestic violence with a portable housing benefit on an ongoing basis. The new Portable Housing Benefit-Special Priority Policy (PHB-SPP) will be paid directly to eligible SPP applicants¹ on the Durham Access to Social Housing (DASH) wait list beginning in July 2018.

2.2 The new PHB-SPP will be 100 per cent provincially-funded and delivered through

¹ SPP is a provincially mandated priority for rent-gear-to-income (RGI) for victims of domestic violence or human trafficking.

the Ministry of Finance (MOF). Subject to annual budget approvals, the Province has committed to provide stable, ongoing funding of up to \$10 million in 2018-19 and up to \$15 million in 2019-2020 for eligible SPP applicants. Details about the program are set out in Report #2018-INFO-52 (Attachment #1).

3. Eligible DASH Applicants

- 3.1 As of December 31, 2017, there were 7,075 applicants on the RGI wait list in Durham, of which 470 had SPP status. The PHB-SPP has the potential to relieve significant pressures on the DASH wait list.
- 3.2 As applications will be approved by MOF on a first-come, first-served basis, Housing Services staff have issued applications to all SPP applicants on the DASH wait list, and assisted them with completion as required. Staff have already submitted about 150 applications on behalf of applicants to MOF and will continue to send applications as they are received.

4. Transfer Payment Agreement

- 4.1 In addition to the ongoing monthly benefit paid directly to eligible applicants and administered by MOF, applicants may also be entitled to first and last months' rent assistance to secure accommodation. Assistance for first and last months' rent is 100 per cent provincially funded, but administered by the Region of Durham as service manager.
- 4.2 In order to receive funding for administrative costs and reimbursement of first and last months' rent payments to eligible applicants, service managers must enter into a Transfer Payment Agreement with MHO (Attachment #2) that sets out the roles and responsibilities for both parties and the accountability framework for the program.
- 4.3 Under the TPA, MHO will reimburse the Region of Durham quarterly for first and last months' rent payments and also provide administrative funding of \$250 per MOF approved application.
- 4.4 Program funding will be provided to a maximum of \$3 million in the first fiscal year of the program and to a maximum of \$2 million annually in subsequent fiscal years.
- 4.5 Funding is subject to annual Provincial budget approval. If MHO does not receive the necessary appropriation, it may terminate the program or change the program and reduce the amount of funds payable, in consultation with the Region of Durham.
- 4.6 Under the TPA, the Region of Durham is responsible for determining eligibility for first and last months' rent assistance, and issuing funds to eligible applicants in compliance with Program Guidelines. In order to be reimbursed for these program costs and administration costs of \$250 per eligible household, the Region must report quarterly to MHO:

- A) the number of households and the target group of the households approved by MOF for the PHB-SPP
- B) the amount paid to each eligible household for first and last months' rent
- C) confirmation that funding for administrative costs was spent on administrative costs related to the program.

5. First and Last Month Rent Payments

- 5.1 Eligibility for first and last months' rent payment will be determined by Housing Services Division staff in accordance with guidelines for similar benefits issued under the Housing Stability Program, funded through the Community Homelessness Prevention Initiative (CHPI).
- 5.2 The Finance Department will issue payments on behalf of eligible applicants directly to landlords.

6. Timelines

- 6.1 Applications were sent to interested applicants the week of May 14, 2018, and Housing Services staff have been forwarding them to MOF as they are completed. MOF will start approving applications in June 2018. First payments to applicants will begin July 28, 2018.
- 6.2 The Province started entering into Transfer Payment Agreements with interested service managers for administrative funding and first and last months' payments in May 2018.
- 6.3 Service manager quarterly reports will be due to MHO beginning July 15, 2018, and payments to service managers will begin within 30 days of receiving the quarterly report and confirming eligibility with MOF.

7. Financial Implications

- 7.1 The PHB-SPP is 100 per cent provincially-funded, including direct payments to applicants and reimbursement of first and last months' rent payable by the service manager.
- 7.2 Service Managers will receive one-time administration funding of \$250 per SPP household approved by MOF for the program. The Region's administrative costs are with respect to application assistance, issuance of first and last months' rent payments, and program reporting. Administrative costs can be accommodated within existing departmental resources.
- 7.3 Funding is subject to Provincial budget approval, and MHO may terminate the program or reduce funds if it does not receive the necessary appropriation. If this occurs, and MHO does not reimburse the Region for the full amount of assistance issued for first and last months' rent, there is no risk to the Region as provincial CHPI funding could be diverted to reimburse the Region for any outstanding costs.

7.4 If all current SPP applicants were determined eligible by MOF and also granted maximum first and last months' rent assistance, the Region could expect to be reimbursed about \$1.23 million in first and last months' rent reimbursement and \$117,500 in administrative costs. It is unlikely that all SPP applicants will apply for the PHB-SPP, be eligible for the benefit, and/or require assistance with first and last months' rent.

8. Conclusion

- 8.1 The new Portable Housing Benefit-Special Priority Policy (PHB-SPP) is 100 per cent provincially-funded and delivered, paid directly to eligible applicants, fully portable across the province, and not tied to a specific tenancy or cost of accommodation.
- 8.2 Eligible applicants are also entitled to 100 per cent provincially-funded assistance for first and last months' rent, as administered by the service manager.
- 8.3 Housing Services staff have been actively engaged with SPP applicants to assist them in making applications to MOF. The Region must enter into a Transfer Payment Agreement with MHO in order to receive administrative funding and reimbursement of assistance for first and last months' rent payments to these applicants.
- 8.4 The PHB-SPP program has the potential to relieve pressures on the rent-geared-to-income (RGI) wait list in Durham and provide a more flexible and responsive approach to applicants leaving abusive situations.

9. Attachments

Attachment #1: Report #2018-INFO-52 Portable Housing Benefit-Special Priority Policy (PHB-SPP)

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Respectfully submitted,

Original signed by: _____

Mary E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Information Report

From: Commissioner of Social Services
Report: #2018-INFO-52
Date: April 6, 2018

Subject:

Portable Housing Benefit – Special Priority Policy (PHB-SPP)

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to provide a summary of the proposed provincial Portable Housing Benefit-Special Priority Policy (PHB-SPP) program.

2. Background

2.1 In July 2016, the Province launched a two-year pilot program in 22 service manager areas to provide a provincially-funded Domestic Violence – Portable Housing Benefit Pilot (SDV-PHB) to help survivors of domestic violence access safe and affordable housing. Durham was not one of the pilot sites.

2.2 The pilot has had strong success in assisting survivors to immediately find housing in their community without having to wait for RGI. In November 2017, the Province committed \$30 million over the next three years to extend the SDV-PHB to support up to 3,000 survivors of domestic violence in all service areas across the province on an ongoing basis.

2.3 Beginning in July 2018, the new Portable Housing Benefit-Special Priority Policy (PHB-SPP) program will be available to SPP applicants across the province, starting with SDV-PHB pilot recipients and rolling out to applicants in other service areas on a first-come, first-served basis.

2.4 The new PHB-SPP will be 100 per cent provincially-funded and delivered. Subject to annual budget approvals, the Province has committed to provide stable, ongoing funding of up to \$10 million in 2018-19 and up to \$15 million in 2019-2020 for eligible SPP applicants.

3. Program Design

3.1 Participation in the PHB-SPP is voluntary. Eligible SPP applicants on the Durham Access to Social Housing (DASH) wait list may choose to receive the benefit or continue to wait for rent-geared-to-income (RGI) housing. Applicants who choose to receive the benefit are removed from the wait list.

3.2 The PHB-SPP is paid directly to eligible applicants by the Ministry of Finance (MOF) and is not tied to a specific tenancy or cost of accommodation. It is 100 per cent provincially-funded and delivered and is fully portable across the province.

3.3 The amount of the PHB-SPP is roughly the difference between 30 per cent of monthly adjusted net family income (based on the most recent Canada Revenue Agency notice of assessment) and 80 per cent of the Canada Mortgage and Housing Corporation (CMHC) average market rent for the area where the recipient lives.

3.4 In addition to the ongoing monthly benefit, applicants may be entitled to first and last months' rent to secure accommodation. First and last months' rent is 100 per cent provincially funded, but administered by the service manager.

3.5 MHO will reimburse service managers quarterly for first-and-last month's rent payments and also provide administrative funding of \$250 per MOF approved application. In order to receive this funding, service managers must enter into a Transfer Payment Agreement (TPA) with the Ministry of Housing (MHO) that sets out the roles and responsibilities for both parties and the accountability framework for the program.

3.6 The role of the service manager under the PHB-SPP program is to:

- a. Identify SPP applicants on the wait list who are eligible for and interested in receiving the new benefit
- b. Assist interested applicants with completion of applications for the program
- c. Explain the program to potential applicants, including the difference between RGI and the PHB-SPP, and potential implications for Ontario Works and ODSP recipients
- d. Calculate the amount of the initial benefit in circumstances where the applicant's current income does not reflect their most recent net income on their federal tax return
- e. Issue first and last month's rent as required
- f. Report quarterly to the MHO on allocation of first and last month's rent funding.

- 3.7 The role of the Province under the PHB-SPP program is to:
- a. Approve applicants for the benefit
 - b. Calculate the amount of the benefit and provide ongoing payments directly to approved applicants
 - c. Reimburse service managers for payments of first and last months' rent
 - d. Administer the program, including annual reviews of eligibility and in year changes
 - e. Provide information and support to applicants through Service Ontario.

4. DASH Wait List

- 4.1 As of December 31, 2017, there were 7,075 applicants on the RGI wait list in Durham, of which 470 had SPP status. This represents an increase of about 41 per cent from the end of 2016. Currently, Durham has the highest percentage of SPP of any GTA municipality.
- 4.2 Although SPP applicants represent only about 7 per cent of the wait list in Durham, they made up more than 63 per cent of the total applicants housed in 2017 and 100 per cent of non-seniors housed.
- 4.3 Despite this, SPP applicants still have long waits for RGI housing. On average, most SPP applicants wait about a year for RGI housing. Single non-senior applicants can wait upward of 2 years, and SPP applicants requiring housing in Ajax, Pickering and Clarington also face longer wait times.
- 4.4 The PHB-SPP could significantly relieve pressures on Durham's wait list at no cost to the Region, allowing other applicants access to RGI vacancies and providing a more flexible and responsive approach to applicants leaving abusive situations.
- 4.5 Portable housing benefits also have broad support of the Violence Against Women (VAW) sector in Durham, in that they provide affordable accommodation more quickly than RGI, thereby reducing the length of stay in VAW shelters.

5. Timelines

- 5.1 Applications will be available for interested applicants in May 2018, and MOF will start receiving and approving applications in June 2018. First payments to applicants will begin in July 2018.
- 5.2 The Province will be entering into Transfer Payment Agreements with interested service managers for administrative funding and first and last months' payments beginning in March or April of 2017.
- 5.3 Service manager quarterly reports will be due to MHO beginning July 15, 2018.

6. Financial Implications

- 6.1 The PHB-SPP is 100 per cent provincially-funded, including direct payments to applicants and reimbursement of first and last months' rent payable by the service manager. Payments to service managers are made retroactively at the end of each quarter.
- 6.2 Service Managers will receive onetime administration funding of \$250 per SPP household approved by MOF for the program.

7. Next Steps

- 7.1 Currently, staff are currently actively identifying applicants on the DASH wait list who may be suitable for and interested in receiving the PHB-SPP.
- 7.2 As applications will be approved for the PHB-SPP on a first-come first-served basis, staff will assist interested applicants in submitting their applications as soon as the forms become available from MHO. As the PHB-SPP is paid directly to applicants by MOF, a signed TPA is not required for these payments to commence to applicants.
- 7.3 Once the TPA is available, staff will report back to Council regarding service manager allocations for administrative funding and first and last months' payments.
- 7.4 The PHB-SPP program has potential to relieve pressures on the rent-gear-to-income (RGI) wait list in Durham and provide a more flexible and responsive approach to applicants leaving abusive situations.

Respectfully submitted,

Original signed by:

Dr. Hugh Drouin
Commissioner of Social Services



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services, Acting Commissioner of Finance,
Commissioner of Planning & Economic Development, Commissioner of
Works
Report: #2018-COW-127
Date: June 6, 2018

Subject:

Affordable and Seniors' Housing Task Force Progress Report

Recommendations:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

1.1 The purpose of this report is to update Council on Durham Region's progress related to the implementation of the thirty-four (34) recommendations contained in the Affordable and Seniors' Housing Task Force Report (first progress report) in the six-month period since it was approved.

2. Background

2.1 In 2016, Regional Council established an eleven-member task force (the Task Force) to examine Affordable Rental and Seniors' Housing issues within the Region of Durham.

2.2 The primary goal of the Task Force was to identify strategies that can support the creation and maintenance of affordable and seniors' housing as set out in the Region's Community Strategic Plan, the Regional Official Plan, and *At Home in Durham*, the Durham Housing Plan 2014-2024. The Task Force mandate focused on committee education, information sharing and fostering collaboration.

2.3 On November 8, 2017, Regional Council approved the Affordable and Senior's Housing Task Force Report (Report #2017-COW-249).

- 2.4 The Affordable and Seniors' Housing Task Force Report identifies thirty-four (34) recommendations to:
- A) increase the supply of affordable rental housing for low- and moderate-income households across Durham Region; and
 - B) increase the range of housing choices for Durham seniors.
- 2.5 The Task Force Report aligns with Durham Region's Strategic Plan (2015-2019) and the emphasis on creating affordable, livable, inclusive, and safe communities.
- 2.6 The recommendations contained in the Task Force Report advance the Region's ten-year housing plan, *At Home In Durham*, which aims to improve affordability and access to housing, protect the existing affordable housing supply, encourage housing diversity and build capacity in the housing system.
- 2.7 The Task Force Report highlights the need for Durham Region to be proactive, progressive and facilitative. It identifies a four-fold role for the Region as:
- A) Leader and Champion
 - B) Catalyst and Facilitator
 - C) Innovator and Partner
 - D) Responsible Advocate
- 2.8 The Task Force Report is premised on a six-point Plan of Action. The purpose of this report is to highlight the progress that has been made in the six-month period since the Task Force Report was approved.
- A) Lead by Example
 - B) Overcome Barriers
 - C) Partner and Build Support
 - D) Showcase Best Practices
 - E) Advocate Responsibly
 - F) Monitor Progress and Report on Results

3. Six Point Plan of Action - Progress Update

3.1 Accomplishments to Date

We have established a number of governing fundamentals including the establishment of a Regional Core Team, with representation from the Finance, Planning & Economic Development, Social Services and Works departments. The Regional Core Team has worked to collaboratively develop Action Plans for each of the 34 Task Force Report recommendations. In addition, the following achievements have been realized:

- A) Establish an Interdisciplinary Affordable Rental and Senior's Housing Tactical Team (Recommendation 1-1).
Make a Regional Commitment to Affordable Rental and Senior's Housing (Everyone's Business) (Recommendation 1-2)

- Letters of invitation have been sent to all area municipality CAOs & CEOs. The Regional CAO is convening an initial conversation with area municipal CAOs/CEOs on June 29. Regular meetings of the Tactical Team will follow.
- B) Establish Affordable Rental Housing Targets (Recommendation 1-4)
- An Affordable Rental Housing Forecast Model Service Contract is in development to define affordable rental housing targets for Durham, both at the Regional and Area Municipal level.
- C) Create a Supportive Policy Environment (Recommendation 1-5)
- On May 9, 2017, Council provided authorization to proceed with “Envision Durham”, the Municipal Comprehensive Review of the Durham Regional Official Plan (Report #2018-COW-93). The development of policies to further support the provision of affordable housing will form part of this initiative.
- D) Develop Surplus Land Inventory (Recommendation 1-6)
- Initial contact made with Federal and Provincial governments, Area Municipalities and School Boards to develop an inventory (surplus lands and underutilized lands) collaboratively. Inventory to be completed fall 2018.
- E) Safeguard Rental Housing Affordability for the Long Term (Recommendation 1-9)
- Development of new Rent Supplement Agreements with Federal non-profits underway.
 - Efforts underway to preserve affordable units with municipal non-profits at the end of their Operating Agreement.
- F) Engage Other Levels of Government on the following:
- a) Safeguard Rental Housing Affordability for the Long Term (Recommendation 1-9)
 - b) Make Surplus Government Land Available for Affordable Rental Housing in Durham Region (Recommendation 2-7)
 - c) Renewed Commitment & Financial Support by Senior Levels of Government (Recommendation 5-1)
 - d) Request Income Supports for Low- and Moderate-Income Households (Recommendation 5-2)
- Letters prepared for Regional Chair’s signature to the Minister of Municipal Affairs and Minister of Housing to recognize the Province’s commitment to housing and advocate for continued support. Awaiting results of the June 7th election and confirmation of Ministerial appointments.
 - Letter prepared for Regional Chair’s signature to be forwarded to the Minister Responsible for CMHC referencing the National Housing Strategy and the

importance of an ongoing commitment to affordable rental and seniors' housing.

G) Investigate Regional Measures (Recommendation 2-5)

- The recommended Development Charges (DC) By-law includes four key modifications to encourage the development of social and government assisted affordable housing:
 - The introduction of a new Regional Residential DC service category for (Housing Services) to fund the development of new, growth-related social and government assisted affordable housing projects/units.
 - The recommended deferral of payment of Regional DC by social and government assisted affordable housing projects.
 - A recommended broadening of the statutory DC Exemption for Secondary units for up to two new units in existing residential units on the same property if not attached to existing residential units.
 - The definition of apartment is proposed to be expanded to include a single storey dwelling unit located within a garage or commercial use, which addresses affordability of infill apartment developments that would otherwise be charged at a higher medium density multiple rate.

H) Support Reduced Parking Requirements (Recommendation 2-9)

- Reduced parking requirements identified as a recommendation with the Region's Transportation Master Plan, 2017, endorsed by Regional Council on December 13, 2017 (Report #2017-COW-268). Supportive policies to be investigated through the Region's Municipal Comprehensive Review (MCR) process. Municipal meetings to be convened during the summer and beyond.

I) Encourage Innovative Forms of Housing (Recommendation 2-11)

- Meetings held with some members of the development industry to discuss innovative forms of housing.

J) Showcase best practices and monitor progress by:

- a) Learning from Others (Recommendation 4-1, 4-2)
- b) Monitoring Incentives Provided by Other Levels of Government (Recommendation 6-2)

- A digital library and online resource portal has been created. Articles and innovative practices are being shared by the Regional Core Team. This work will continue.

3.2 Work In The Queue/Ongoing

The future progress of the work plan items to address the 34 recommendations include:

- A) Recommendations 1-1, 1-2: Establish Interdisciplinary Tactical Team (ITT); Make an Unwavering Commitment to Affordable Rental and Senior's Housing.
- ITT to meet in the summer. Meetings to be ongoing throughout implementation phase.
- B) Recommendation 1-3: Promote & Develop Regional Programs that support affordable rental and senior's housing development, maintenance and upgrading.
- Durham Region Local Housing Corporation portfolio under review by interdepartmental group to facilitate co-operation and information sharing to support future evidence-based decision making.
- C) Recommendations 1-5, 1-7, 1-8, 1-10, 2-3, 2-4, 2-6, 2-8, 2-11: Create a Supportive Policy Environment; Identify Priority Sites; Demolition Control; Municipal Conversions; Process Certainty & Municipal Process Certainty; Municipal Incentives; Intensification Opportunities; Innovative Forms of Housing.
- The Municipal Comprehensive Review (MCR) will investigate potential supportive policy approaches for demolition control to ensure appropriate protections for existing affordable housing stock. Municipal meetings will be convened during the summer and beyond. Discussions with Area Municipalities regarding Development Charges are ongoing.
- D) Recommendations. 2-9, 2-10, 2-12: Support Reduced Parking Requirements; Encourage Secondary Suites; Height and Density Bonusing.
- Reduced parking requirements identified as a recommendation with the Region's Transportation Master Plan, 2017, endorsed by Regional Council on December 13, 2017 (Report #2017-COW-268). Supportive policies to be investigated through the Region's MCR process. Municipal meetings to be convened during summer and beyond.
- E) Recommendations 2-1, 2-2: Be Informed About Affordable Rental and Seniors' Housing Barriers.
- Summer meetings in development with the faith-based sector. Meetings with development industry and other partners to follow once area municipal meetings are underway and a consistent approach has been established.
- F) Recommendation 3-1, 3-2: Leverage Opportunities to Increase Community-Wide Affordability; Share Information and Build Commitment.
- Regional Lunch & Learn Sessions are proposed. First session to introduce broader Regional staff to the Task Force Report.
- G) Recommendations 3-3, 3-4: Public Awareness Campaign.

- Public Awareness Campaign including key messages is under development.

H) Recommendations 4-1, 4-2: Learn From Others.

- A digital library and online resource portal will continue to be populated as exemplary practices and approaches are identified. Participation in groups including; Service Manager Housing Network, Central East Service Manager Group, Central East Local Health Integration Network (LHIN) and Service Manager Framework and Regional Planning Commissioners of Ontario (RPCO) Affordable Housing Group are ongoing.

I) Recommendation 5-3: Accurate Definition of Affordable Housing Is Needed.

- A definition of “Affordable” will form part of the MCR process. Review of area municipal planning policies re: definition of affordability. Municipal meetings will be convened over the summer and beyond.

J) Recommendation 6-1: Realize Results – Monitor & Report Annually.

- First progress report submitted. Intention is to report back early in 2019 and annually thereafter.

4. Next Steps

To build upon the initial momentum of progress addressing the Affordable and Senior’s Housing Task Force recommendations, the following actions are planned over the coming months:

- Governance Model continues to advance – Interdisciplinary Tactical Team will meet over the summer. First meeting of the CAOs/CEOs will be held June 29.
- Municipal Partner Meetings to be convened (Parking Standards, Demolition Control, Intensification Opportunities, Underutilized Properties Identified)
- Work on Affordable Housing Targets continues
- Meeting with Faith-based Organizations to raise awareness of the affordable and seniors’ housing need.
- Inventory of Surplus Lands completed – Target: Fall 2018.
- Affordable & Seniors Housing Innovation Forum – November 2018. Agenda and Speakers List finalized.
- Monitoring of Exemplary Practices
- Lunch & Learn Roster developed, including list of Keynote Speakers.
- Further Progress Report – Early in the New Year

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Original signed by: _____

Mary E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Original signed by: _____

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Original signed by: _____

S. Siopis, P.Eng.
Commissioner of Works
Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services and Acting Commissioner of Finance
Report: #2018-COW-128
Date: June 6, 2018

Subject:

Social Housing Apartment Improvement Program (SHAIP)

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A. That in order to secure all available provincial Social Housing Apartment Improvement Program (SHAIP) funding it is recommended that, subject to the approval of the Acting Commissioner of Finance and the Commissioner of Social Services, that staff be authorized to allocate funding to ranked projects and redirect unspent SHAIP funds to ranked projects that require additional funding; and
 - B. That the Regional Chair and Regional Clerk be authorized to execute any necessary agreements with the housing providers for the use of the SHAIP funds.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to delegate the allocation of funding under the Social Housing Apartment Improvement Program (SHAIP) to Regional staff to those projects which will best meet the objectives of this 100 percent provincially funded program.

2. Background

- 2.1 On August 24, 2017, the Province announced that they will be providing new funding for repairs and retrofits to social housing across the province in order to improve living conditions and fight climate change. The investment is part of Ontario's Climate Change Action Plan and is funded by proceeds from the province's cap and trade carbon market. By law, these funds must be invested in programs that reduce greenhouse gas emissions and save money on energy

costs. The program is being offered over four program years from 2017-2018 to 2020-2021.

- 2.2 On December 13, 2017 Council authorized the Regional Chair and Regional Clerk to execute the Transfer Payment Agreement (TPA) with the Ministry of Housing (MHO) in order for the Region of Durham to participate in the Social Housing Apartment Improvement Program (SHAIP) and that the funding be applied to planned retrofit activities or programs that reduce greenhouse gas emissions and save money on energy costs for social housing providers (Report 2017-COW-257).
- 2.3 SHAIP funding is being made available based on specific targets, although funding for projects that do not fall within these targets can be submitted through a business case submission to the MHO.
 - Year 1 (2017-18) funding targeted to high-rise apartment buildings with more than 150 units; and
 - Year 2-4 (2018-19 to 2020-21) funding targeted to high-rise apartment buildings with between 100 and 150 units.

3. SHAIP Program Guidelines

- 3.1 The Region is responsible for the administration and delivery of SHAIP. This includes, but is not limited to: approving eligible housing projects and the eligible work to be carried out in each project, making payments to Eligible Housing Providers, monitoring the progress of repair and retrofit activities associated with the work, and reporting back to the Ministry on the progress of the program.
- 3.2 Projects are eligible to receive funding if they meet the following eligibility criteria:
 - Must be a single high-rise social housing apartment building;
 - Must contain 150 or more units for Year 1 (2017-18) and 100 or more units for Funding Year 2 (2018-19) to Funding Year 4 (2020-21) unless otherwise approved through a business case;
 - Must be elevator-serviced; and
 - Must be social housing: i.e. must be subject to a transferred housing program under the Housing Services Act, 2011.
- 3.3 To support the program objectives, the following retrofit activities are eligible to be funded:
 - Replacing building heating and/or cooling systems, equipment, and associated sub-components including items such as mechanical insulation;
 - Upgrading exterior or interior building insulation;
 - Solar walls;
 - Upgrading building windows and/or exterior doors;
 - Upgrading building lighting systems including converting to light-emitting

- diode (LED) lighting systems, lighting controls, and sensors;
 - Re-cladding or upgrading building envelopes;
 - Retrofits that utilize latest low-carbon and carbon-free energy technologies /systems; and
 - The costs of required building energy audit reports.
- 3.4 Funded housing projects must remain affordable for a ten-year period after the completion of the funded retrofit work, including a minimum of five (5) years during which it will operate as social housing under the Housing Services Act, 2011. This requirement applies regardless of any mortgage obligations or agreements between a Service Manager and Eligible Housing Provider.
- 3.5 For Service Managers with a limited numbers of large high-rise apartment buildings (greater than 150 units), that qualify for Year 1 funding, the Ministry required a business case to ensure that the allocated funds can effectively be used to retrofit social housing apartment buildings in their area. Service Managers may also consider submitting a business case to the Ministry for apartment buildings of less than 100 units for Year 2 to 4 funding (2018-19 to 2020-21).
- 3.6 In order to commit the funding, the Region is required to submit, no later than June 30th of each funding year, a Program Delivery and Fiscal Plan (PDFP) that outlines how the funding allocations will be used.
- 4. Business Case Submission and Funding Allocation For Year 1**
- 4.1 On December 15, 2017 a business case was submitted for eligible retrofit activities at 155 King Street E, Oshawa (165 units) and 655 Harwood Avenue, Ajax (129 units) owned by Durham Regional Local Housing Corporation (DRLHC) to the MHO for Year 1 SHAIIP funding. The business case was approved by the MHO and, based on the final 2017/2018 carbon market auction, the total confirmed Year 1 SHAIIP allocation for the Region is \$3,765,690 (Attachment 1).
- 4.2 Year 1 SHAIIP funding, in the amount of \$3,765,690, has been allocated to 155 King Street East, Oshawa to maximize the program objectives by improving the building envelope and thereby reducing natural gas and electricity requirements. The building located at 655 Harwood, qualifies for funding under SHAIIP Year 2-4.
- 5. Activities to support Application for Years 2 - 4**
- 5.1 Pending future carbon market proceeds, the Region has a conditional allocation of \$11,040,806 for 2018-19 to 2020-21 (Years 2-4) (Attachment 2). This funding is aimed at apartment buildings with between 100 and 150 units, although projects with fewer units could be included based on a business case being submitted to the MHO.
- 5.2 In order to maximize the available funding, staff canvassed eligible housing providers with buildings between 80 and 150 units for retrofit projects consistent with program requirements. The required business case was submitted to the

MHO on April 30, 2018 for retrofit projects at 19 apartment buildings with an estimated retrofit cost of \$15,881,614 for the Year 2 – 4 funding.

5.3 The Region is responsible for creating and entering into project contribution agreements with each Eligible Housing Provider that will receive funding for eligible buildings. The Region is responsible for program administration and must monitor the program for ten years.

5.4 In order to secure all available provincial Social Housing Apartment Improvement Program (SHAIP) funding it is recommended that, subject to the approval of the Commissioner of Finance and the Commissioner of Social Services, that staff be authorized to allocate funding to ranked projects and redirect unspent SHAIP funds to ranked projects that require additional funding.

6. Project Selection and Housing Provider Agreement

6.1 Regional staff will review projects submitted by housing providers for Year 2-4 SHAIP funding and rank projects based on the program criteria.

6.2 The Region will be notified in October, December, February and March of each fiscal year of confirmed SHAIP funding based on the proceeds of carbon market auctions. Given the variability in SHAIP funding, flexibility will be required to allocate funding to eligible housing providers. As the projects get underway, the actual funding required may also change, necessitating the ability to reallocate funds between projects.

7. Financial Implications

7.1 As part of the program administration, the Region will be required to report to the MHO on several aspects of the program during its operation, and the years following the completion of the funded retrofit work.

7.2 Service Managers may use up to five (5) per cent of their total SHAIP funding allocation to assist with the administration costs. Based on the initial conditional allocation of \$11,040,806 for 2018-19 to 2020-21 (Years 2-4), the Region may retain up to \$552,040 over the funding period. Service Managers are responsible for determining the amount required and identifying the amount in their PDFP.

7.3 Due to the extensive administrative requirements to monitor each retrofit activity and ensure reimbursement payments accurately reflect the work completed during the implementation phase and collect and report on project specific energy usage during the 10 year affordability period, the full 5 per cent administration fee will be requested in the PDFP.

8. Conclusion

8.1 The Province recently announced that they will be providing new funding, with proceeds from the province's cap and trade carbon market, for repairs and

retrofits to social housing across the province in order to improve living conditions and fight climate change. The program is being offered over four years from 2017-2018 to 2020-2021.

- 8.2 The Region of Durham has entered into a TPA with the MHO in order to participate in the SHAIP program.
- 8.3 Regional staff will develop the necessary detailed business processes, agreements and accountability mechanisms to maximize the benefit of SHAIP funded projects within the Region's housing portfolio over the life of the program. Regional staff will provide updates for SHAIP funding received from the results of the carbon market auctions and allocations to housing providers.

9. Attachments

Attachment #1: SHAIP Confirmed Funding Allocation 2017-18

Attachment #2: SHAIP Funding Allocation

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Original signed by: _____

Mary E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer

Ministry of Housing

Ministère du Logement

Assistant Deputy Minister's Office

Bureau du sous-ministre adjoint

Housing Division
777 Bay St 14th Flr
Toronto ON M5G 2E5
Telephone: (416) 585-6738
Fax: (416) 585-6800

Division du Logement
777, rue Bay 14^e étage
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March 23, 2018

Mr. Alan Robins
A/Director, Housing Services
Regional Municipality of Durham
605 Rossland Road East,
P.O. Box 623
Whitby, Ontario
L1N 6A3

Dear Mr. Robins:

Re: Social Housing Apartment Improvement Program – Confirmed Funding Allocation 2017-18

Further to my letter dated February 23, 2018, I am writing to inform you that, based on the final 2017-18 carbon market auction, the additional confirmed allocation for the Regional Municipality of Durham is \$176,569 under the Social Housing Apartment Improvement Program (SHAIP) in 2017-18. This brings your total confirmed allocation under SHAIP to \$3,765,690 in 2017-18. This is the full amount you will be allocated under this program for this fiscal year:

SHAIP Y1 (2017-18)					
Total Conditional Allocation	Confirmed Allocation as of October, 2017	Confirmed Allocation as of December, 2017	Confirmed Allocation as of February, 2018	Additional Confirmed Allocation as of March, 2018	Total Confirmed Allocation for 2017-18
\$3,765,690	\$1,410,788	\$829,876	\$1,348,457	\$176,569	\$3,765,690

This total Confirmed Allocation for 2017-18 is hereby committed for the purposes of the Transfer Payment Agreement (TPA) between the Province and Regional Municipality of Durham. The 20% First Payment will be based on the final total allocation after the last carbon market auction, and Subsequent Quarterly Payments will be made based on the actual quarterly expenditures reported up to 70% of the total allocation (less any Administration Fees paid). This is subject to a final holdback as set out in the TPA.

As you know, SHAIP is funded by proceeds from the province's carbon market, which, by law, must be put towards programs that reduce greenhouse gas (GHG) emissions. The Province is committed to spending the full allocation for SHAIP and will reallocate unspent funds as required to fulfill this commitment.

We look forward to working with you in providing the funds in a timely manner and implementing the program efficiently. Please do not hesitate to contact Erich Freiler, by email or by phone at erich.freiler@ontario.ca or (416) 585-6193, if you have any follow-up questions.

Sincerely,



Janet Hope
Assistant Deputy Minister

c: Ian.Russell, Regional Housing Services Team Lead, MSO-Central

Ministry of Housing**Minister Responsible for the
Poverty Reduction Strategy**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-6500
Fax: 416 585-4035**Ministère du Logement****Ministre responsable de la Stratégie
de réduction de la pauvreté**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-6500
Télééc. : 416 585-4035

17-74916

October 6, 2017

Mr. Roger Anderson
Regional Chair and CEO
Regional Municipality of Durham
605 Rossland Road East
P.O. Box 623
Whitby, Ontario
L1N 6A3

Dear Mr. Anderson:

Re: Social Housing Apartment Improvement Program – Funding Allocation

Thank you for participating in the announcement for the Social Housing Apartment Improvement Program (SHAIP) on September 15, 2017.

This investment is part of Ontario's Climate Change Action Plan and is funded by proceeds from the province's carbon market. Proceeds from the carbon market must, by law, be invested in programs that reduce greenhouse gas emissions and save money on energy costs.

Pending future carbon market proceeds, the Regional Municipality of Durham is conditionally allocated up to \$3,319,502 in 2017-18 and \$11,040,806 from 2018-19 to 2020-21.

The first year of this program (2017-18) will fund eligible greenhouse gas reduction retrofits in social housing apartment buildings of 150 units or more using the latest low-carbon energy technologies. Years two through four of this program (2018-19, 2019-20, and 2020-21) will fund eligible retrofits in social housing apartment buildings of 100 units or more. More details on eligible retrofit work will be available in the SHAIP guidelines that will be released later this month.

Due to the limited number of social housing buildings of 150 units or more in your Service Manager area, the ministry is requesting that Regional Municipality of Durham submit a detailed business case demonstrating how this funding will be used. A document detailing the more specific requirements for the business case will be forwarded to your staff in October 2017.

.../2

Pending the approval of the business case, the Regional Municipality of Durham shall enter into a Transfer Payment Agreement (TPA) with the ministry no later than March 16, 2018, in order to access the funding. Please be aware that after each Cap and Trade Program auction, the TPA will be amended as each conditional allocation is formally approved to reflect the confirmed allocation.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Milczyn", with a long horizontal flourish extending to the right.

Peter Milczyn
Minister

c.c. Laurie LeBlanc, Deputy Minister – Housing
Mr. John Connolly, Director, Housing Services, Regional Municipality of Durham



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services, Acting Commissioner of Finance,
Commissioner of Planning & Economic Development
Report: #2018-COW-135
Date: June 6, 2018

Subject:

At Home in Durham, the Durham Housing Plan 2014-2024 Annual Report

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That this report be received for information.

Report:

1. Purpose

1.1 The purpose of this report is to update Committee of the Whole and Council on progress related to *At Home in Durham*, the Durham Housing Plan 2014-2024, and present the 2018 Annual Report. This is the fourth annual progress report for the plan.

2. Background

2.1 In June 2014, Regional Council approved *At Home in Durham*, the Durham Housing Plan 2014-2024 (Report #2014-J-16).

2.2 *At Home in Durham* aligns the Region's vision for housing over the long-term with its requirement for a housing and homelessness plan under the *Housing Services Act, 2011*, and a housing strategy under the Growth Plan for the Greater Golden Horseshoe (Growth Plan).

2.3 The goals and primary actions of *At Home in Durham* aim to improve affordability and access to housing with and without supports, protect the existing affordable housing supply, encourage housing diversity, and build capacity in the housing system. These goals are:

- Goal 1: End Homelessness in Durham
- Goal 2: Affordable Rent for Everyone
- Goal 3: Greater Housing Choice
- Goal 4: Strong and Vibrant Neighbourhoods.

2.4 The Region is required to report to the public and to the Minister of Housing (MHO) on the progress of the plan by June 30 of each year. In compliance with the *Housing Services Act*, the 2018 Annual Report (refer to Attachment #1) will be posted to the [Region of Durham website](http://www.durham.ca/housingreview) at www.durham.ca/housingreview for the information of our communities and sent to MHO prior to June 30, 2018.

3. 2018 Annual Report

3.1 The 2018 Annual Report of *At Home in Durham* highlights activities over the past year and provides qualitative and quantitative measures of the progress to date with respect to the anticipated outcomes that will contribute to the success of the plan.

3.2 The 2018 Annual Report highlights a number of current and future initiatives that demonstrate the progress of *At Home in Durham* including:

- A) The Affordable and Seniors' Housing Task Force Report, "Championing Affordable Rental and Seniors' Housing Across Durham Region" sets out a six-point plan of action and 34 recommendations to address the need for the creation of more affordable rental housing for low- and moderate-income households, and the need for more housing choices for seniors in Durham.
- B) Homelessness enumeration was conducted in 2017 to capture information about the emergency sheltered and unsheltered homelessness in Durham. Thirty households surveyed indicated that they were unsheltered (e.g. sleeping outdoors). In 2018, a second enumeration was conducted to include a Registry Week to capture greater information about the range of homelessness in Durham, including people who are provisionally accommodated (e.g. staying temporary accommodation or without security of tenure). It is anticipated that this information will inform homelessness services in the future.
- C) The Region administers a number of Community Homelessness Prevention Initiative (CHPI) programs, with efforts increasingly focusing on assisting vulnerable, low-income tenants to maintain their housing.
- D) The Region continues to contribute nearly \$34 million annually in Regional funding to support the operations of 44 non-profit housing providers across the region, and to provide long-term rent-geared-to-income (RGI) subsidy for 4,481 households in Durham.
- E) Regional Council approved funding of approximately \$250,000 per year to support new rent-geared-to-income (RGI) subsidies for an additional 30 households (Report #2017-COW-257). This new Durham Rent Supplement Program will provide for greater flexibility in addressing the locally-identified

needs of applicants on the DASH wait list than RGI units allotted in accordance with the *Housing Services Act, 2011*.

- F) The Region allocated \$5.47 million in Social Infrastructure Fund (SIF) to support 18 capital repair projects at 16 different social housing providers.
- G) Since 2005, the Region has allocated \$59.9 million in Canada-Ontario Investments in Affordable Housing (IAH) – 2014 Extension and Social Infrastructure Fund (SIF) funding for the development of 529 new affordable rental units (by 2019) in both the non-profit and private sector in Durham.
- H) Since 2005, the Region has invested \$26.2 million in federal and provincial funding for rehabilitation improvements to maintain the current social housing stock and “Green” retrofits to reduce greenhouse gas emissions and energy costs. The Region has received further allocations to support repairs and retrofit activities to reduce greenhouse gas emissions and save money on energy costs:
 - A conditional allocation of \$14,360,308 in funding under the Social Housing Apartment Improvement Program (SHAIP)
 - An allocation of \$630,578 under the provincial Green Ontario Fund (GreenON), Social Housing Program, which targets greenhouse gas emission reductions in apartment buildings with fewer than 100 units.

4. Five-Year Review

- 4.1 Under the *Housing Services Act, 2011*, the Region of Durham is required to review *At Home in Durham* at least every five years, and amend the plan as it considers necessary or advisable. Prior to any amendments, the Region must consult with the public and give the Ministry of Housing (MHO) 90 days to comment on the proposed amended plan.
- 4.2 The Region is required to initiate a five year review of *At Home in Durham* by January 1, 2019 and complete and submit its review report and revised plans to the Ministry of Housing (MHO) by June 30, 2019.
- 4.3 The Region is currently undertaking a Municipal Comprehensive Review of the Regional Official Plan, including the Durham Housing Strategy. The review of *At Home in Durham* will align with community consultations required under this review, and will incorporate the work of the Affordable and Seniors Housing Task Force in addition to the provincial requirements noted above.

5. Conclusion

- 5.1 *At Home in Durham*, the Durham Housing Plan 2014-2024 establishes goals and actions that will improve affordability and access to housing with and without supports, protect the existing affordable housing supply, encourage housing diversity, and build capacity in the housing system. The 2018 Annual Report identifies the early progress that is being made in the realization of this vision.

5.2 The 2018 Annual Report of *At Home in Durham*, the Durham Housing Plan 2014-2024 will be submitted to the Province and made available to the public and other stakeholders through the release of this report and the Region's website.

6. Attachments

Attachment #1: *At Home in Durham*, the Durham Housing Plan 2014-2024 – 2018 Annual Report

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Original signed by: _____

M.E. Simpson, CPA, CMA, MA
Acting Commissioner of Finance

Original signed by: _____

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer



At Home in Durham

2018 Annual Report





Home in Durham – 2018 Annual Report

At Home in Durham, the Durham Housing Plan 2014-2024, was approved by Regional Council in June 2014. The plan lays out the Region’s long-term vision for housing and addresses the challenges and opportunities in providing suitable and affordable housing options that meet the needs of all people in Durham.

At Home in Durham focuses on four key goals related to housing and homelessness in our communities:



End Homelessness in Durham



Affordable Rent for Everyone



Greater Housing Choice



Strong and Vibrant Neighbourhoods

At Home in Durham sets out a number of anticipated outcomes and key actions to support the realization of each of these goals.

In October 2017, Regional Council endorsed the Affordable and Seniors’ Housing Task Force Report, “Championing Affordable Rental and Seniors’ Housing Across Durham Region” which highlights the important role that affordable and suitable housing plays in building inclusive, healthy and complete communities. Building on the work of *At Home in Durham*, the Task Force report sets out a six-point plan of action and 34 recommendations to address the need for the creation of more affordable rental housing for low- and moderate-income households, and the need for more housing choices for seniors in Durham.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2463.

This is the fourth annual report of *At Home in Durham*. It highlights activities over the past year – including strategic investments in new housing and homelessness funding that support the goals of the plan – and provides a qualitative measure of the progress to date that will contribute to the success of the plan. These measures are determined using the following scale:

Early Progress	<ul style="list-style-type: none">• Early discussions about potential strategies or initiatives that may have an impact.
Limited Progress	<ul style="list-style-type: none">• Strategies in place or limited actions/initiatives that may have an impact.
Some Progress	<ul style="list-style-type: none">• Actions/initiatives underway that have had some impact that is not yet sustained.
Good Progress	<ul style="list-style-type: none">• Actions/initiatives underway that are having a sustained impact.





Goal 1: End Homelessness in Durham

Develop long-term innovative approaches to improve the ability of households to access housing

Develop long-term innovative approaches to improve the ability of households to retain their housing

Homelessness describes a range of housing and shelter circumstances¹, including:

- Unsheltered – living on the streets or in places not intended for human habitation
- Emergency Sheltered – overnight shelters for people who are homeless or victims of family violence
- Provisionally Accommodated – accommodation that is temporary or lacks security of tenure
- At Risk of Homelessness – people whose current economic and/or housing situation is precarious or does not meet public health and safety standards.

Durham has a relatively low incidence of unsheltered and emergency sheltered households when compared to more urbanized areas in Canada. In 2017, the Community Development Council Durham (CDCD) and Durham Mental Health Services (DMHS) coordinated a Point in Time (PiT) count to identify homeless households in Durham who were living unsheltered or who were using emergency and domestic violence shelters during one night in February. In total, there were 93 households surveyed and another 121 counted, but not surveyed. Only 30 households surveyed indicated that they were unsheltered (e.g. sleeping outdoors). The number of unsheltered

¹ Canadian Definition of Homelessness, Canadian Observatory on Homelessness, 2012.



households counted could easily be accommodated within the existing emergency shelter system in Durham.

Although Durham reported zero incidents of chronic homelessness² in 2015 and 2016, improved collection methods have revealed that there are individuals using the emergency shelter system who experience chronic homelessness. In 2017, there were 33 people who identified chronic homelessness and 101 incidences of episodic homelessness.³

Provisionally accommodated households face increasing pressures finding and maintaining affordable rental accommodation in their communities. The majority of the 2,296 households assisted by housing outreach workers in 2017 to obtain housing are likely provisionally accommodated. About 27 per cent of the 7,075 applicants on the Durham Access to Social Housing (DASH) wait list applicants live in temporary accommodation or live without security of tenure (e.g. staying with family and friends, temporary accommodation in motels, staying in public institutions, like hospitals).

The majority of applicants on the DASH wait list are renters (about 67 per cent) and about 47 per cent of these are likely to be at risk of homelessness as they pay more than 50 per cent of their income on rent.

Single non-seniors continue to face the greatest challenges with homelessness. They represent over 90 per cent of emergency shelter users, have few options in the private rental market and face the longest wait times on the DASH wait list. Single non-seniors with special priority (SPP) wait upward of two years for social housing, and non-priority, single non-seniors are unlikely to be housed before they turn 60 years of age as very few one-bedroom, non-senior vacancies become available annually.

How are we doing?

The Durham Advisory Committee on Homelessness (DACH) continues to support strategic decision-making around homelessness resources funded through the Region of Durham in order to ensure co-ordination across the network of community agencies that provide these services. Funding continues to focus on homelessness prevention and

² Chronic homelessness refers to households who are currently homeless and have been unsheltered or living in emergency shelter for at least six months in the previous year.

³ Episodic homelessness is defined as having experienced three or more episodes of homelessness in a year.



supports that will allow people to remain in their homes whenever possible. This increased co-ordination in supports makes it easier for people to access and maintain suitable and affordable housing.

The Region of Durham supports a number of homelessness programs through the Community Homelessness Prevention Initiative (CHPI). In 2017, the Region committed \$6,686,705 in 100 per cent provincial funding and \$375,451 in Regional funding to CHPI programs including emergency shelter services, housing outreach and the Housing Stability Program.

- The number of households using emergency shelter services⁴ has remained consistently low, averaging just under 1,400 households per year since 2014 (only about 0.6 per cent of all households in Durham). However, the average number of bed-nights has increased by 27 per cent from 2016 to 2017, putting pressure on the emergency shelter system.
- Housing outreach workers assisted 2,378 households secure housing and 3,995 maintain housing in 2017 – a 35 per cent increase from 2016. There was also a marked shift in the percentage of households assisted with eviction prevention. In previous years, this averaged about 44 per cent, but it increased to 63 per cent in 2017, likely due to the tight rental market and the reluctance of private landlords to house new low income tenants due to a perceived risk that they might incur rent arrears. Of the 2,378 households assisted in securing housing, outreach workers had success with only 82 households.
- The Housing Stability Program assisted 1,311 households in 2017, including one-time assistance with rental and utility arrears, last months' rent deposits and moving costs.

Support agencies are focussing their efforts on assisting vulnerable, low-income tenants to maintain their housing in the tight rental market in Durham. This includes mediating or negotiating with the landlord, supporting tenants at the Landlord and Tenant Board, and educating rooming house tenants about their rights and how to exercise them.

⁴ Excludes Violence Against Women (VAW) shelters, which are not funded through the Region of Durham.





2017 Activity highlights

Cornerstone Community Association’s Housing First Program showed success in 2017 with 12 program participants moving from the shelter to more permanent housing. Once stably housed, program participants continue to work with Housing First workers to meet self-identified goals, including employment, education and social engagement activities.

Community Development Council Durham (CDCD) and the John Howard Society partnered to assist at-risk households with Housing Stability Program (HSP) applications. A dedicated worker meets with applicants to help them with the forms and the collection of supporting documents. This worker also attends the Landlord and Tenant Board (LTB) weekly to offer these services to tenants at risk of eviction.

VHA Home Healthcare expanded their programs in 2017 to include two services to support eviction prevention. Extreme Clean assists tenants in addressing public health and safety standards and includes follow up visits to maintain a clean and safe home. Durham Hoarding Support Services helps vulnerable individuals with hoarding behaviours remain housed using a combination of harm reduction strategies and counselling over the course of 4 to 6 months on average.



What's next?

In April 2018, the Region of Durham partnered with Community Development Council Durham (CDCD) and Durham Mental Health Services (DMHS) to conduct a second enumeration of the homeless population in Durham. This enumeration was expanded from 2017 efforts to include a Registry Week in addition to the Point in Time (PiT) count. The new methodology is intended to be more inclusive in that it will also help to identify the provisionally accommodated and those at risk of homeless in addition to sheltered and unsheltered homelessness. Results of this second enumeration will inform the five-year review of *At Home in Durham*.

The Region of Durham will be partnering with the Salvation Army to create a program to develop positive relationships with private landlords by offering community forums for landlord education. The focus will be on small landlords and those with second suites, and will both help to identify landlord partners that would be receptive to working with vulnerable tenants, and support landlords with maintaining stable tenancies.

The Province has introduced a Portable Housing Benefit for Special Priority Applicants (PHB-SPP). This new 100 per cent provincially-funded benefit is not tied to a vacancy, provides immediate assistance directly to victims of domestic violence, and extends financial assistance beyond social assistance shelter rates for eligible recipients. As the PHB-SPP is available on a first-come, first served basis, staff are actively engaged in identifying applicants on the DASH wait list who may be able to receive this benefit beginning in July 2018.





Goal 2: Affordable Rent for Everyone

Increase the privately funded affordable rental housing supply

Increase federal and provincial government-funded, affordable rental housing supply

Increase rental assistance for low income households

Low and moderate income people in Durham face increasing challenges in finding affordable rental housing across the region. Although the Region's social housing portfolio ensures a level of affordability for some of the most vulnerable people in our community – including seniors, people with disabilities and families in crisis – only 275 rent-geared-to-income (RGI) units became available in 2017.

In order to address the affordability needs of all renters in Durham with low to moderate income, the region needs a greater range of affordable rental housing options. The rental market is not responding to the growing demand for affordable rental housing.

- Average market rent in Durham is \$1,139 – almost a 5 per cent increase from 2016 and well above the provincial rent increase guideline⁵ of 1.5 per cent for 2017.
- A rental household would need to have \$45,560 annual income to afford average market rent at 30 per cent of income. This means that less than half of rental households in Durham can afford average market rent. Further, the average income of applicants on the DASH wait list is only \$17,800, and 64 per cent of non-senior applicants rely on social assistance as their primary source of income (33 per cent on ODSP and 31 per cent on Ontario Works).

⁵ The Rent Increase Guideline is the maximum a landlord can increase most tenants' rent during a year without the approval of the Landlord and Tenant Board.



- About 30 per cent of renters in Durham are in CMHC core housing need⁶ – meaning they live in a unit that is not affordable, not suitable for their family, or in need of major repairs. The vast majority of these households are in core need due to affordability issues.
- Rental housing represented only 8.6 per cent of all housing starts and only 16.38 per cent of all housing completions in 2017. Although this is slightly higher than the 2016 rates, construction is still not sufficient to meet the growth in demand, and new rental units are generally not affordable to low and moderate income renters. Average market rents for units constructed since 2005 are \$1,874 per month.
- Rental vacancy rates in Durham have remained below 2 per cent since 2011.

The Affordable and Seniors' Housing Task Force has begun work on an implementation plan for its 34 recommendations, including those that support and incent the development of new affordable rental housing in the both the non-profit and private sectors.

How are we doing?

The Region continues to contribute nearly \$34 million annually in Regional funding to support the operations of 44 non-profit housing providers across the region, and to provide long-term rent-geared-to-income (RGI) subsidy for 4,481 households in Durham. This investment is anticipated to increase to over \$36 million by 2022.

The Region continues to provide temporary, federally and provincially-funded financial housing assistance to address market rent affordability needs for eligible households on the DASH waiting list and in some federal co-ops with expiring operating agreements. In 2017, the Region supported 698 households through a number of programs:

- Durham Housing Benefit (DHB) – 295 households received a flat rate rent supplement between \$200 and \$500 depending on the household's income source.

⁶ CMHC core housing need means that housing falls below one of the adequacy, affordability or suitability standard, and the household would have to spend 30 per cent or more of gross income to afford the median rent for alternative housing that meets all standards:

- Adequate dwellings are reported as not requiring major repairs
- Affordable dwellings cost less than 30 per cent of gross income
- Suitable dwellings have enough bedrooms for the size and make-up of the household.

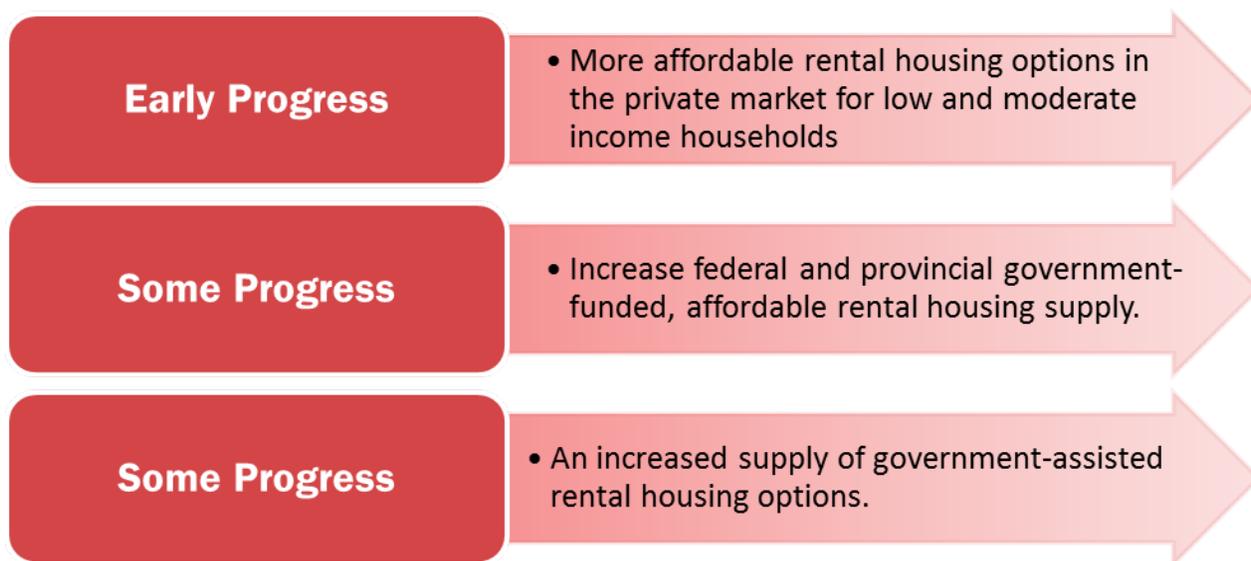


The DHB is paid directly by the Region to the tenant's landlord to reduce the housing charge.

- Durham Housing Benefit (Shared delivery) – the Region has partnerships with eight community agencies to administer the DHB to landlords on behalf of their clients. In 2017, they assisted about 156 households with the DHB, including supports to maintain housing.
- Housing Allowance – 227 households received a portable Housing Allowance through the Ministry of Finance to assist with housing costs.
- Social Infrastructure Fund (SIF) – two federal co-ops with expired operating agreement received allocations to support continuing rent subsidy for 20 members over the next five years.

Since 2005, the Region has allocated \$59.9 million in Canada-Ontario Investments in Affordable Housing (IAH) – 2014 Extension and Social Infrastructure Fund (SIF) funding for the development of 529 new affordable rental units (by 2019) in both the non-profit and private sector in Durham.

Despite these efforts, affordable rental housing options remain limited for low to moderate income households, and new strategies are required to remove barriers to new development and to provide sustained financial housing assistance for these residents.



2017 Activity highlights

Regional Council approved funding of approximately \$250,000 per year to support new rent-gear-to-income (RGI) subsidies for an additional 30 households. This new Durham Rent Supplement Program is providing greater flexibility in addressing the locally-identified needs of applicants on the DASH wait list. As these subsidies are not subject to restrictive provincial rules under the Housing Services Act, the Region has been able to house a number of applicants who have been on the wait list since the early 2000s. Some of these applicants are experiencing housing stability for the first time in decades.

What's next?

Under the Social Infrastructure Fund – Investment in Affordable Housing Program (SIF-IAH), the Region will be soliciting eligible development proposals for the construction of approximately 16 to 20 new affordable housing units.

In November 2017, the National Housing Strategy (NHS) was introduced which commits \$40 billion in joint federal-provincial spending over the next 10 years. The strategy includes investments to both expand affordable housing, as well as to repair and renew existing social housing, and introduces a new portable Canada Housing Benefit to be developed in conjunction with the provinces. In April 2018, the Province of Ontario and the federal government entered into a bilateral agreement to define a common path and shared roles and responsibilities to deliver sustained and expanded housing affordability in Ontario. The role of the service manager under this new agreement and with respect to the NHS has yet to be defined, but it is critical that the Region of Durham and other service managers continue to engage with federal and provincial governments to ensure new funding supports priorities identified under local housing and homelessness plans, like *At Home in Durham*.

As recommended by the Affordable and Seniors' Housing Task Force and in line with the principles of the Ontario Fair Housing Plan and the National Housing Strategy, Durham will be exploring opportunities to develop a surplus land inventory of publically owned surplus land in Durham Region and has officially requested that the federal and provincial governments make surplus government land available for social housing purposes.



The recommended 2018 Development Charge (DC) By-law to be considered by Regional Council on June 13, 2018 includes:

- The introduction of a new Regional Residential DC service category (Housing Services) to fund the development of new, growth-related social and government assisted affordable housing projects/units; and
- The deferral of payment of Regional DC by social and government assisted affordable housing projects for up to eighteen months after the first building permit issuance.





Goal 3: Greater Housing Choice

Diversify housing options by type, size and tenure

Improve access to safe and secure housing that supports the needs of a diverse community

Strong and vibrant communities reflect the diversity of the people that live there and offer a range of housing options that reflect people's changing needs and a variety of financial circumstances. However, people in Durham currently have limited housing choice in the types of dwellings, and there has been no significant change between 2011 and 2016:

- 67 per cent live in single detached houses
- 5 per cent live in semi-detached houses
- 11 per cent live in a row houses
- 17 per cent live in apartments

Nonetheless, the Region is committed to diverse, integrated communities offering a mix of housing densities, and continues to work to encourage higher density housing within appropriate locations including central areas and adjacent to key transportation corridors. Although about 72 per cent of dwellings are currently low-density, this is projected to decrease to 63 per cent by 2031.

Since 2015, Durham has worked in partnership with the Central East Local Health Integration Network (CELHIN) and other central east Ontario municipalities under the LHIN–Municipal Service Manager Housing and Homelessness Framework to promote collaborative strategic planning, improve co-ordination of service level planning, and align and maximize investment/funding opportunities between the sectors. The Region also continues to work with its community partners to identify opportunities to provide supports for vulnerable residents to allow them to remain in their homes.



How are we doing?

Although most people continue to live in owner-occupied low-density single-detached housing in Durham, the form of the housing supply is changing and it is expected to diversify over the long-term. Although single detached dwellings and other forms of low-density housing will continue to dominate the overall residential land supply, the share of new low-density units is expected to decrease compared to medium and high-density units.

The Affordable and Seniors' Housing Task Force has begun work on an implementation plan for its 34 recommendations, including those that support and incent the development of diversified housing choices for seniors, as well as new affordable rental housing.

Durham Regional Local Housing Corporation (DRLHC) and other non-profit social housing providers continue to explore opportunities to partner with community agencies to provide supports at their properties for their tenants and those in the surrounding communities.

- Community Care Durham (CCD) operates the On-site Assisted Living for At-Risk Seniors (ALS) in 3 DRLHC buildings in Oshawa, Ajax and Whitby.
- Durham Mental Health Services (DMHS) provides multidisciplinary mental health on site supports at all DRLHC senior buildings, Ajax Municipal Non-Profit Housing Corporation (AMHC) and Durham Region Non-Profit Housing Corporation (DRNPHC) properties to assist tenants in integrating with the broader community.

Limited Progress

- More options for affordable housing across the region.

Some Progress

- Higher-density housing options.

Some Progress

- An integrated approach to human services and housing supports for vulnerable people.



2017 Activity highlights

The DRLHC has engaged two new Housing Co-ordinators focussed on community development to work with tenants to stabilize tenancies and promote social participation. The initiative includes active partnerships with numerous community agencies to develop programs, including art classes, fitness classes, income tax clinics and other locally-developed workshops and seminars. The Program is intended to be rolled out to non-profit housing providers following a review of the of the DRLHC initiative.

Habitat for Humanity Durham continues to deliver the Home Ownership program under the Investment in Affordable Housing (IAH) program at their 24 unit Center Towne development in Oshawa. By the end of 2017, 10 affordable home ownership purchases had been closed, and at least 4 more are expected to close by the end of 2018.

What's next?

As a result of the recommendations of the Affordable and Seniors' Housing Task Force recommendations, the Region has committed \$75,000 to expand housing choices for seniors and incent affordable rental development by exploring opportunities to:

- Develop a surplus land inventory of publically owned surplus land in Durham Region.
- Provide a forum to investigate opportunities for area municipalities to leverage existing planning tools to improve certainty in land use planning that supports the development of affordable rental housing and diversified housing choice (e.g. community planning permit system, pre-zoning and inclusionary zoning).
- Support and encourage area municipalities to provide zoning regulations that further support affordable housing initiatives (e.g. reduced parking requirements, secondary suites) and the use of height and density bonusing to encourage affordable rental housing development.
- Build a public awareness campaign for affordable rental housing and seniors' housing needs and choices.





Goal 4: Strong and Vibrant Neighbourhoods

Preserve the private rental housing stock

Strengthen the social housing sector

Support an energy efficient, environmentally sustainable rental housing stock

The social housing and non-profit housing sector is vital to rental housing affordability in Durham. The Region has leveraged significant federal-provincial funding over the years to make critical capital investments in the social housing stock, but challenges persist. The significant capital needs of the social housing portfolio and the uncertainty around the Region's long-term funding obligations need to be addressed in partnership with the provincial government in order to ensure the vibrancy of this sector.

As social housing operating agreements and mortgages come to an end, a new framework will be required to sustain the non-profit sector and preserve affordability for low income tenants under the Region's service level standards.

How are we doing?

Most people in Durham live in Strong and Vibrant Neighbourhoods. However, low and moderate income households and other vulnerable residents continue to struggle. Social and non-profit housing is vital to building housing affordability in the region and contributing to the strong and vibrant neighbourhoods, but ongoing investment is required to sustain these communities.

Since 2005, Durham has successfully leveraged one-time federal and provincial funding commitments totally about \$26.2 million to realize rehabilitation improvements and



energy cost savings in the non-profit social housing sector. The Region continues to advocate for sustained investments from the federal and provincial governments to provide ongoing capital funding for new affordable housing development and critical repair and rehabilitation needs of the aging social housing stock.



2017 Activity highlights

The Region allocated \$384,062 under the Social Housing Electricity Efficiency Program (under the Province’s Climate Change Strategy’s Green Investment Fund) to Durham Region Non-Profit Housing Corporation (DRNPHC) to replace windows in all 44 units at Conant Place in south Oshawa.

Social Infrastructure Fund (SIF) funding of \$5,470,800 was allocated to sixteen housing providers for 18 capital repair projects that must be completed no later than March 2019.

What’s next?

The Region has received a conditional allocation of \$14,360,308 under the Social Housing Apartment Improvement Program (SHAIP) for repairs and retrofits to social housing to improve living conditions and adapt to and mitigate climate change impacts. The investment is part of Ontario’s Climate Change Action Plan and is funded by



proceeds from the province's cap and trade carbon market. Funds must be invested in programs that reduce greenhouse gas emissions and save money on energy costs.

- Year one of this funding was restricted to apartment buildings with more than 150 units. The DRLHC building at 155 King Street, Oshawa was the only property that met these criteria, and was allocated \$3.7 million for retrofit projects that will significantly reduce greenhouse gas emissions and provide improved comfort for residents.
- The Region is currently reviewing social housing proposals for the SHaip allocation for year two to four of the program which is targeted to apartment buildings with between 100 to 150 units.

The Region has received an allocation of \$630,578 under the provincial Green Ontario Fund (GreenON), Social Housing Program. This program targets greenhouse gas emission reductions in apartment buildings with fewer than 100 units. Regional staff are currently reviewing social housing proposals for the GreenON Social Housing program allocation.

Regional Housing and Finance staff continue to engage with other service managers, the Ontario Municipal Social Services Association (OMSSA), the Association of Municipalities of Ontario (AMO) and the Ministry of Housing (MHO) around proposed social housing modernization initiatives.





At Home in Durham – Five-Year Review

At Home in Durham is an integrated housing plan that lays out the Region’s long-term vision for housing, and aligns this vision with the requirement for a housing and homelessness plan under the Housing Services Act and the housing strategy required under the Growth Plan for the Greater Golden Horseshoe.

Under the Housing Services Act, the Region of Durham is required to review *At Home in Durham* at least every five years, and amend the plan as it considers necessary or advisable. Prior to any amendments, the Region must consult with the public and give the Ministry of Housing (MHO) 90 days to comment on the proposed amended plan.

The five-year review will ensure that the plan is aligned with the Housing Services Act, consistent with the provincial 2016 Policy Statement Service Manager Housing and Homelessness Plans, and continues to reflect the local context regarding housing and homelessness.

The review must be initiated before January 1, 2019 and the Region must complete and submit its review report and revised plans to MHO by June 30, 2019 or advise of an alternate date for submission.

The Region is currently undertaking a Municipal Comprehensive Review of the Regional Official Plan, including the Durham Housing Strategy. The review of *At Home in Durham* will align with community consultations required under this review, and will incorporate the work of the Affordable and Seniors Housing Task Force in addition to the provincial requirements noted above.

The fifth annual report of *At Home in Durham* in June 2019 will incorporate the results of the legislated five-year review.





The Regional Municipality of Durham Report

To: Committee of the Whole
 From: Commissioner of Social Services
 Report: #2018-COW-137
 Date: June 6, 2018

Subject: Additional Provincial Funding from the 2018 Final Child Care Allocation

Recommendations:

That the Committee of the Whole recommends to Regional Council that:

- A) Additional 100 per cent unbudgeted Provincial funding for child care services from the Ministry of Education in the amount of \$5,139,692 for the Regional Municipality of Durham Children’s Services Division be received as supplementary to the 2018 Business Plans and Budgets and allocated as follows:

Program	Expenditure	Amount \$
Special Purpose Projects	Provider Payments	405,601
Wage Enhancement	Provider Payments	1,976,485
Childcare Expansion Plan	Fee Subsidy	1,218,243
Childcare Expansion Plan	Provider Payments	1,115,013
Childcare Expansion Plan – Licensed Home Childcare	Provider Payments	424,350
Total		5,139,692

- B) The Regional Chair and Regional Clerk be authorized to execute the Amended Ontario Transfer Payment Agreement.

Report:

1. Purpose

- 1.1 The purpose of this report is to notify Regional Council that on May 8, 2018 the Ministry of Education provided the 2018 Final Child Care Allocations and Amending

Service Agreement Package for Consolidated Municipal Service Managers (CMSM's). This final allocation provides a total of \$5,139,692 in additional unbudgeted Provincial funding to support the Child Care Expansion Plan – Year 2 targets, as well as providing base funding to support Licensed Home Child Care (LHCC) Agencies. Refer to Attachment #1 – 2018 Amended Ontario Transfer Payment Agreement – Schedule 'D' Budget for full allocation details.

2. Background

- 2.1 A memorandum was also sent on May 8, 2018 from the Ministry of Education to Licensed Home Child Care (LHCC) Agencies outlining that the government is making a new investment of \$19.5 million in licensed home child care to provide dedicated base funding for the home child care agencies of Ontario. The intent of the base funding is to support the provision of stable, predictable funding to assist licensed home child care agencies with forecasting, planning and actively recruiting more providers.
- 2.2 On November 30, 2017 the Children's Services Division received notice of the 2018 Preliminary Child Care Allocation in the amount of \$61,046,914; and the 2018 Regional budget for Children's Services was structured based on this funding level. This funding does not include the Child and Family Supports funding for the EarlyON program, Journey Together, Data Analysis Coordinator and the Early Learning Development (Best Start Network) which has been flowed under a separate Transfer Payment Agreement.
- 2.3 The initial Ontario Transfer Payment Agreement for 2018 in the amount of \$61,046,914 was recently circulated for sign off by the Regional Chair and Clerk, as Children's Services staff only just finalized setting the required service targets in consultation with Ministry staff.
- 2.4 On February 20, 2018, the Province sent a letter outlining that additional funding had been approved for Fee Stabilization Support funding that would cover the period April to December 2018. For Durham, this is an increased allocation in the amount of \$1,976,485. The 2018 approved Regional budget shows the one-time allocation for only January to March 2018 in the amount of \$658,632. The Ontario Transfer Payment Agreement Amendment is also being circulated for sign off by the Regional Chair and Clerk, in conjunction with the initial Transfer Payment Agreement.
- 2.5 This latest correspondence of May 8, 2018 provides additional funding that increases Durham's 2018 total child care allocation to \$66,186,607.
- 2.6 The Ontario Child Care Service Management and Funding Guidelines 2018 have also been amended as of May 2018 and outlines the expectations for Consolidated Municipal Service Managers. These guidelines include a number of changes to required reporting of data elements to help streamline and simplify the reporting requirements. Children's Services staff have reviewed these new guidelines and will report to the ministry as required.

3. Allocation of New Unbudgeted Provincial Funding announced May 8, 2018

- 3.1 Attachment #1 - Schedule "D" outlines the provincial 2018 Calendar Year Allocation and Expansion Plan Year 2 funding amounts totalling \$66,186,607, which includes the additional unbudgeted funding of \$5,139,692. Children's Services staff have some flexibility to assign funding to address our local community service pressures.
- 3.2 There are two new funding streams identified in this latest allocation including:
- Operating Funding for Expansion Plan Capital Spaces (\$848,148); and
 - Base Funding for Licensed Home Child Care (LHCC) (\$424,350).
- 3.3 The new Operating Funding for Expansion Plan Capital Spaces provides funding to support the child care operator to initially open and stabilize the program.
- 3.4 Base Funding for Licensed Home Child Care (LHCC) is another new funding stream. The Province has identified its support to expand the licensed Home Child Care sector as a way of creating additional affordable licensed spaces, without significant capital financial costs typically associated with constructing and building a new physical child care setting. The revised Ontario Child Care Service Management and Funding Guidelines – May 2018 outline that 2018 will be a transition year and that CMSM's will need to develop an implementation strategy for base funding of licensed home child care. As noted in Durham's Child Care and Early Learning Service Plan 2018 – 2022 Children's Services staff have already been working on this matter and will bring forward our proposed implementation plan in the Fall of 2018.

4. Financial Implications

- 4.1 On May 8, 2018, the Province notified the Region that its 2018 final child care allocation would be \$66,186,607 (see Attachment #1). This is an increase of \$5,139,692 over the preliminary 2018 allocation of \$61,046,914 included in the 2018 Children's Services Business Plans and Budget. The following table provides details for the allocation of this incremental provincial funding:

Table 1
Proposed Allocation of Unbudgeted Provincial Childcare Funding

Program	Expenditure	Amount \$
Special Purpose Projects	Provider Payments	405,601
Wage Enhancement	Provider Payments	1,976,485
Childcare Expansion Plan	Fee Subsidy	1,218,243
Childcare Expansion Plan	Provider Payments	1,115,013
Childcare Expansion Plan – Licensed Home Childcare	Provider Payments	424,350
Total		5,139,692

- 4.2 The Province has committed to provide this level of 100 per cent funding for services on an ongoing basis. It is not anticipated that Regional costs will increase as a result of the increase in Provincial funding. No additional staffing requirements are anticipated in relation to this increased funding for services. Further reallocations may be required in 2018 to ensure the increase provincial funding is fully utilized in 2018.
- 4.3 However, there are risks to the Region with respect to increases in Provincial subsidies. In the event that the level of 100 per cent provincial funding provided to the Region does not increase to accommodate inflationary and contractual increases, or provide sufficient funding to cover the Region's administrative costs to deliver the increased level of service, the Region's costs would need to increase to maintain the same level of service to the community.

5. Conclusion

- 5.1 It is recommended that additional 100 per cent unbudgeted Provincial funding for child care services from the Ministry of Education in the amount of \$5,139,692 for the Regional Municipality of Durham Children's Services Division be received as supplementary to the 2018 Business Plans and Budgets and allocated as outlined in Section 4 of this report.
- 5.2 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendation.

6. Attachments

Attachment #1: 2018 Amended Ontario Transfer Payment Agreement – Schedule 'D' Budget

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer

SCHEDULE "D"
BUDGET

2018 Calendar Year Allocation**The Regional Municipality of Durham**

2018 Child Care Allocation Summary	2018 Allocation	Expansion Plan Year 2
Core Services Delivery Operating Allocation		
Core Services Delivery - 100/0	16,696,493	1,379,290
Core Services Delivery - Cost Share Requirement 80/20	17,752,820	N/A
Core Services Delivery - Cost Share Requirement 50/50 - Administration	717,163	N/A
Core Services Delivery	35,166,476	1,379,290
Special Purpose Operating Allocation		
Language	720,677	28,438
Indigenous	167,665	6,616
Cost of Living	1,352,532	53,371
Rural	13,380	528
Capacity Building	320,777	12,057
Repairs and Maintenance	118,122	4,808
Utilization Adjustment	2,019,960	N/A
Capping Adjustment	(521,380)	N/A
Total Special Purpose	4,191,733	105,818
Total Operating Allocation	39,358,209	1,485,108
Other Allocations		
Small Water Works	27,227	N/A
Territory Without Municipal Organization (TWOMO) - Child Care	-	N/A
Wage Enhancement/Home Child Care Enhancement Grant (HCCEG) ¹	10,333,467	N/A
Wage Enhancement/HCCEG Administration	412,006	N/A
Fee Stabilization Support	2,635,117	N/A
Expansion Plan Year 1	7,105,942	N/A
Operating Funding for Expansion Plan Capital Spaces	N/A	848,148
ELCC	3,557,033	N/A
Base Funding for Licensed Home Child Care (LHCC)	424,350	N/A
Total Other Allocations	24,495,142	848,148
Total Child Care Allocation	63,853,351	2,333,256

¹ Notional allocation pending submission in Revised Estimates.

2018 Early Learning and Child Care Agreement (ELCC) Details

ELCC Allocation for children aged 0-6 years old - can be spent on operating and capital	\$2,842,377
ELCC Allocation for children aged 0-12 years old - can be spent on operating	\$714,656

Total Contract	\$ 66,186,607
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*Totals may not add due to rounding.

SCHEDULE "D"
BUDGET CONTINUED

Expenditure Benchmarks	General Allocation	Expansion Plan	ELCC
Child Care Administration - Maximum Allowable Expenditure 10% maximum (For total general allocation: less TWOMO, Wage Enhancement, and Fee Stabilization Support)	\$ 3,980,979	\$ 943,920	\$ 355,703
Special Needs Resourcing - Minimum Required Expenditure 4.1% minimum (For total general allocation: less TWOMO, Wage Enhancement, and Fee Stabilization Support)	\$ 1,632,201	\$ 387,007	\$ 145,838
Wage Enhancement/HCCEG Administration - Minimum Required Allocation To Be Provided to Operators (10% of total 2018 Wage Enhancement/HCCEG Administration)	\$ 41,201	N/A	N/A
For Profit - Maximum Percentage Threshold (Based on 2015 or 2016 Financial Statement Submissions)	26%	26%	26%
ELCC Funding Available for Carry Forward (10% can be spent by December 31, 2019)	N/A	N/A	\$ 355,703
Capacity Building	320,777	70,124	\$ 29,306

CMSM/DSSAB Minimum Cost Share Requirement			
Cost Share Requirement (for Total Allocation) - 100/0			-
Cost Share Requirement (for Core Services) - 80/20			4,438,205
Cost Share Requirement (for Administration) - 50/50			717,163
Total 2018 Respective Contributions			\$ 5,155,368
2017 Minimum Cost Share Requirement			5,155,368
% Change From 2017			0.0%



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services
Report: #2018-COW-138
Date: June 6, 2018

Subject:

Supply and Service of Lift Equipment for the Region of Durham's four (4) Long-Term Care Homes.

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That a sole source contract with Handicare Canada Ltd. be negotiated at a total estimated cost not to exceed \$1,607,100 for the procurement of ceiling lift equipment at a total estimated cost not to exceed \$818,600 and the ongoing maintenance, service, annual lift inspection and load testing of lift equipment at a total estimated cost not to exceed \$788,500 for a period of five (5) years commencing December 1, 2018 at the Region of Durham's four (4) Long-Term Care Homes subject to financing being approved in the annual Long Term Care Homes annual Business Plans and Budgets; and
 - B) That the Acting Commissioner of Finance be authorized to execute the contract.
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Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and seek approval to negotiate an extension of the sole source agreement with Handicare Canada Ltd. for the procurement of new and replacement ceiling lift equipment and the ongoing maintenance, service, annual lift inspection and load testing of lift equipment for the Region of Durham's four (4) Long-Term Care Homes (LTCH) for a five year period.

2. Background

- 2.1 In order to continue to support the safe lift policies and practices in the Region of Durham's four (4) LTCHs, there is a need for continued purchase of new and replacement lift equipment as well as ongoing preventative maintenance and service of this equipment.
- 2.2 Since 2006, all four (4) LTCHs have been increasing the number of ceiling lifts in the Homes as well as replacing those reaching the end of their ten (10) year useful life with new Handicare lifts. The Homes will continue to replace aging and obsolete equipment and purchase additional ceiling lifts and tracks, at a total estimated cost not to exceed \$818,600 over the next five (5) years, pending annual approval of the LTC Business Plans and Budgets for 15 new lifts and 192 replacement lifts along with 89 new tracks.
- 2.3 Over the course of the next five (5) years, maintenance (including annual lift inspection and load testing, replacement parts and service) on existing and new lift equipment is estimated to cost a maximum of \$788,500.
- 2.4 Subject to annual approval of LTC Business Plans and Budgets, at the end of five (5) years, the Homes will be fully tracked and will have a sufficient number of ceiling lifts and therefore, should only require replacement lifts.

3. Justification for Sole Source

- 3.1 Standardization of ceiling lifts by purchasing all ceiling lifts in the Home through one manufacturer continues to be beneficial.
- 3.2 From an operational perspective, less training for staff is required and there is less chance of operator error.
- 3.3 From a risk management perspective, staff familiarity with the lifts and having only one type of sling reduces the chance of error. Consequences of error when totally supporting a resident's weight during a transfer could result in significant injury to the resident and employee and is a liability to the Region.
- 3.4 From an inventory perspective, batteries and slings are standardized so fewer are required to be on hand and motors can be interchanged when service or repair is needed.
- 3.5 Staff continue to be very pleased with the equipment supplied by Handicare Canada Ltd. and recommend the continued deployment of this type of equipment exclusively in the Region's Homes.
- 3.6 Handicare Canada Ltd. is the exclusive dealer and service provider for Handicare lifts in Ontario. The Homes are pleased with this service which has been offered to date. Handicare Canada Ltd. offers service to rural communities such as Beaverton, where Lakeview Manor is located, through their Orillia location. The ability to have

service staff on-site immediately is very important to the staff at the Homes. Continuing the Region's arrangement with Handicare Canada Ltd. will provide the ability to achieve the best possible pricing structure for the purchase of the equipment as well as resultant service agreements for the Homes.

4. Financial Implications

Purchasing By-law

- 4.1 The Region of Durham's Purchasing By-Law 68-2000 (Amended), Section 8.1.4 permits the negotiation of a contract where the extension of an existing contract would prove more cost effective or beneficial.

Financing

- 4.2 The total estimated cost up to \$1,607,100 for a five (5) year term is comprised of up to \$818,600 for the purchase of 15 new and 192 replacement lifts and 89 new tracks, and up to \$788,500 for annual lift maintenance services. The actual number of lifts and tracks purchased will depend on the funding approved annually in the LTC annual Business Plans and Budgets.

5. Conclusion

- 5.1 It is recommended that authorization be granted to negotiate a five (5) year agreement with Handicare Canada Ltd. for the provision of Handicare ceiling lift equipment and the ongoing preventative maintenance service, annual lift inspection and load testing of lifts at the Region of Durham's four (4) Long-Term Care Homes for a five (5) year term commencing December 1, 2018 with the actual number of lifts and tracks purchased determined based on the financing approved in the annual LTC Business Plans and Budgets; and
- 5.2 This report has been reviewed by the Finance Department and the Acting Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by: _____

Dr. Hugh Drouin
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: _____

G. H. Cubitt, MSW
Chief Administrative Officer