



The Regional Municipality of Durham

Committee of the Whole Agenda

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

Wednesday, September 5, 2018

9:00 AM

1. Declarations of Interest

2. Statutory Public Meetings

- 2.1 Application to amend the Durham Regional Official Plan, submitted by Clark Consulting Services on behalf of Mike Kennedy, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Uxbridge, File: OPA-2018-003 ([2018-COW-156](#))

6 - 12

A) Presentation

1. Kristy Kilbourne, Project Planner, Planning Division

B) Public Input

C) Report

3. Delegations

- 3.1 Ted Comiskey, Mayor of Ingersoll, re: "Demand the Right" campaign [Item 7.1)]

- 3.2 Ana Marple, Ajax Resident, re: Water Issues and Municipal Services in the Ontoro Blvd./Range Road area

Requires 2/3rds Vote in accordance with Section 15.5(e) of the Council Rules of Procedure. Ms. Marple appeared on the same matter at the June 6, 2018 Committee of the Whole meeting.

4. Presentations

- 4.1 Mary Simpson, Acting Commissioner of Finance, re: The 2018 Regional Municipality of Durham Asset Management Plan (2018-COW-171) [Item 8.2 E)]

5. Health & Social Services

Health

5.1 Communications

- A) [Memorandum from Dr. R. Kyle, Commissioner and Medical Officer of Health](#) – re: A Publicly Funded Oral Health Program for Low-Income Adults and Older Adults 13 - 16
Recommendation: For Endorsement

5.2 Reports

- A) A New By-law to Regulate Disclosure of Health Inspection Information to the Public ([2018-COW-174](#)) 17 - 23

Social Services

5.3 Communications

5.4 Reports

- A) Additional Unbudgeted Provincial Funding in 2018 to Increase the Direct Care Hours for the Region of Durham's Long Term Care Homes ([2018-COW-175](#)) 24 - 26

6. Planning & Economic Development

Planning

6.1 Communications

- A) [Town of Aurora](#) re: Resolution passed at their Council meeting held on June 12, 2018, regarding Greenbelt Protection 27 - 29

Pulled from August 23, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

6.2 Reports

- A) Application to Amend the Durham Regional Official Plan, submitted by Youngfield Farms Limited, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog, File OPA 2018-001 ([2018-COW-153](#)) 30 - 38
- B) Durham Trail Coordinating Committee (DTCC) Membership Appointment ([2018-COW-157](#)) 39 - 41

- C) Proposed Revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, Durham Active Transportation Committee, and Durham Environmental Advisory Committee ([2018-COW-159](#)) 42 - 65

Economic Development

6.3 Communications

6.4 Reports

There are no Economic Development Reports to consider.

7. Works

Waste

7.1 Communications

- A) Correspondence from the [Town of Ingersoll](#), re: "Demand the Right" Campaign 66 - 70
Recommendation: Receive for Information

7.2 Reports

There are no Waste Reports to consider.

Works

7.3 Communications

- A) [Town of Ajax](#) re: Resolution passed at their Council meeting held on May 22, 2018, regarding Automated Speed Enforcement 71 - 72
Pulled from June 1, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

- B) [Town of Ajax](#) re: Resolution passed at their Council meeting held on May 22, 2018, regarding Red Light Cameras 73 - 74
Pulled from June 1, 2018 Council Information Package by Councillor Jordan

Recommendation: Receive for Information

7.4 Reports

- | | |
|--|---------|
| A) Subdivision Agreement with Lindvest Properties (Clarington) Limited to allow the Construction of a Temporary Water Booster Pumping Station in Newcastle, Municipality of Clarington (2018-COW-154) | 75 - 80 |
| B) Agreement with the Canadian Pacific Railway for the Rehabilitation of the Regional Road 57 Burketon CP Overpass (2018-COW-155) | 81 - 82 |
| C) Extension of Lease Agreement for Premises Occupied by the Health Department, Region of Durham Paramedic Services Located at 343 Bay Street, in Beaverton, in the Township of Brock (2018-COW-164) | 83 - 85 |
| D) Approval of Request for Pre-Qualification #RFPQ-1150-2018 of General Contractors and Sole Source Assignment of Engineering Services for Construction Administration to Associated Engineering Ltd. for the Sludge Blending Tank Restoration and Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2018-COW-166) | 86 - 90 |

8. Finance & Administration

Finance

8.1 Communications

8.2 Reports

- | | |
|---|-----------|
| A) Treatment of Hotels in the Region of York's Development Charge By-law (2018-COW-167) | 91 - 93 |
| B) Regional Development Charges Deferral Agreement Policy for Lands not yet Serviced (2018-COW-168) | 94 - 100 |
| C) Authorization to Undertake a Review and Update of the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law (2018-COW-169) | 101 - 104 |
| D) Approval to Recommend Award of Contract under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund – Investment in Affordable Housing Program: Rental Housing Component (Year 3) (2018-COW-170) | 105 - 110 |

- | | |
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| E) The 2018 Regional Municipality of Durham Asset Management Plan (2018-COW-171)
(Enclosed Booklet with Agenda)
Link to 2018 Regional Municipality of Durham Asset Management Plan | 111 - 127 |
| F) Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Vacant Lands located at 80 Bond Street East in the City of Oshawa (2018-COW-172) | 128 - 141 |
| G) Social Housing Projects in Difficulty as at July 31, 2018 (2018-COW-173) | 142 - 144 |

Administration

8.3 Communications

8.4 Reports

- | | |
|---|-----------|
| A) Procedural By-law Update (2018-COW-158) | 145 - 190 |
| B) Proposed Revisions to the Durham Region Roundtable on Climate Change (DRRCC) Terms of Reference (2018-COW-160) | 191 - 204 |
| C) Appointment of new members to the Durham Accessibility Advisory Committee (AAC) (2018-COW-161) | 205 - 207 |
| D) The Regional Municipality of Durham's 2017 Accessibility Report (2018-COW-162) | 208 - 233 |
| E) Amendment to the Accessibility Advisory Committee (AAC) Terms of Reference (2018-COW-163) | 234 - 235 |
| F) Federation of Canadian Municipalities Special Advocacy Fund (2018-COW-176) | 236 - 240 |

9. Other Business

10. Confidential Matters

There are no confidential matters to be considered.

11. Date of Next Meeting

Wednesday, October 3, 2018 at 9:00 AM

12. Adjournment



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: [#2018-COW-156](#)
Date: September 5, 2018

Subject:

Public Meeting Report

Application to amend the Durham Regional Official Plan, submitted by Clark Consulting Services on behalf of Mike Kennedy, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Uxbridge, File: OPA-2018-003.

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That Commissioner's Report #2018-COW-156 be received for information; and
 - B) That all submissions received be referred to the Planning Division for consideration.
-

Report:

1. Purpose

1.1 On June 27, 2018, Clark Consulting Services on behalf of Mike Kennedy submitted an application to amend the Durham Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Uxbridge.

1.2 A "Notice of Complete Application and Public Meeting" regarding the application has been advertised in The Uxbridge Times Journal newspaper. Notice of this meeting has also been mailed to those who own land within 120 metres (400 feet) of the subject site. The report was made available to the public prior to the meeting.

2. Background

2.1 The subject site is municipally known as 11129 Concession Road 6 and is located on the east side of Concession Road 6, north of Weirs Road, south of Leaskdale Road and west of Regional Road 1 (refer to Attachment 1). The property is legally described as Part of Lot 16, Concession 6, geographic Township of Scott, in the Township of Uxbridge.

2.2 The subject site is generally rectangular in shape, and has access to Concession Road 6. It is approximately 30.7 hectares (75.86 acres) in size, of which approximately 25 hectares (61.78 acres) is being used for cultivation. The subject property contains some wooded areas, mainly hedgerows. A residential dwelling with an accessory structure is located at the western part of the site.

2.3 Surrounding land uses include:

- North – agricultural lands;
- East – agricultural lands;
- South – agricultural lands; and
- West – Concession Road 6, agricultural lands with a stream and other associated natural features.

2.4 The proposed amendment to the ROP would facilitate the severance of a 0.92 hectare (2.27 acre) parcel with an existing dwelling, retaining a vacant 29.78 hectare (73.59 acre) farm parcel with horse stables and a riding arena.

3. Reports Submitted in Support of the Application

3.1 A Planning Justification/Agricultural Assessment Report, prepared by Clark Consulting Services dated May 29, 2018, has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan, the ROP, and the Township of Uxbridge Official Plan. The consultant has indicated that associated applications for Zoning By-law Amendment and Land Division are forthcoming. The report also concludes the proposed severance will comply with the Minimum Distance Separation requirements. The applicant's consultant advises that the dwelling is not required by a farm employee and is surplus to the farm operation.

3.2 An Inventory of Land Holdings for Mike Kennedy prepared by Clark Consulting

Services was also submitted in support of the application. The inventory includes two properties owned by Mike Kennedy comprising approximately 73 hectares (180 acres). Both properties are located in the Township of Uxbridge (refer to Attachment 2). There are two dwellings located on the farm properties. One is occupied by the Kennedy family and the second dwelling is located on the property which is the subject of this application and is not required as housing for the farm operation.

4. Provincial Policies

- 4.1 The subject site is located within the Protected Countryside of the Greenbelt Plan. Both the Greenbelt Plan and the Provincial Policy Statement permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance.

5. Durham Regional Official Plan

- 5.1 The subject site is designated “Prime Agricultural Areas” in the ROP with portions of the site containing Key Natural Heritage and/or Hydrologic Features (KNHHF). Severance applications for agricultural uses are considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 5.2 Policy 9.A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
- a. the dwelling is not needed for a farm employee;
 - b. the farm parcel is a size which is viable for farm operations;
 - c. for sites within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
 - d. the farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

6. Consultation

- 6.1 The subject application has been circulated to a variety of commenting agencies including: the Ministry of Municipal Affairs; the Township of Uxbridge; Durham Region Health Department, and the Durham Agricultural Advisory Committee.

7. Public Participation

- 7.1 Anyone who attends the Region's public meeting may present an oral submission and/or provide a written submission to the Committee of the Whole on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 7.2 If a person or public body does not make oral submissions at a public meeting or make written submissions to the Region of Durham before the proposed official plan amendment is adopted, the person or public body:
- a. is not entitled to appeal the decision of the Region of Durham to the Local Area Planning Tribunal (LPAT) (formerly the Ontario Municipal Board); and
 - b. may not be added as a party to the hearing of an appeal before the LPAT, as appropriate, unless in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
- 7.3 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Planning and Economic Development Department
Regional Municipality of Durham
Durham Region Headquarters
605 Rossland Road East
Whitby, ON L1N 6A3

8. Future Regional Council Decision

- 8.1 The Committee of the Whole will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Committee of the Whole and Regional Council at which the subject application will be considered.

9. Attachments

Attachment #1: Location Sketch

Attachment #2: Other Agricultural Lands owned by Mike Kennedy

Respectfully submitted,

Original signed by

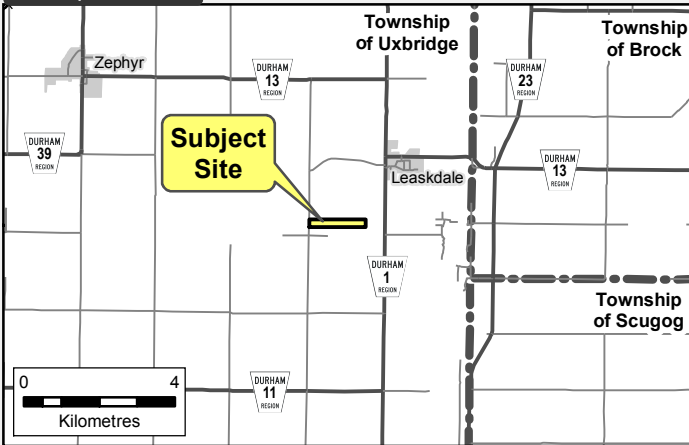
B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee






Original signed by

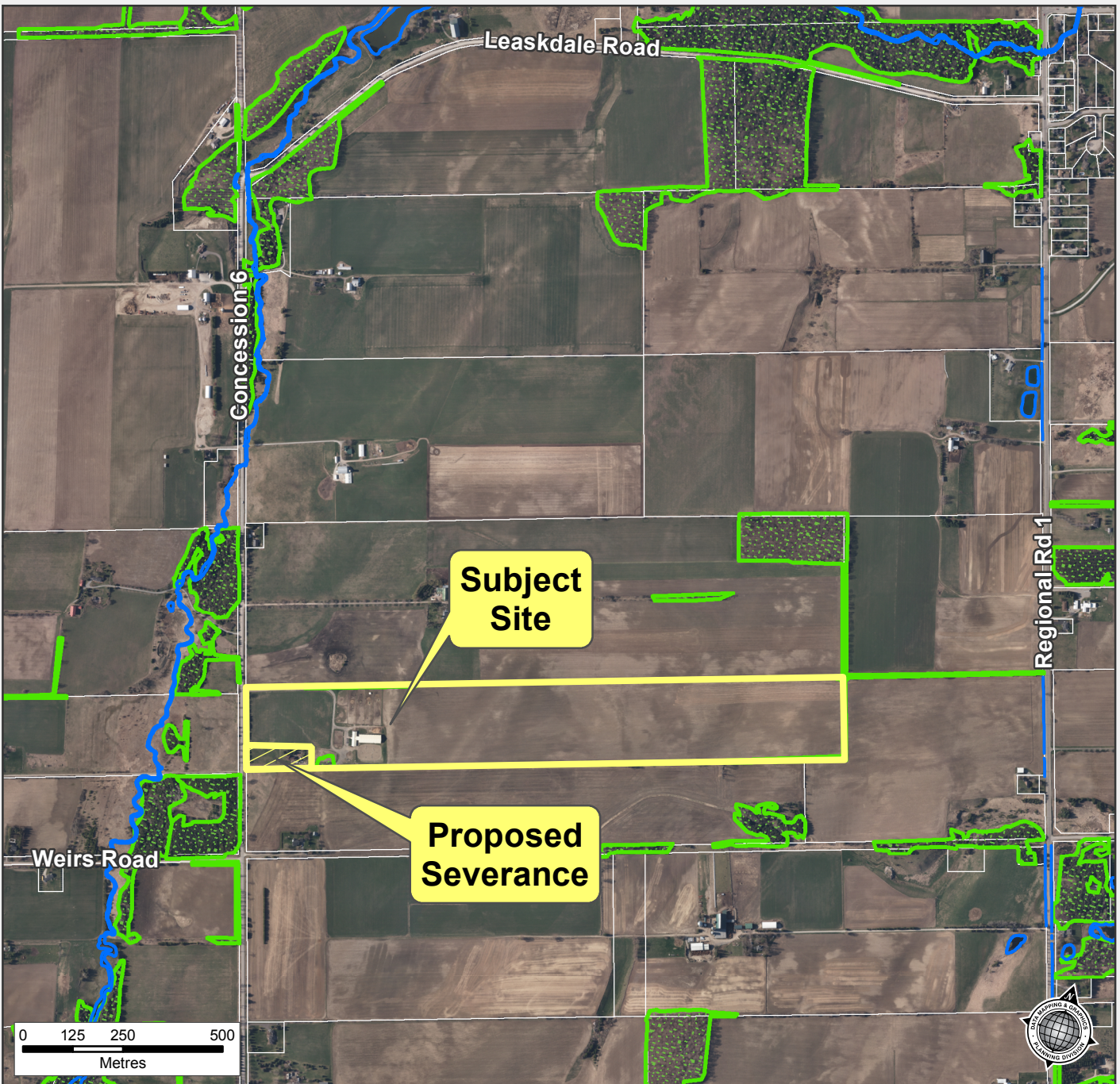
G.H. Cubitt, MSW
Chief Administrative Officer

Municipal Context



Legend

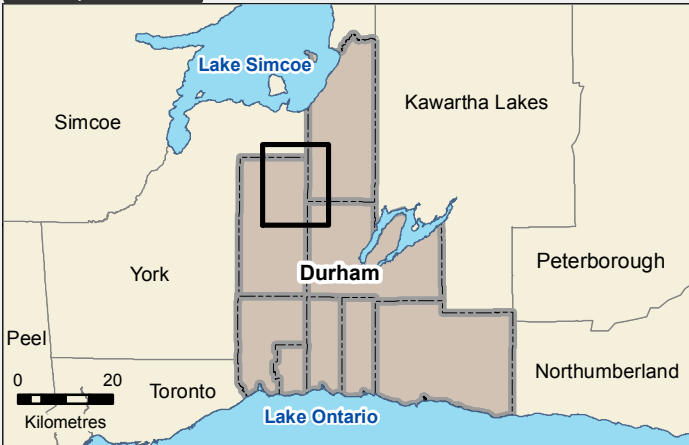
-  Subject Site
-  Municipal Boundary
-  Proposed Severance
-  Woodland
-  River or Stream



Data Sources:
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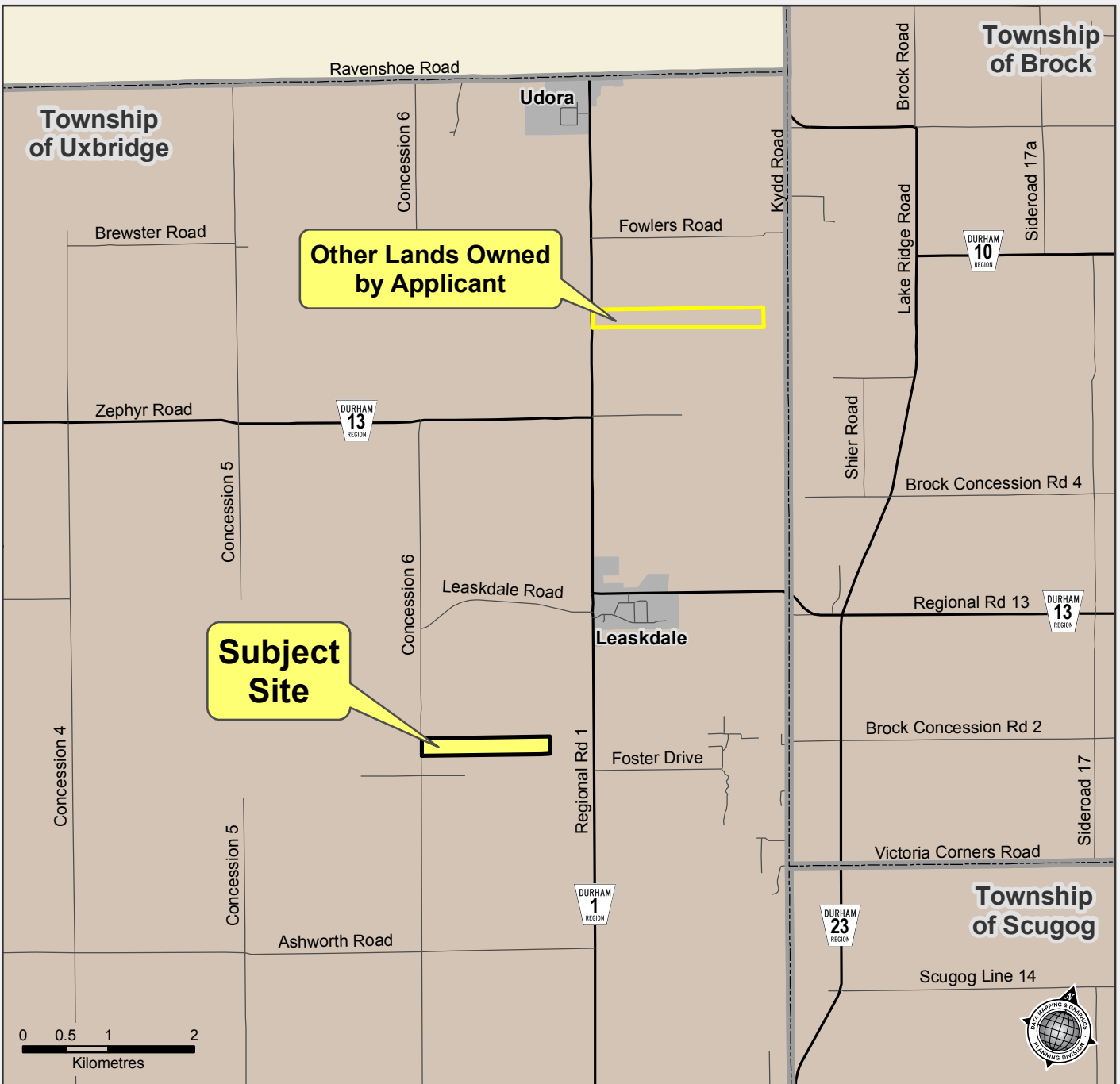
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Municipal Context



Legend

-  Subject Site
-  Other Lands Owned by Applicant
-  Municipal Boundary



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Interoffice Memorandum

The
Regional
Municipality
of Durham

Health
Department

Date: September 5, 2018

To: Committee of the Whole

From: Dr. Robert Kyle

Subject: A Publicly Funded Oral Health Program for Low-Income Adults and Older Adults

On July 5, 2018, the Halton Regional Chair sent the attached correspondence to the Minister of Health and Long-Term Care on behalf of Halton Regional Council urging the government to follow through on Premier Ford's campaign promise to introduce free oral health care for low-income older adults. In the same correspondence, Halton Regional Council emphasized the need for investment in oral health care for low-income adults in addition to low-income older adults.

In summary, the correspondence highlights the impact that poor oral health conditions have on quality of life, including physical, mental and social well-being and on costs to the healthcare system. As the Ontario Health Insurance Plan (OHIP) does not cover the prevention and treatment of most oral health conditions, the Halton Regional Council approved a recommendation to write to the Minister of Health and Long-Term Care in support of a provincially-funded oral health program for low-income adults and older adults.

Accordingly, I recommend that the Committee of the Whole recommends to Regional Council that:

- a) The correspondence from the Halton Regional Chair regarding a provincially-funded oral health program for low-income adults and older adults is endorsed; and
- b) The Premier of Ontario, Ministers of Finance and Health and Long-Term Care, Durham's MPPs, Chief Medical Officer of Health and all Ontario boards of health are so advised.

If you require this information in an accessible format, please contact 1-800-372-1102 ext. 3324.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

If you require this information in an accessible format, please contact 1-800-372-1102
ext. 3324.



July 5, 2018

Office of the Regional Chair
Halton Region
1151 Bronte Road
Oakville ON L6M 3L1

The Honourable Christine Elliott
Minister of Health and Long-Term Care
Hepburn Block 10th Floor,
80 Grosvenor St, Toronto, ON
M7A 2C4

Dear Minister Elliott:

On behalf of Halton Regional Council, I would like to congratulate you on your appointment as Minister of Health and Long-Term Care. We look forward to working with you to ensure the best possible health for all Ontario residents.

While we are encouraged by the [For the People. A Plan for Ontario](#) campaign promise to introduce free dental care for low-income seniors. We strongly believe that Ontario needs a publicly-funded oral health program for both low-income adults and older adults.

Oral health is an integral component of overall health and well-being. Poor oral health can have debilitating effects on quality of life, impacting physical, mental and social well-being.¹ Dental disease causes pain and infection and can contribute to the development of diabetes, respiratory infection and cardiovascular disease. Poor oral health conditions affect employability, work performance, self-esteem, and can limit an individual's ability to eat, speak and even smile.

As you know, the Ontario Health Insurance Plan (OHIP) does not cover the prevention and treatment of the majority of oral health conditions. This impacts the one-third of Ontario workers that the Wellesley Institute estimates do not have employee health or dental benefits and the 13.9 per cent² of the Ontario population who lives in low income. Financial barriers prevent many marginalized and low-income adults of all ages from accessing preventative and acute dental care who then turn to acute health care services.

As set out in previous correspondence to your predecessor from the [Association of Local Public Health Agencies](#), in 2015 there were over 60,000 oral health-related visits to emergency departments across Ontario, costing an estimated \$38M. According to the [Alliance for Healthier Communities](#), every year, often because they cannot afford to visit a dentist, Ontario residents make 222,000 visits to physicians for dental pain and infections. This is not an efficient use of health care dollars. These visits divert valuable resources from more pressing health care emergencies. Visits to emergency departments often fail to address underlying problems resulting instead in the issuing of prescriptions for pain and infection and repeat visits instead of treatment. Many of these visits and much of the pain experienced can be avoided with timely, preventative oral health care.

/2

¹ Halton Region: SS-08-18-MO-11-18 Adult Oral Health Programs Review, May 23, 2018 p 50

² [alPHA RESOLUTION A17-1](#)

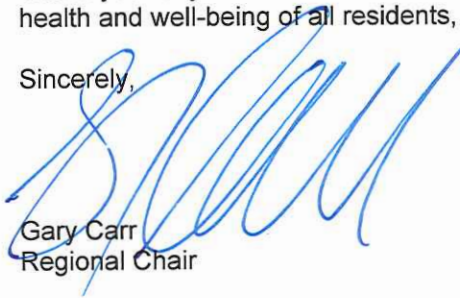
It is estimated that there will be 23,054 adults aged 18-64 and 4,218 older adults aged 65+ living in low income in Halton by 2027. Already, 50% of Halton adults aged 65+ report not having dental insurance and that financial circumstances are the most significant barrier to accessing dental care. While the Region's dental programs provide important services to low-income residents in Halton, these services are not mandated and do not receive funding from the Ontario Government.

For more than 180 years, Ontarians have enjoyed a strong public health system that places local communities and their health at the forefront of health and social policy. The creation of a publicly funded oral health program for both low-income adults and older adults would support seniors and help reduce inequities among low-income adults of all ages.

At Halton's Regional Council Meeting on May 23, 2018, Council approved a recommendation to write to the Minister of Health and Long-Term Care in support of a provincially-funded oral health program for low-income adults and older adults. As you develop your priorities and budgets in the months ahead, I urge you to follow through on Premier Ford's commitment to invest in dental care for low-income seniors and to broaden the scope of the promise to include low-income adults of all ages.

Thank you for your attention to this matter and I look forward to working with you to support the health and well-being of all residents, in Halton and across the province.

Sincerely,



Gary Carr
Regional Chair

CC: Carmen McGregor, President, Association of Local Public Health Agencies
Ted Arnott, MPP, Wellington-Halton Hills
Stephen Crawford, MPP, Oakville
Parm Gill, MPP, Milton
Jane McKenna, MPP, Burlington
Effie Triantafilopoulos, MPP, Oakville-North Burlington



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner & Medical Officer of Health
Report: [#2018-COW-174](#)
Date: September 5, 2018

Subject:

A New By-Law to Regulate Disclosure of Health Inspection Information to the Public.

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That it approves and passes the attached new Durham Notice of Inspection Disclosure By-Law in the form appended hereto regulating the disclosure of inspection information to the public for all premises inspected by the Durham Region Health Department which are not addressed in the Durham Region Personal Services Settings By-Law (#17-2016) and the Region of Durham's Food Safety Disclosure By-Law (#54-2008).
 - B) That the Regional Solicitor be directed to apply for Part 1 Offences and Short Form Wordings with the Regional Senior Justice, Ontario Court of Justice and that any approval of which be attached to the by-law once approved.
-

Report:

1. Purpose

- 1.1. To seek approval of the attached proposed by-law regulating the disclosure of inspection information to the public for the following premises inspected by the Durham Region Health Department (DRHD) including (but not limited to): licensed child care settings, public pools and spas, recreational camps, recreational water facilities and small drinking water systems.

2. Background

- 2.1. The [Ontario Public Health Standards: Requirements for Programs, Services, and Accountability](#) (OPHS), which came into effect January 1, 2018 require boards of health to publicly disclose:
 - a. Convictions involving electronic cigarette (e-cigarette) and tobacco retailers.

- b. Drinking water advisories for small drinking water systems.
 - c. Results of complaint-based inspections related to settings not routinely inspected, resulting in an infection prevention and control (IPAC) lapse.
 - d. Results of routine and complaint-based inspections of food premises, licensed child care settings, personal service settings, public pools and spas, recreational camps, recreational water facilities, small drinking water systems and complaint-based inspections of tanning beds.
 - e. Status of beach water quality.
- 2.2. DRHD has been publicly disclosing results of inspections of food premises since the adoption of the Region of Durham Food Safety Disclosure By-Law on March 2, 2009. The by-law requires owners/operators of food premises to post the DineSafe summary sign following an inspection in a location clearly visible to the public and provide, upon request, the most recent inspection report. Inspection reports have been available to the public on-line since January 2011.
- 2.3. Results of inspections of personal service settings have been publicly disclosed since the adoption of the Personal Services Setting By-Law on March 9, 2016. The by-law requires owners/operators of personal service settings to post the most recent Know Before You Go Durham inspection summary in a location clearly visible to members of the public and provide, upon request, the most recent inspection report. Inspection reports have been available to the public on-line since June 2018.
- 2.4. DRHD currently posts on-line:
- a. Convictions of e-cigarette and tobacco retailers along with convictions for other offences under the *Health Protection and Promotion Act* (HPPA).
 - b. IPAC Lapse Reports resulting from complaints, referrals or through communicable diseases surveillance.
 - c. Results of routine and complaint-based inspections of tanning beds.
 - d. The status of beach water quality during the summer months.
- 3. Proposed Disclosure By-Law**
- 3.1. The proposed Durham Notice of Inspection Disclosure By-Law requires operators of named establishments to post, in a conspicuous location at or near the entrance and clearly visible to the public, the Durham Notice of Inspection. The most recent Durham Inspection Report must be made available for viewing by a Public Health Inspector or member of the public upon request.
- 3.2. The Disclosure By-Law applies to: Class A and B pools, Class C facilities (public

wading pools, splash pads and water slide receiving basins) and public spas; licensed child care settings; recreational camps; and small drinking water systems.

- 3.3. The by-law supports the requirements in the OPHS and transparency of public health services and is consistent with requirements of the Region of Durham Food Safety Disclosure By-Law and Personal Services Setting By-Law.

4. Conclusion

- 4.1. The legal authority for implementing a by-law regulating the disclosure of premises inspected by DRHD rests with s. 11(2) of the *Municipal Act, 2001* which authorizes a Council of an upper tier municipality to pass by-laws related to the health, safety and well-being of persons. The regulation of disclosure of health inspection information relates to the health, safety and well-being of Durham Region residents.
- 4.2. In summary, it is recommended that Council:
- a. Approves and passes the proposed by-law regulating the disclosure of inspection information to the public and
 - b. Directs the Regional Solicitor to apply for Part 1 Offences and Short Form Wordings with the Regional Senior Justice, Ontario Court of Justice and that any approval of which be attached to the by-law once approved.

Attachments

Attachment #1: Durham Notice of Inspections Disclosure By-Law #xx-2019

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

BY-LAW NUMBER xx-2019**OF****THE REGIONAL MUNICIPALITY OF DURHAM**

being a by-law to regulate disclosure of health inspection information to the public.

WHEREAS s. 11(2) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, otherwise authorizes a Council of an upper tier municipality to pass by-laws related to the health, safety and well being of persons;

AND WHEREAS The Regional Municipality of Durham, in its capacity as a designated Board of Health under the provisions of the *Health Protection and Promotion Act, R.S.O. 1990, c. H-7* has a duty to ensure the provision of health programs and services in a variety of areas;

AND WHEREAS the Council of The Regional Municipality of Durham has endorsed the creation of mandatory health inspection disclosure programs in order to improve the health of Durham inhabitants on the terms set forth herein;

NOW THEREFORE, the Council of The Regional Municipality of Durham hereby enacts as follows:

Definitions

1. In this by-law,

“Act” means the *Health Protection and Promotion Act, R.S.O. 1990, c. H-7*, as amended, and any regulations created there under;

“Board of Health” means a board of health, as defined in the *Act*;

“Establishment” means any buildings, outdoor lands, and/or public spaces where operations and activities occur as defined in section 2 of this By-law.

“Durham Inspection Report” means an original copy of an inspection report that corresponds to an inspection conducted by a public health inspector, that has been completed, signed and dated by a public health inspector, and that has been issued to an operator of an Establishment.

“Durham Notice of Inspection” means an original sign in the form depicted in one of Schedules “A”, “B” or “C” to this by-law belonging to and issued by the Regional Municipality of Durham to an Establishment as a result of any required health inspection conducted pursuant to the *Act*.

“Medical Officer of Health” means the duly appointed Medical Officer of Health for The Regional Municipality of Durham, and includes any designate acting on his or her behalf;

“Municipal Act, 2001” means the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, and any regulations created thereunder;

“Municipal Law Enforcement Officers” are persons appointed by by-law by the Region of Durham Council to enforce the by-laws of the municipality;

“Operator” means any person or persons whom own, occupy, manage, control, govern, or has responsibility for and control over the activity carried on or within a defined Establishment. For the sake of clarity it is recognized that there may be more than one operator of a defined Establishment;

“Public Health Inspector” means a public health inspector acting under the direction of the Medical Officer of Health for The Regional Municipality of Durham;

“Region” or “Region of Durham” means The Regional Municipality of Durham;

Application

2. This by-law shall apply to the following Establishments in the Region of Durham:
 - a) All Class A and B pools and class C facilities, public spas and recreational water facilities pursuant to R.R.O. 1990, Reg. 565 under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7,
 - b) Recreational Camps pursuant to O. Reg. 503/17 under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7,
 - c) Licensed child care settings pursuant to O. Reg 137/15 under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, and
 - d) Small Drinking Water Systems pursuant to O. Reg. 319/08 under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7.

Posting Requirement

3. Every Operator of an Establishment shall keep posted in the Establishment, in a conspicuous location at or near the entrance or entrances of such establishment and clearly visible to members of the public, the Durham Notice of Inspection.
4. Where an Establishment does not have a defined entrance or entrances at which the Durham Notice of Inspection may be posted, then the Operator shall ensure that the Durham Notice of Inspection is posted at a location clearly visible to members of the public.
5. Every Operator of an Establishment shall keep a copy of the most recent Durham Inspection Report readily available and shall produce same for viewing by a Public Health Inspector or member of the public upon request.
6. Every Durham Notice of Inspection shall remain the property of the Region of Durham.

7. No person shall deface, alter or remove any Durham Region Notice of Inspection properly posted in an Establishment.

Enforcement

8. All Public Health Inspectors exercising their duties pursuant to this by-law are hereby appointed as Municipal Law Enforcement Officers for that purpose.
9. A Public Health Inspector may enter and have access to, through and over any Establishment, at any reasonable time, for the purposes of enforcing this by-law or the exercise of any power or duty under this by-law or the *Act*.
10. An Operator shall return to Durham Region any Durham Notice of Inspection and/or Sign Holder upon the request of a Public Health Inspector.

Obstruction

11. No person shall hinder or obstruct a Public Health Inspector lawfully carrying out a power, duty or direction under this by-law

Offences

12. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine in accordance with the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.
13. Part 1 Provincial Offences Act offences and fines may apply to specific contraventions of the by-law as indicated in Schedule "D" to this By-law.

Severability

14. If any section or sections of this by-law or parts thereof are found by any court of competent jurisdiction to be illegal or beyond the power of the Council of Durham Region to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent there from and to be enacted as such.

Effective Date

15. This by-law as it relates to posting of the Durham Notice of Inspection at the entrance of an Establishment shall come into force and effect on x date.

Miscellaneous

16. Nothing in this by-law shall limit or be deemed a voluntary restriction upon any right, power, ability or duty of the Region of Durham, the Medical Officer of Health or any Public Health Inspector under any statute, regulation, by-law or law in force in the Province of Ontario.

Short Title

17. This by-law may be referred to as the “Durham Notice of Inspection Disclosure By-Law”.

BY-LAW read and passed this ----- day of ----- 2019.

Gerri Lynn O’Connor, Regional Chair
& C.E.O

Ralph Walton, Regional Clerk



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Social Services
Report: [#2018-COW-175](#)
Date: September 5, 2018

Subject:

Additional Unbudgeted Provincial Funding in 2018 to Increase the Direct Care Hours for the Region of Durham's Long Term Care Homes

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That additional unbudgeted 100 per cent Provincial funding in the amount of \$212,000 be received as supplementary to the 2018 Social Services Department – Long Term Care and Services for Seniors Business Plan and Budget; and
 - B) That the additional unbudgeted Provincial funding received in 2018 be allocated to support increases in direct resident care hours provided by existing direct care staff.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and seek approval to receive the additional unbudgeted provincial funding in 2018 and increase the allocation to support an increase in direct care hours for LTCH residents.

2. Background

- 2.1 On May 18, 2018 the Ministry of Health and Long-Term Care (MOHLTC) advised the Central East Local Health Integration Network (CELHIN) and each licensed LTCH will receive annualized base funding of \$106,000 (\$53,000 in 2018) to create and fill a net new registered nurse (RN) full time equivalent (FTE) position. The objective of this funding is to increase the specialized care and the direct care

hours provided to LTCH residents.

- 2.2 The July 2018 monthly payment from the MOHLTC was adjusted to reflect the new investment.
- 2.3 LTCHs will have a phase-in period of two (2) years, starting from July 1, 2018, to create and fill these new RN full time positions. During the phase-in period, the LTCHs may use the funds to support increases in direct resident care hours provided by existing direct care staff.
- 2.4 The LTCHs are required to maintain financial records for this allocation and any unspent funds not used for the intended and approved purposes are subject to recovery in accordance with the ministry's reconciliation and recovery policy.

3. Financial Implications

- 3.1 As per the Budget Management Policy, Section 15.2 required the approval of the Committee of the Whole and Regional Council to expend unanticipated revenues.
- 3.2 This Ministry funding is intended to create and fill a net new Registered Nurse (Full Time Equivalent position) in each Long-Term Care Home.
- 3.3 In 2018, the Social Services Department will utilize this base funding to increase direct care hours to residents by using existing direct care staff. There is a phase-in period of two years, starting July 1, 2018, to create and fill this new RN FTE position.
- 3.4 As always, there are risks to the Region with respect to increases in Provincial subsidies. In the event that the level of 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 increase level of service, the Region's costs would need to increase to maintain the same level of service to the community.

4. Conclusion

- 4.1 It is recommended that additional unbudgeted 100 per cent Provincial funding in the amount of \$212,000 be received as supplementary to the 2018 Social Services Department – Long Term Care and Services for Seniors Business Plan and Budget. In addition, it is recommended that the additional unbudgeted Provincial funding received in 2018 be allocated to support increases in direct resident care hours provided by existing direct care staff.
- 4.2 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



AUG 16 '18 PM 1:37

Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

August 10, 2018

Delivered by email
doug.ford@pc.ola.org

The Honorable Doug Ford
Premier of Ontario
Room 281, Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier:

Re: Town of Aurora Council Resolution of June 12, 2018
Re: Motion (b) Greenbelt Protection

Please be advised that this matter was considered by Council at its meeting held on June 12, 2018, and in this regard Council adopted the following resolution:

Whereas the Town of Oakville has passed a similar resolution; and

Whereas the Greenbelt is an integral component of land use planning that complements the Growth Plan to encourage smart planning, the reduction of sprawl, protection of natural and hydrological features and agricultural lands; and

Whereas the Greenbelt has protected 1.8 million acres of farmland, local food supplies, the headwaters of our rivers and important forests and wildlife habitat for more than 12 years; and

Whereas a permanent Greenbelt is an important part of the planning for sustainable communities; and

Whereas there is a tremendous amount of land already planned and available in excess of the development needs of the Greater Toronto Area (GTA) without weakening the protections provided by the Greenbelt; and

Whereas efforts to open the Greenbelt to create the opportunity for land speculators to build expansive homes, at immense profits, in remote areas; and

Whereas opening the Greenbelt would move the urban boundary thus creating more sprawl and increased traffic; and

Whereas the costs of sprawl result in increased taxes, because 25% of the costs of sprawl are downloaded to existing property tax payers; and

Whereas programs like the proposed inclusionary zoning regulations will assist municipalities in advancing the supply of affordable housing stock without the need to expand the built boundary;

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora stands with its municipal neighbours to undertake continued action to maintain and grow the current Greenbelt, of which the Oak Ridges Moraine is a part; and**
- 2. Be It Further Resolved That the Province be strongly urged to extend Greenbelt protection to include the appropriate white belt lands within the inner ring, lands that are the most immediately vulnerable to development in the province; and**
- 3. Be It Further Resolved That this resolution be distributed to the Premier of Ontario, the Minister of Municipal Affairs, the Minister of the Environment and Climate Change, all Greater Golden Horseshoe (GGH) municipalities, the Association of Municipalities of Ontario, Environmental Defence, Friends of the Greenbelt Foundation, STORM Coalition (Save The Oak Ridges Moraine), Oak Ridges Moraine Foundation, The Regional Municipality of York, and members of Municipal Leaders for the Greenbelt, and leaders of the various Ontario political parties.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond

Town Clerk

The Corporation of the Town of Aurora

MdR/lb

Re: Town of Aurora Motion (b) Greenbelt Protection

August 10, 2018

Page 3 of 3

Copy: Andrea Horwath, Leader, New Democratic Party of Ontario
John Fraser, Interim Leader, Ontario Liberal Party
Mike Schreiner, Leader, Green Party of Ontario
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Rod Phillips, Minister of the Environment, Conservation and Parks
Association of Municipalities of Ontario
Environmental Defence
Friends of the Greenbelt Foundation
Municipal Leaders for the Greenbelt
STORM Coalition (Save The Oak Ridges Moraine)
Oak Ridges Moraine Foundation
Greater Golden Horseshoe (GGH) Municipalities
The Regional Municipality of York



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: [#2018-COW-153](#)
Date: September 5, 2018

Subject:

Decision Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Youngfield Farms Limited, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog, File OPA 2018-001.

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That Amendment #172 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Commissioner's Report #2018-COW-153; and
 - B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Township of Scugog, the Ministry of Municipal Affairs, and all other persons or public bodies who requested notification of this decision.
-

Report:**1. Background**

- 1.1 On January 22, 2018, Clark Consulting Services, on behalf of Youngfield Farms Limited, submitted an application to amend the Durham Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog.
- 1.2 The subject site is municipally known as 4031 Durham Road 57 which is located on the north side of Regional Road 57, generally south of Lake Scugog and south and east of Emerson Lane (refer to Attachment 1). The property is legally described as Part of Lot 17, Concession 9, in the Township of Scugog.
- 1.3 The subject site is roughly rectangular in shape, and has access to Regional Road 57. It is approximately 38 hectares (94 acres) in size, of which approximately 29 hectares (72 acres) is being used for cultivation. A woodland is located on the northern portion of the site, while two watercourses traverse the south and northeastern parts of the site. The cultivated lands are generally flat, while the woodland slopes toward Lake Scugog. A residential dwelling with a small accessory structure (shed) and pond is located at the southern part of the site. A seasonal right-of-way (Emerson Lane) is located on the western and northern boundary of the subject site that provides access to abutting properties.
- 1.4 Surrounding land uses include:
 - North – shoreline residential dwellings with waterfront access to Lake Scugog, accessed by Emerson Lane;
 - East – agricultural lands with a stream, woodland and wetland areas, rural and shoreline residential dwellings;
 - South - Regional Road 57 and agricultural lands with a stream, ponds, woodland, an art studio (“Studio By the Green”), and a Hydro sub-station; and
 - West – agricultural lands, with a stream, woodland, and rural and shoreline residential dwellings.

- 1.5 The proposal to amend the ROP will permit the severance of a 0.73 hectare (1.8 acre) parcel that contains an existing surplus dwelling, retaining a vacant 37.28 hectare (92.2 acre) farm parcel. The proposed retained parcel will continue to be used for agricultural purposes.

Reports Submitted in Support of the Application

- 1.5 A Planning Justification/Agricultural Assessment Report, prepared by Clark Consulting Services, dated January 2018, has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan, the ROP, and the Township of Scugog Official Plan and Zoning By-law. The report also concludes the proposed severance will comply with the Minimum Distance Separation requirements. The applicant's consultant advises that the dwelling is not required by a farm employee and is surplus to the farm operation.

2. Provincial Policies

- 2.1 The subject site is located within the Protected Countryside designation of the Greenbelt Plan. Both the Greenbelt Plan and the Provincial Policy Statement (PPS) permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance.

3. Regional Official Plan

- 3.1 The subject site is designated "Prime Agricultural Areas" and "Waterfront Areas" in the ROP with portions of the site containing Key Natural Heritage and/or Hydrological Features (KNHHF). Lands within the Prime Agricultural Areas designation are to be used primarily for agriculture and farm-related uses. Agricultural uses and residential uses are also permitted in the "Waterfront Areas" designation in accordance with the Township of Scugog Official Plan. Severance applications for agricultural uses are considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 3.2 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
 - a) the dwelling is not needed for a farm employee;
 - b) the farm parcel is of a size which is viable for farming operations;

- c) for sites within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel is zoned to prohibit any further severances and the establishment of any residential dwelling.

The ROP further states that no further severances shall be permitted from the acquired parcel.

4. Planning Analysis

- 4.1 Youngfield Farms Limited owns a total of 21 agricultural properties in the Township of Scugog and 8 agricultural properties in the City of Kawartha Lakes (Refer to Attachment #2). Nine of the farm properties include existing residences.
- 4.2 The subject farm parcel was recently acquired and contains an existing dwelling not utilized by a farm employee and has been rendered surplus to the needs of the farm operation. The proposed retained parcel is an appropriate size that will continue to remain viable for agricultural production.
- 4.3 The surplus farm residence on the site was built prior to 2004 and therefore the proposed severance complies with the provisions of the PPS, Greenbelt Plan and the ROP. The severed parcel would be of sufficient size to accommodate the surplus dwelling and existing private servicing systems.
- 4.4 The proposed Regional Official Plan Amendment requires that a Zoning By-law Amendment include provisions to prohibit any further severances and/or a new dwelling to be constructed on the proposed retained parcel.

5. Public Meeting and Submissions

- 5.1 In accordance with the Planning Act, a notice of public meeting regarding the application was published in The Port Perry Star newspaper, mailed to those who own land within 120 metres (400 feet) of the subject site, and a public meeting was held on April 4, 2018. Commissioner's Report #2018-COW-49 provides information on the application.
- 5.2 The Region received two general telephone inquiries in response to our consultation process.
- 5.3 Written comments were received from a property owner south of the subject site who does not support the consolidation of farmland.

5.4 KRCA staff advised in their written comments that they are satisfied that the lot lines do not sever a regulated watercourse, the proposed severance does not create additional hazards, and there are no negative impacts to key hydrologic features, identified within the Greenbelt Plan. The KRCA advised that they foresee no issue with the approval of this application based on their consideration for natural heritage, natural hazards and water quality and quantity protection policies.

6. Consultation

6.1 On May 14, 2018, the Township of Scugog adopted a resolution supporting the approval of the subject application. The future required Zoning By-law Amendment and consent applications will prohibit any further severances and/or a new dwelling to be constructed on the proposed retained parcel.

6.2 The Regional Health Department, the KRCA, and the Durham Agricultural Advisory Committee have no concerns with the application.

6.3 The Regional Works Department has indicated that a road widening for a 30 metre right of way is required for Regional Road 57. The applicant will be required to convey a strip of land approximately 5 metres in width, along the frontage of Regional Road 57 to the Region of Durham as a condition of approval of the future consent application.

7. Notice of Meeting

7.1 Written notification of the meeting time and location of the Committee of the Whole and Council was sent to all that requested notification, in accordance with Regional Council procedure.

7.2 The recommendation of the Committee of the Whole is scheduled to be considered by Regional Council on September 12, 2018. If Council adopts the proposed Amendment, notice will be given by the Regional Clerk and Council's decision will be final unless appealed to the Local Planning Appeal Tribunal (LPAT).

8. Conclusion

8.1 The proposed application adheres to the policies of the PPS, the Greenbelt Plan and the ROP. It has been demonstrated that the subject dwelling is surplus to the farm operation. Future residential development will be prohibited on the retained farm lot through the inclusion of the proposed zoning restrictions. Furthermore, the proposed severance of the farm dwelling will be limited to the minimum size needed to

accommodate the retained residential dwelling and will continue to provide a housing option in the rural area. Accordingly, it is recommended that Amendment #172 to the ROP, as shown in Attachment #3, be adopted.

10. Attachments

Attachment #1: Location Sketch

Attachment #2: Revised Inventory of Youngfield Farms Limited Land Holdings

Attachment #3: Amendment #172 to the Durham Regional Official Plan

Respectfully submitted,

Original signed by

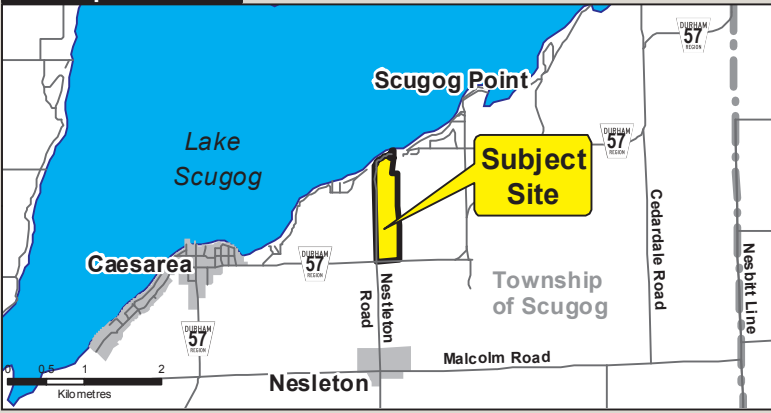
B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

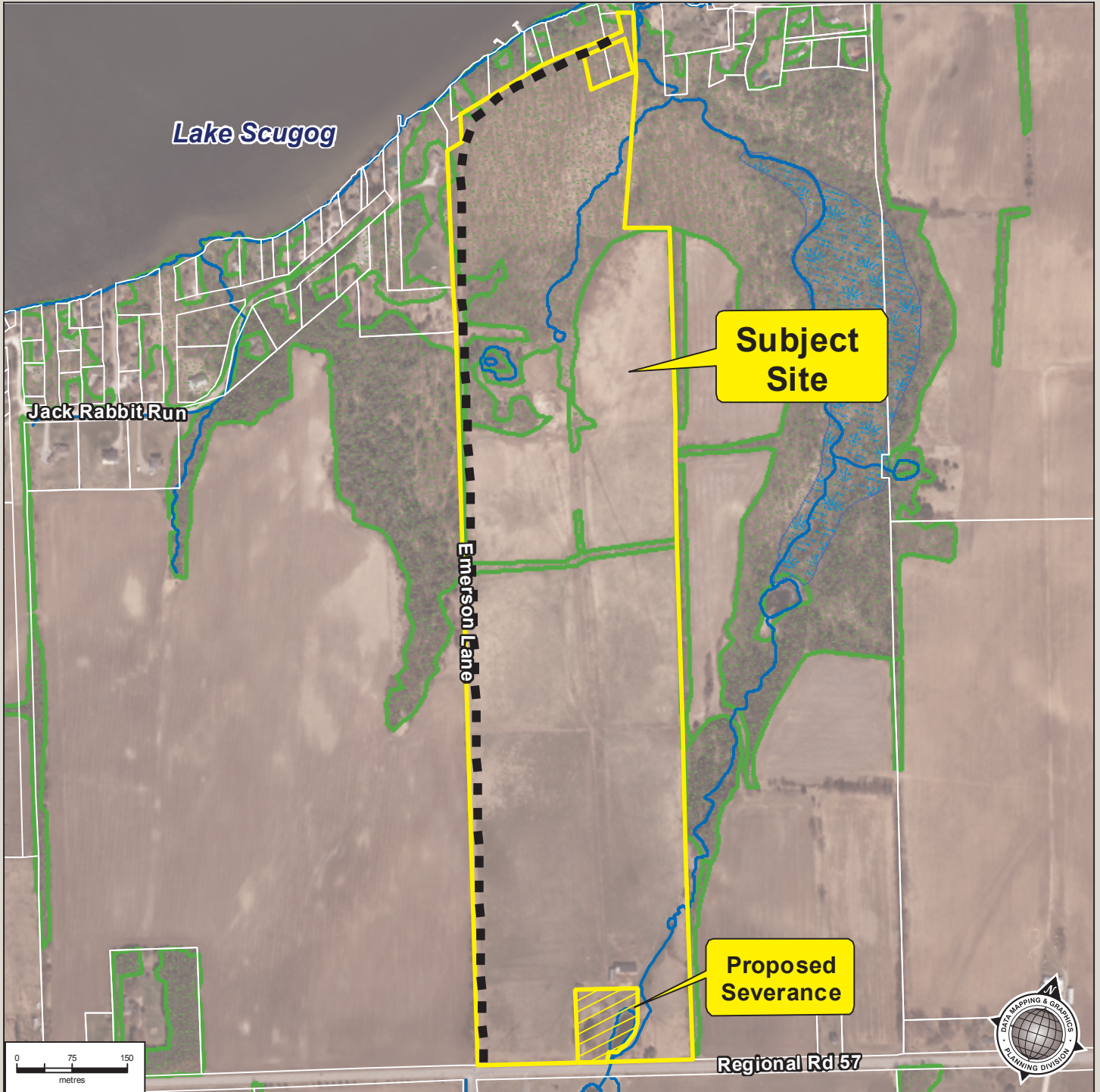
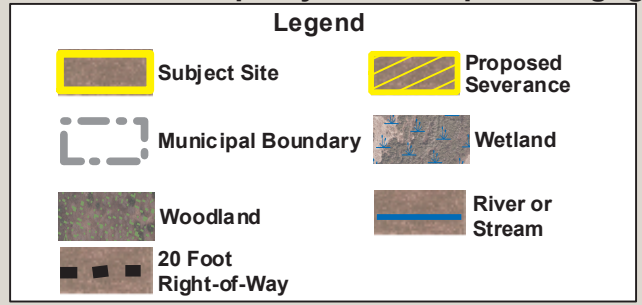
Original signed by

G.H. Cubitt, MSW
Chief Administrative Officer

Municipal Context



Attachment:1
 Commissioner's Report: #2018-COW-153
 File: OPA 2018-001
 Municipality: Township of Scugog

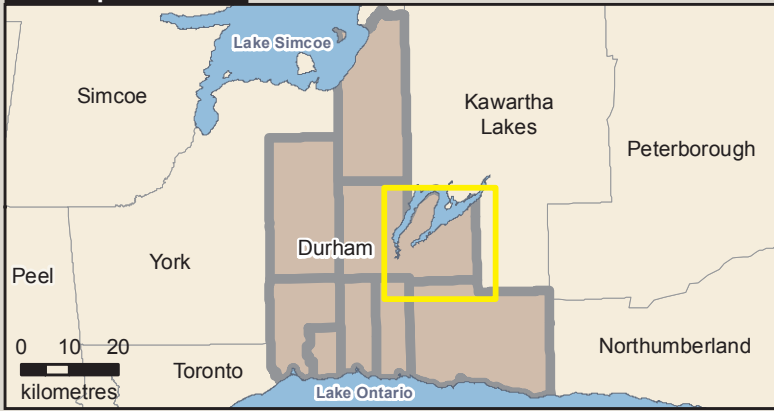


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Municipal Context



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Amendment #172 to the Durham Regional Official Plan

- Purpose and Effect:** The purpose **and effect** of this Amendment is to permit the severance of a residential dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated “Prime Agricultural Areas,” in the Township of Scugog.
- Location:** The subject site is located on the north side of Regional Road 57, east of Emerson Lane, in the Township of Scugog. The site is legally described as Part of Lot 17, Concession 9, in the former Township of Cartwright.
- Basis:** The subject site has been consolidated with the other non-abutting farm parcels owned by the applicant. The residential dwelling on the subject land is not required by and is surplus to the farm operation. **This amendment conforms to the Durham Regional Official Plan, the Greenbelt Plan, and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.**
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.2:
- “9A.3.2 ss) A surplus dwelling as severed from the parcel identified as Assessment Number 18-20-040-050-14900 located in Part of Lot 17, Concession 9, in the former Township of Cartwright, in the Township of Scugog, subject to the inclusion of provisions in the zoning by-law to prohibit further severances and the construction of any dwelling on the retained parcel.”*
- Implementation:** The provisions set forth in the Durham Regional Official Plan regarding the 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.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: [#2018-COW-157](#)
Date: September 5, 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 Ms. Constance Gray, as Area Municipal Citizen Volunteer from the Municipality of Clarington, be confirmed;
 - B) That Ms. Gray be advised of her appointment; and
 - C) That a copy of Commissioner's Report #2018-COW-157 be forwarded to the Municipality of Clarington and Durham Trail Coordinating Committee.
-

1. Report

- 1.1 In January of this year, the Clarington citizen volunteer member, Mr. Paul Davidson, resigned from the DTCC.
- 1.2 In accordance with the DTCC Terms of Reference, the Municipality of Clarington appointed Ms. Constance Gray to the Committee as per the June 12, 2018 correspondence to the Region of Durham (refer to Attachment #1).
- 1.3 Accordingly, it is recommended that the appointment of Ms. Gray as the area municipal citizen volunteer for Clarington, be confirmed.

2. Attachments

Attachment #1: Municipality of Clarington correspondence, June 12, 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

Clarington

If this information is required in an alternate format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131

June 12, 2018

Ralph Walton
Regional Clerk/Director of Legislative Services
Region of Durham
Via Email: clerks@durham.ca

Dear Mr. Walton:

Re: Nomination to the Durham Active Transportation Committee

File Number: AA.18.03. Durham Active Transportation Committee

At a meeting held on June 11, 2018, the Council of the Municipality of Clarington approved the following Resolution #GG-319-18:

That Report CLD-016-18 be received;

That the resignation of Paul Davidson be received, with regret, and that he be thanked for his contribution to the Durham Active Transportation Committee;

That Constance Gray be nominated as a citizen representative for a term ending December 31, 2018 or until a successor is appointed, to the Durham Active Transportation Committee for the Municipality of Clarington; and

That all interested parties listed in Report CLD-016-18 and any delegations be advised of Council's decision.

Please find enclosed a copy of Ms. Gray's application.

Yours truly,



June Gallagher, B.A.
Deputy Clerk

JG/lp

Encl.

c: S. Gray, Committee Coordinator



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
Report: [#2018-COW-159](#)
Date: September 5, 2018

Subject:

Proposed Revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, Durham Active Transportation Committee, and Durham Environmental Advisory Committee

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, as outlined in Attachment 1 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018;
 - B) That the revisions to the Terms of Reference for the Durham Active Transportation Committee, as outlined in Attachment 2 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018; and
 - C) That the revisions to the Terms of Reference for the Durham Environmental Advisory Committee, as outline in Attachment 3 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018;
 - D) That a copy of Commissioner's Report #2018-COW-159 be forwarded to the Durham Agricultural Advisory Committee, Durham Trail Coordinating Committee, and Durham Environmental Advisory Committee.
-

Report:

1. Background and Purpose

1.1 The Durham Agricultural Advisory Committee (DAAC), Durham Active

Transportation Committee (DATC), and Durham Environmental Advisory Committee (DEAC) are each guided by their respective Council-approved Terms of Reference (ToR). The ToR outline the goals, mandate, and scope of activities for each of the Committees.

- 1.2 In September 2016, Regional Council began a pilot project using the Committee of the Whole governance structure, which will continue until the end of the current Council term in November 2018. In April 2018, Regional Council approved a return to the Standing Committee governance structure for the 2018 to 2022 Council term. As such, the current ToR for the respective Advisory Committees that reference the Committee of the Whole, require updating to reflect the recent change.
- 1.3 In January of 2018, Council approved the transition of the Durham Trail Coordinating Committee (DTCC) to the DATC effective with the next term of Council. The DTCC ToR will expire at the conclusion of this term of Council and therefore do not need to be amended.
- 1.4 The purpose of this report is to update the Committee's respective ToR documents to:
 - reflect the change in Committee structure;
 - recognize and reflect current practices around the dissemination of unapproved advisory meeting minutes through the Council Information Package and the scheduling of advisory committee meetings; and
 - improve clarity and consistency in language across the advisory committee ToR documents.

2. Terms of Reference Revisions

- 2.1 All references to Committee of the Whole in the advisory committee ToR documents are required to be changed to reference the Planning and Economic Development Committee to reflect the change in Committee structure.
- 2.2 Other Regional Advisory Committee ToR documents already reference, or are in the process of being updated to reference, the circulation of unapproved minutes to Council through the Council Information Package. The ToR for the DATC already addresses this. It is recommended that the ToR for DAAC and DEAC also be amended for consistency to adopt the same practice of dissemination of the unapproved minutes through the Council Information Package.

- 2.3 It is recommended that the DAAC and DEAC ToR documents be updated to reflect the current practice around the scheduling of meetings which takes place annually and is done in consultation with the Legislative Services Division.
- 2.4 Other housekeeping and technical changes that are minor in nature are recommended to each of the ToR to provide clarification and improve consistency in language across the three advisory committee ToR documents.
- 2.5 Proposed minor changes to the respective committee ToR are as follows (refer to Attachments 1, 2 and 3):
- Update of all references from “Committee of the Whole” to “Planning and Economic Development Committee” to reflect the change in Committee Structure;
 - Inclusion of language in the DAAC and DEAC ToR regarding the dissemination of unapproved minutes to Council as part of the Council Information Package;
 - Update of language and process related to the scheduling of DEAC and DAAC meetings to reflect current practice; and
 - Other minor technical changes for clarity and to improve consistency in language across all three advisory committee ToR.

3. Conclusion

- 3.1 It is recommended that the revisions to the DAAC, DATC, and DEAC ToR documents as outlined in Attachments 1, 2 and 3 be endorsed to take effect with the upcoming new term of Council and that a copy of this report and decision be forwarded to DAAC, DTCC and DEAC.

4. Attachments

Attachment #1: Proposed Durham Agricultural Advisory Committee Revised Terms of Reference

Attachment #2: Proposed Durham Active Transportation Committee Revised Terms of Reference

Attachment #3: Proposed Durham Environmental Advisory Committee Revised Terms of Reference

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

New wording is shown in **bold** and deleted wording in ~~strike through~~.

Terms of Reference

Durham Agricultural Advisory Committee

1. Goal
- 1.1 To provide advice to the Region of Durham on agricultural matters and rural matters as they relate to agriculture.
2. Mandate
- 2.1 The Durham Agricultural Advisory Committee (DAAC) is a volunteer Advisory Committee established by Regional Council in accordance with these Terms of Reference. Committee members are guided by these Terms of Reference.
- 2.2 The Terms of Reference provide for a balance between activities referred from the Planning and Economic Development Department or **the Regional Planning and Economic Development Committee** ~~Committee of the Whole~~ or Regional Council and an allowance for the DAAC to be proactive and advise on matters identified on its own initiative.
- 2.3 Matters may be referred to the DAAC from the Regional Planning and Economic Development Department, **the Regional Planning and Economic Development Committee** ~~Committee of the Whole~~, or Regional Council. The DAAC may report directly to **the Regional Planning and Economic Development Committee** ~~Committee of the Whole~~ on substantive matters as determined by **the Planning and Economic Development Committee** ~~Committee of the Whole~~. Otherwise, the DAAC shall report through the Regional Planning and Economic Development Department.
3. Scope of Activities
- 3.1 The scope of the DAAC may include activities such as:
 - a) Providing advice on issues and concerns of the agricultural community;
 - b) Providing advice on the implementation of Provincial and Federal legislation, policies, and guidelines related to the agricultural industry;
 - c) Providing advice on agricultural and rural policy directions pursued by the Region. This may include providing advice on Regionally-initiated official plan amendments related to agricultural matters; on Regional agricultural matters through an official plan review; or, other policy directions pursued by the Region;
 - d) Providing advice on the identification and implementation of programs which encourage public awareness and education of agricultural and related rural issues; and
 - e) Providing advice on matters as they arise, at the request of the Region.

4. Composition

- 4.1 The DAAC will be comprised of sixteen members in total. Fourteen members will be private individuals who do not represent their respective employers or advocacy groups in their capacity as a DAAC member. An additional member will represent the Durham Region Federation of Agriculture. The above fifteen members shall not hold elected office (municipal, provincial or federal). Of these fifteen members; twelve will be bona fide farmers who are directly involved in the agricultural industry¹; and three will be residents who are not directly involved in the agricultural industry. The final member will be a representative of **the Planning and Economic Development Committee** ~~Committee of the Whole~~ whose role is to act as liaison.
- 4.2 Membership for regular members shall correspond with the term of Regional Council. At the end of each term, members will be asked to consider their interest in remaining for an additional term. If a member chooses to resign, a replacement will be sought in accordance with Section 5. However, members shall continue to serve until their replacements are appointed by Regional Council. At the discretion of the DAAC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

5. Membership Selection

- 5.1 For ~~private~~ regular members, the Regional Planning and Economic Development Department will place a newspaper advertisement and/or issue a public service announcement to media within each area municipality requesting expressions of interest from individuals willing to volunteer for appointment to the DAAC. Interested individuals will be required to provide a brief resume and statement of interest. Responses from the advertisement will be forwarded to each respective area municipality with a request that the local Council nominate one representative from the applicants who are bona fide farmers directly involved in the agricultural industry². The Regional Planning and Economic Development Department, from the remaining resumes received, will nominate three additional members at large who are bona fide farmers; and three members at large who are not directly involved in the agricultural industry, to bring the regular member complement to fourteen.
- 5.2 The Regional Planning and Economic Development Department will formally request the Durham Region Federation of Agriculture (DRFA) to nominate one person to represent the DRFA.

¹ Note: Where an interested bona fide farmer cannot be found to represent an area municipality, as an exception, a non-farm rural resident may be substituted.

² Same note as above

- 5.3 **the Regional Planning and Economic Development Committee** ~~Committee of the Whole~~ will recommend individuals for appointment to the DAAC by Regional Council.
- 5.4 Regional Council shall appoint a representative and an alternate to the DAAC from the members of **the Planning and Economic Development Committee** ~~Committee of the Whole~~.
- 5.5 In nominating members to the DAAC, excluding the representative of **the Planning and Economic Development Committee** ~~Committee of the Whole~~, regard shall be given to achieving a diversity of members engaged in varied disciplines of the agricultural industry and members living in the rural community with knowledge of agricultural and related rural issues. Availability to attend meetings will also be considered. All residents of Durham Region are eligible for membership.
- 5.6 In the case of a regular member vacancy, the approach described in Sections 5.1, 5.2 and 5.3 will generally be followed.
- 5.7 An elaboration of the selection criteria is provided in Appendix 1.
6. Officers
- 6.1 A chair and two vice-chairs (first and second) will be elected annually by the membership of the DAAC. The **Planning and Economic Development Committee** ~~Committee of the Whole~~ representative will chair the inaugural DAAC meeting.
7. Support Services
- 7.1 The Commissioner of Planning and Economic Development or designate, shall serve as staff liaison to the DAAC. The liaison will provide administrative, procedural and technical support to the DAAC.
- 7.2 The liaison will co-ordinate all requests for advice from the DAAC, through meeting agendas and addenda to meeting agendas. DAAC responses to such requests shall be co-ordinated by the liaison to the Planning and Economic Development Department.
- 7.3 The Region will provide secretarial and other support services. Regional Council will provide a budget to cover the operational expenses of the DAAC, and this budget will be administered by the Planning and Economic Development Department.
8. Meetings
- 8.1 Regularly scheduled meetings of DAAC will be held at the Durham Regional Headquarters, unless otherwise stated. The DAAC, will establish a meeting schedule ~~at its inaugural meeting~~ taking into account the business needs and the schedule of Council and **the Planning and Economic Development Committee** ~~Committee of the Whole~~. The DAAC shall provide **The Planning and Economic Development Committee** ~~Committee of the Whole~~ **will be provided** with a schedule of **DAAC** meetings **each** ~~in~~ December for the

- following year. Special meetings may be held at the call of the Chair. **The Planning and Economic Development Committee** ~~Committee of the Whole~~ is to be kept informed of such meetings.
- 8.2 All meetings will be open to the public. As a formal advisory Committee to the Region, the DAAC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.
9. Delegations of Committee Meetings
- 9.1 Any person(s) wishing to appear before the DAAC as a delegation must submit a request to the staff liaison in the Regional Planning and Economic Development Department, advising of the topic or item to which they wish to speak. The Delegation process will be in accordance with the Regional Procedural By-law, with the following exception: All requests for delegations must be received by the staff liaison at least one week prior to the meeting to ensure that the delegation is included on the agenda.
10. Minutes and Agenda
- 10.1 The minutes of each DAAC meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be **circulated to members of Council as part of the Council Information Package (CIP) prepared by the Clerk** ~~forwarded to the next regularly scheduled Committee of the Whole meeting~~. When approved, any amendments will be forwarded to **the Planning and Economic Development Committee** ~~Committee of the Whole~~. The DAAC agendas will be prepared by the staff liaison and the DAAC chair or vice chair with input from other DAAC members. Agendas will be distributed the week prior to the meeting.
11. Committee Resolutions
- 11.1 The DAAC will seek to achieve consensus on decisions. Recommendations are “carried” if supported by a majority, unless otherwise specified in these Terms of Reference or Regional Council Rules of Procedure. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the DAAC.
12. Annual Reports and Workplan
- 12.1 An annual report summarizing the activities completed in the previous year shall be prepared by the DAAC. The annual report shall be forwarded to the **Planning and Economic Development Committee** ~~Committee of the Whole~~.
- 12.2 An annual workplan with an estimate of the resources necessary and any suggested revisions to the Terms of Reference for the coming year shall also be prepared by the DAAC for consideration and approval by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and Council.

- 12.3 An annual review of the DAAC by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ will be completed to examine the effectiveness of the Committee and to ensure continued improvements.

New wording is shown in **bold** and deleted wording in ~~strike through~~.

Appendix 1

Membership Eligibility Criteria

To facilitate the nomination and appointment of new members to the DAAC, the following criteria will be considered. The aim is to achieve a diversity of members engaged in varied disciplines of the agricultural industry and community representation with knowledge of agricultural and related rural issues.

1. Residency

Members should reside in Durham Region³.

2. Agricultural Expertise and Knowledge

Applicants engaged in the agricultural industry having the following attributes would be considered as an asset:

- Demonstrated knowledge of agricultural and rural land use issues;
- Relevant farm experience;
- Involvement with activities of the agricultural community;
- Technical training in an agriculture-based field; and
- Knowledge of properties and farm operations within Durham.

3. Rural Experience

For applicants from the non-farm rural community consideration will be given to the duration of residency in the community and the individual's level of knowledge of agricultural related rural issues. The relevance of their interests to the mandate of the DAAC will also be an important consideration.

4. Availability

It is important that an applicant be able to attend as many DAAC meetings as possible and undertake work outside of the regular monthly meetings. An applicant should be able to be contacted or reached during the day in order for meetings to be arranged.

³ Note: Where person who resides in Durham cannot be found, a farmer who owns land in Durham Region may be substituted.

DURHAM ACTIVE TRANSPORTATION COMMITTEE

Terms of Reference

1. Vision

- 1.1 To enhance, promote and expand active transportation (AT) throughout the Region of Durham.

2. Goal

- 2.1 To provide advice to the Region of Durham on AT matters: urban, rural, utilitarian and recreational.

3. Guiding Principles

- 3.1 The following principles will guide this committee's activities as it works to:

- Focus on a Regional active transportation network;
- Recognize the differing needs of users within urban and rural areas;
- Ensure protection of natural heritage features and functions; and
- Undertake consultation with other stakeholders throughout the process.

4. Scope of Activities

- 4.1 The activities of the Committee will encompass the following:

- Provide advice on the identification and implementation of programs which encourage public awareness and education on AT matters;
- Continue to advance the Regional Trail Network (RTN) as a key transportation and tourism component of the AT network;
- Support the development of multi-modal transportation options in the Region of Durham with a focus on advancing the Region's AT network as outlined in the Transportation Master Plan;
- Provide input and support for Active & Safe Routes to Schools, also known as Active Sustainable School Travel (ASST), in some jurisdictions;

- Assist in updating and implementing the Regional and Area Municipal Cycling Plans. This includes assisting in the planned update to the Regional Cycling Network (RCN);
- Promote the use of active transportation in the Region, especially the important role that it plays in connecting people to transit;
- Recognize and advance AT activities related to reducing greenhouse gas emissions in the Region of Durham;
- Recognize the differing AT needs of commuters and recreational users within the urban and rural areas;
- Coordinate efforts to advance the shared goals of the various area municipal AT committees;
- Collaborate with partners on active transportation initiatives occurring at all government levels, including: Lake Ontario Waterfront Blueway, Waterfront Regeneration Trust, Metrolinx Smart Commute, and Public Health; and
- Provide advice to Regional Council on legislative matters, programming, and policies from all levels of government related to active transportation.

5. Composition and Membership Selection

- 5.1 The Durham Active Transportation Committee (DATC) is an ~~ad-hoc~~ **advisory** committee of Regional Council and is guided by these Terms of Reference. The DATC **shall report directly to the** ~~reports through Committee of the Whole~~ **Planning and Economic Development Committee** to Regional Council.
- 5.2 The DATC will be comprised of nine voting members in total. Eight (8) **of which** ~~members shall be comprised of a~~ citizen representatives from each area municipality, and one (1) member will be a representative of **the Planning and Economic Development Committee** Regional Council, ~~plus one alternate.~~
- 5.3 Regional Council shall appoint ~~one Regional Councillor and an alternate, to the Committee~~ **a representative and an alternate to the DATC from the members of the Planning and Economic Development Committee.**
- 5.4 Each area municipality shall appoint one citizen member of the public to sit on the DATC.
- 5.5 Membership for regular members shall correspond with the term of Regional Council. At the discretion of the DATC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

6. Officers

6.1 A chair and a vice-chair will be elected by the DATC membership. The Commissioner of the Planning and Economic Development Department or his designate will chair the inaugural DATC meeting.

7. Support Services

7.1 The Commissioner of Planning and Economic Development shall appoint a staff liaison to support the activities of DATC. The liaison will provide administrative, procedural and technical support to the DATC and will utilize the Technical Support Group noted in Section 6.3 as deemed necessary.

7.2 Regional Legislative Services Division will provide secretarial and other support services. Regional Council will as necessary provide a budget to cover the operational expenses of the DATC and this budget will be administered by the Planning and Economic Development Department.

7.3 A Technical Support Group, consisting of Regional staff, area municipal staff and representatives from other appropriate agencies (e.g. Conservation Authorities and the Waterfront Regeneration Trust) shall be established to provide technical advice and expertise to the DATC. The DATC may invite stakeholders and/or individuals with specialized expertise to attend meetings on an as needed basis.

7.4 The liaison from the Regional Planning and Economic Development Department shall contact participating area municipalities and other agencies to establish the Technical Support Group.

8. Meetings

8.1 The DATC will establish a meeting schedule at its inaugural meeting, taking into account the business needs and the schedule of ~~Committee of the Whole~~ **the Planning and Economic Development Committee** and Council. Special meetings may be held at the call of the Chair.

8.2 Unless otherwise determined, all meetings will be open to the public. As an ad hoc Committee of Regional Council, the DATC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.

8.3 A quorum for a DATC meeting shall consist of a majority of the sitting members.

9. Delegations at Committee Meetings

9.1 Any person(s) wishing to appear before the DATC as a delegation must submit a request to the staff liaison, advising of the topic or item to which they wish to speak. All requests for delegations must be received at least one week prior to the meeting to ensure the inclusion in the agenda. Any person wishing to address the DATC as a delegate, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution.

10. Minutes and Agenda

10.1 The minutes of each DATC meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be **circulated to members of Council as part of** ~~forwarded to the Regional Clerk for inclusion in the Council Information Package (CIP) prepared by the Clerk for information.~~ When approved, any amendments will be forwarded to the **Planning and Economic Development Committee** ~~Legislative Services Division~~. The DATC agendas will be prepared by the staff liaison, along with the DATC chair or vice-chair, with input from other DATC members.

11. Committee Resolutions

11.1 The DATC will seek to achieve consensus on decisions. Recommendations are 'carried' if supported by a majority. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the DATC.

12. Annual Reports and Workplan

12.1 An annual report summarizing the activities completed in the previous year shall be prepared by the DATC. The annual report shall be forwarded to ~~Committee of the Whole~~ **the Planning and Economic Development Committee**.

12.2 An annual Workplan with an estimate of the resources necessary and any suggested revisions to the Terms of Reference for the coming year shall also be prepared by the DATC for consideration and approval by ~~Committee of the Whole~~ **the Planning and Economic Development Committee** and Council.

12.3 An annual review of the DATC by ~~Committee of the Whole~~ **the Planning and Economic Development Committee** will be completed to examine the effectiveness of the Committee and to ensure continued improvements.

Appendix 1: Definitions

- 1) For the purposes of the DATC Terms of Reference, “Active Transportation” describes all human-powered forms of travel such as: walking, cycling, inline skating, skateboarding, skiing, and canoeing. It also includes manual and power assisted mobility devices. Walking and cycling are among the most popular modes and can effectively be combined with other modes such as a public transit.
- 2) A “trail” is defined as a trail route on land or water with protected status and public access for recreation or transportation purposes. Activities that are typically performed along a trail can include: walking, jogging, motorcycling, hiking, bicycling, horseback riding, mountain biking, canoeing, kayaking, snowmobile or ATV driving, bird watching, nature observation or backpacking.

New wording is shown in **bold** and deleted wording in ~~strike through~~.

Terms of Reference

Durham Environmental Advisory Committee

1. Goal

- 1.1 To provide advice to the Region of Durham on environmental impacts of planning matters, as expressed in the Durham Regional Official Plan.

2. Mandate

- 2.1 The Durham Environmental Advisory Committee (DEAC) is a volunteer Advisory Committee established by Regional Council in accordance with these Terms of Reference. Committee members are guided by these Terms of Reference.

- 2.2 The Terms of Reference provide for a balance between activities referred from the Planning and Economic Development Department or **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and a provision for DEAC to be proactive and advise on matters identified on its own initiative.

- 2.3 Environmental matters may be referred to the DEAC from the Regional Planning and Economic Development Department or **the Planning and Economic Development Committee** ~~Committee of the Whole~~. DEAC shall report directly to **the Regional Planning and Economic Development Committee** ~~Regional Committee of the Whole~~ and/or Regional Planning and Economic Development Department, as appropriate.

3. Scope of Activities

- 3.1 The scope of the DEAC may include activities such as:
- a) providing advice on environmental policy directions pursued by the Region. This may include providing advice on official plan amendments related to environmental policies or providing advice on Regional environmental policies through an Official Plan review process;
 - b) providing advice in the identification and implementation of new or existing programs, approaches or policies relating to the protection,

New wording is shown in **bold** and deleted wording in ~~strike-through~~.

sustainability and enhancement of natural resources and systems within the Region in co-operation with other organizations where appropriate. This may include investigating conservation easements, land trusts, tree planting, environmental stewardship, new provincial directions and funding grants;

- c) providing advice in identifying and implementing community outreach activities which support the growth of environmental awareness and appreciation in Durham Region in co-operation with other organizations where appropriate. This may include recommending and assisting with educational workshops or homeowner guides which can be used by the public in areas such as tree cutting, fertilizer use, erosion control and general enhancement of the environment;
- d) providing advice on Regional environmental data in co-operation with other organizations where appropriate;
- e) providing advice on the state of environmental resources such as water resources and natural heritage features such as wetlands, forests, and wildlife within Durham Region in co-operation with other organizations where appropriate;
- f) appointing a member of DEAC to participate on steering committees for environmental impact studies related to Regional Official Plan Amendment applications. In accordance with the Region's approved EIS Guideline, a DEAC representative would participate in Regionally co-ordinated EIS's and peer reviews; and
- g) at the request of **the Planning and Economic Development Committee** ~~Committee of the Whole~~ or the Regional Planning and Economic Development Department, provide advice on miscellaneous matters as they arise.

4. Composition

- 4.1 The DEAC will be comprised of seventeen members in total. Thirteen of which will be citizen members, one of which will be a Post-Secondary Student member, two of which will be youth members, plus one member of **the Planning and Economic Development Committee** ~~Committee of the Whole~~. The thirteen citizen members, one Post-Secondary Student member and two youth members shall not hold elected office (municipal, provincial or federal). All members are regarded as private citizens and do

New wording is shown in **bold** and deleted wording in ~~strike through~~.

not represent their respective employers or advocacy group in their capacity as a DEAC member.

4.2 Membership for citizen members shall correspond with the term of Regional Council. At the end of each term citizen members will be asked to consider their interest in remaining for an additional term. If a member chooses to resign the Region will seek a replacement in accordance with Section 5. However, citizen members shall continue to serve until their replacements are appointed by Regional Council. At the discretion of the DEAC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

4.3 Membership for Post-Secondary Student members shall be up to a 4-year term, generally corresponding with the length of their college or university program.

4.4 Membership for youth members shall be up to a 2-year term, generally corresponding with the school year.

4.5 DEAC will strive to maintain a high level of relevant technical expertise and competence in environmental issues within its membership.

5. Membership Selection

5.1 For the selection of citizen members, the Regional Planning and Economic Development Department may place a newspaper advertisement within each area municipality requesting expressions of interest from individuals willing to volunteer for appointment to the DEAC. Interested individuals will be required to provide a brief resume and statement of interest. Responses from qualified candidates will be forwarded to the respective area municipality with a request that the local Council nominate one representative. Regional Planning and Economic Development staff, from the remaining resumes received, will nominate a sufficient number of members at large in order to bring the citizen membership to thirteen. All members of the DEAC will be appointed by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and Council.

5.2 Regional Council shall appoint a representative and an alternate to DEAC from the members of **the Planning and Economic Development Committee** ~~Committee of the Whole~~.

New wording is shown in **bold** and deleted wording in ~~strike-through~~.

- 5.3 In nominating citizen members to the DEAC, regard shall be given to the aim of achieving a combination of technical experts and community representatives with knowledge of environmental and land use planning matters. Regard shall also be given to residency within the Region and availability to attend meetings. An elaboration of the selection criteria is provided in Appendix 1, Section A, of the Terms of Reference. The nomination of members at large will help to achieve the desire of a diverse and balanced DEAC. All residents of Durham Region are eligible for membership.
- 5.4 In the case of a citizen member vacancy, the approach described in Sections 5.1 and 5.2 will generally be followed.
- 5.5 For the selection of Post-Secondary Student members, the Regional Planning and Economic Development Department shall contact the College/Universities in the Region of Durham, and request that students be notified about the opportunity to volunteer with DEAC. Advertisements may be placed in the school newspapers/websites. Students willing to volunteer for DEAC shall submit a letter of interest, outlining their knowledge about the environment. Regional Planning and Economic Development staff will nominate one Post-Secondary Student member from the responses received. Post-Secondary Student members will be appointed by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and Council.
- 5.6 In selecting Post-Secondary Student members, members must be enrolled full-time in a College or University program and express an interest in environmental matters. Consideration shall be given to the individual's interests, level of participation and knowledge of environmental issues in Durham Region and the planning process. The relevance of their interests to the mandate of DEAC will be an important consideration. Regard shall also be given to residency within Durham Region for the school year and availability to attend meetings. An elaboration of the selection criteria is provided in Appendix 1, Section B, of the Terms of Reference.
- 5.7 In the case of a Post-Secondary Student member vacancy, the approach described in Section 5.5 and 5.6 will generally be followed.
- 5.8 For the selection of youth members, the Regional Planning and Economic Development Department shall contact the secondary schools in the Region of Durham, and request that students be notified about the opportunity to volunteer with DEAC. Students willing to volunteer for

New wording is shown in **bold** and deleted wording in ~~strike through~~.

DEAC shall submit a letter of interest, outlining their knowledge about the environment. Regional Planning and Economic Development staff will nominate two youth members from the responses received. Youth members will be appointed by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and Council.

5.9 In selecting youth members, consideration shall be given to ensure representation from both the urban and rural communities. An elaboration of the selection criteria is provided in Appendix 1, Section C of the Terms of Reference.

5.10 In the case of a youth member vacancy, the approach described in Section 5.8 and 5.9 will generally be followed.

6. Officers

6.1 A chair and two vice-chairs (first and second) will be elected annually by the membership of the DEAC. The **Planning and Economic Development Committee** ~~Committee of the Whole~~ representative will chair the inaugural DEAC meeting.

6.2 Post-Secondary Student members and youth members are not eligible to sit as chair or vice-chair.

7. Support Services

7.1 The Commissioner of Planning and Economic Development or designate shall serve as staff liaison to the DEAC. The liaison will provide administrative, procedural and technical support to the DEAC.

7.2 The liaison will co-ordinate all requests for advice from the DEAC, through meeting agendas and addenda to meeting agendas. DEAC responses to such requests shall be co-ordinated by the liaison to the Planning and Economic Development Department or **the Planning and Economic Development Committee** ~~Committee of the Whole~~.

7.3 The Region will provide secretarial and other support services. Regional Council will provide a budget to cover the operational expenses of the DEAC, and this budget will be administered by the **Planning and Economic Development Committee** ~~Committee of the Whole~~.

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8. Meetings

8.1 Regularly scheduled meetings of DEAC will be held ~~once a month~~ at the Durham Regional Headquarters. The DEAC, will establish a meeting schedule ~~at its inaugural meeting~~ taking into account the business needs and the schedule of Council and **the Planning and Economic Development Committee** ~~Committee of the Whole~~. The DEAC shall ~~provide~~ **The Planning and Economic Development Committee** ~~Committee of the Whole~~ **will be provided** with a schedule of **DEAC** meetings **each** ~~in~~ December for the following year. Special meetings may be held at the call of the Chair. **The Planning and Economic Development Committee** ~~Committee of the Whole~~ is to be kept informed of such meetings.

8.2 Unless otherwise determined, all meetings will be open to the public. As a formal advisory Committee to the Region, the DEAC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.

8.3 A quorum for a DEAC meeting shall consist of a majority of the sitting DEAC members.

9. Delegations of Committee Meetings

9.1 Any person(s) wishing to appear before the DEAC as a delegate must submit a request to the staff liaison in the Regional Planning and Economic Development Department, advising of the topic or item to which they wish to speak. All requests for delegations must be received at least one week prior to the meeting to ensure that the delegation is included on the agenda. Any person wishing to address the DEAC as a delegate, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution.

10. Minutes and Agenda

10.1 The minutes of each DEAC meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be **circulated to members of Council as part of the Council Information Package (CIP) by the Clerk** ~~forwarded to the next regularly scheduled Committee of the Whole meeting~~. When approved, any amendments will be forwarded to **the Planning and Economic Development Committee** ~~Committee of the Whole~~. The DEAC agendas will be prepared by the staff liaison and the DEAC chair or vice chair with input from other DEAC

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members. As the first item of business at every meeting, the Committee shall approve its agenda.

11. Committee Resolutions

11.1 The DEAC will seek to achieve consensus on decisions. Recommendations are “carried” if supported by a majority. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the DEAC.

12. Annual Reports and Workplan

12.1 An annual report summarizing the activities completed in the previous year shall be prepared by the DEAC. The annual report shall be forwarded to **the Planning and Economic Development Committee** ~~Committee of the Whole~~.

12.2 An annual workplan with an estimate of the resources necessary and any suggested revisions to the Terms of Reference for the coming year shall also be prepared by the DEAC for consideration and approval by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ and Council. To avoid duplication, the DEAC shall ensure that the workplan is co-ordinated with other environmental initiatives in the Region.

12.3 An annual review of the DEAC by **the Planning and Economic Development Committee** ~~Committee of the Whole~~ will be completed to examine the effectiveness of the Committee and to ensure continued improvements.

New wording is shown in **bold** and deleted wording in ~~strike through~~.

APPENDIX 1

A) Citizen Membership Eligibility Criteria

To facilitate the nomination and appointment of new citizen members to the DEAC the following criteria will be considered. The aim is to achieve a diverse committee with a combination of technical experts and community representatives.

1. Residency

Members should reside in Durham Region.

2. Technical Expertise

A high level of technical expertise is required within the Committee. Applicants with academic qualifications and/or work experience in environmentally-related disciplines will be an important consideration.

3. Community Representatives

Consideration shall be given to the individual's level of participation and knowledge of environmental issues and the planning process. The relevance of their interests to the mandate of DEAC will be an important consideration.

4. Availability

It is important that an applicant be able to attend as many DEAC meetings as possible and undertake work outside of the regular monthly meetings. An applicant should be able to be contacted or reached during the day in order for meetings to be arranged.

B) Post-Secondary Student Membership Eligibility Criteria

To facilitate the nomination and appointment of new Post-Secondary Student members to the DEAC the following criteria will be considered.

1. Residency

Members should reside in Durham Region for the school year.

2. Education

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Members must be enrolled full-time in a College or University program and express an interest in environmental matters.

Consideration shall be given to the individual's interests, level of participation and knowledge of environmental issues in Durham Region and the planning process. The relevance of their interests to the mandate of DEAC will be an important consideration.

3. Availability

It is important that an applicant be able to attend as many DEAC meetings as possible and undertake work outside of the regular monthly meetings. An applicant should be able to be contacted or reached during the day in order for meetings to be arranged.

C) Youth Membership Eligibility Criteria

To facilitate the nomination and appointment of new youth members to the DEAC the following criteria will be considered.

1. Residency

Youth members should reside in Durham Region.

2. Education

Youth members must be enrolled in Grade 11 or Grade 12 and express an interest in environmental matters.

3. Availability

It is important that an applicant be able to attend as many DEAC meetings as possible. An applicant should be able to be contacted or reached during the day in order for meetings to be arranged.

4. Letter of Reference/Support

Applicants for youth membership must include a letter of reference from their school and a letter of parental/guardian support with their expression of interest.

Sarah Penak

From: Paula Toft <paula.toft@ingersoll.ca>
Sent: Friday, July 20, 2018 4:15 PM
To: delegations
Subject: Arranging delegation status for Mayor Comiskey of Ingersoll
Attachments: MOTION for Municipalities - GENERAL.docx; Briefing Note-Mayor's Visit to other Munis (2).docx

Good afternoon

Would you please be able to provide me with information on granting delegation status for Mayor Comiskey of Ingersoll. The delegation is to address your Council regarding the "Demand the Right" campaign, which has gathered much momentum over the recent months, see briefing note attached.

70+ municipalities have now passed the attached resolution requesting the right to say yes or no to proposed landfills within their boundaries. Oxford County MPP Ernie Hardeman has also brought forward a Private members bill on this matter which is currently in being considered by the Province.

I very much look forward to hearing from you with a view to arranging for this delegation.

Kind Regards

Paula Toft

Records Co-ordinator

Admin.Assistant

Wedding Officiant

Town of Ingersoll

130 Oxford Street, 2nd Floor

Ingersoll, ON N5C 2V5

P: 519-485-0120 ext. 2260



**MOTION
COUNCIL FOR THE
[INSERT NAME OF MUNICIPALITY]**

**MUNICIPALITIES CALL ON PROVINCE FOR “RIGHT TO APPROVE”
LANDFILL DEVELOPMENTS**

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS proposed Ontario legislation (Bill 139) will grant municipalities additional authority and autonomy to make decisions for their communities;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario’s Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades’ worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the **[INSERT NAME OF MUNICIPALITY]** calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the **[INSERT NAME OF MUNICIPALITY]** encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

BRIEFING NOTE

CAMPAIGN TO GIVE ONTARIO MUNICIPALITIES THE RIGHT TO APPROVE LANDFILL DEVELOPMENTS IN THEIR COMMUNITIES

PURPOSE

The purpose of this briefing note is to provide background information on an emerging issue for municipalities, and a campaign to change provincial legislation that would give municipalities the right to approve (or reject) future landfill developments in their communities.

OVERVIEW

Ontario has a garbage problem, and it could be coming to a community near you.

According to a 2017 report from the Environmental Commissioner of Ontario (ECO), the waste that is generated by the ICI sector alone – that is downtown office buildings (like Toronto), factories, institutions, etc – is over 6.7 million tonnes each year.

To put that into context, that's enough garbage to fill Toronto's Rogers Centre seventy-four times.

Because Ontario's landfills are filling up quickly, and as the U.S. border tightens, **several** new mega dumps will be needed to take this unwanted garbage – and soon.

THE ISSUE

Under Ontario's current Environmental Assessment legislation, municipal governments do not have the right to approve (or reject) landfill developments in our communities. Whether a municipality wants it, or not, makes little difference.

Municipalities have the right to approve most developments in their communities. In fact, municipalities have "exclusive authority" to approve:

- Casino gaming facilities, O.Reg 81/12
- Nuclear waste storage, via the federal NWMO's siting principles

As well, Ontario recently passed Bill 139, which gives municipalities *additional* authority and autonomy to make decisions for their communities, while replacing the OMB.

WHICH COMMUNITIES ARE BEING TARGETTED?

Municipalities that have quarry or mining operations (440 sites), or landfills (880 sites) are the most likely targets, but **any** municipality – from the 905 belt to the U.S. border – is a potential host for this garbage, whether they like it or not. Several "mega dumps" will need to be approved in the very near future to accommodate the volume of waste that is coming.

The current system allows private landfill operators to essentially ignore the concerns of local residents and municipal Councils. The existing system is based on a 1950's view of municipalities. We believe this needs to change.

THE CAMPAIGN: A MUNICIPAL LEADERSHIP OPPORTUNITY

It is time Ontario passes legislation that gives municipalities the right to approve landfill projects.

The “Demand the Right Campaign”, involves municipal leaders across Ontario, and is calling on all provincial political parties to commit (before the June election) to passing legislation that will give municipalities the right to approve landfill development.

Campaign highlights include:

- 70+ municipalities have formally approved a motion in their Councils, calling on the Province to act (about two dozen motions are in the works towards approval);
- 150 municipal leaders have signed a petition, calling on the province to act;
- nearly 8 out of 10 Ontarians feel municipalities should have a say in whether they host landfills, according to a recent Ontario poll found;
- Significant media coverage of the campaign since it launched a few months ago (see attached); and,
- Several efforts have been made by the NDP and PCs to change the law, including amendments to Bill 139 (defeated), and the introduction of a Private Member’s Bill.

OUR ASK

We believe municipalities should have the right to approve or reject landfill projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns, in addition to successfully completing an environmental assessment.

Landfills are going to be part of Ontario’s future – the issue is that municipalities **MUST** have the right to say yes or no to these types of projects.

If you believe municipalities should have the right to approve landfill projects, then please join our campaign.

Please consider the attached Motion (which several other municipalities have passed), and call on your local MPP and candidates to support this issue.

MORE INFORMATION

To learn more, or to join our campaign, please visit: www.demandtheright.ca





TOWN OF AJAX
65 Harwood Avenue South
Ajax ON L1S 3S9
www.ajax.ca

Ministry of Transportation
Queen's Park/Minister's Office
77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto, ON
M7A 1Z8

March 23, 2018

Re: Automated Speed Enforcement

Please be advised that the following resolution was endorsed by Ajax Town Council at its Meeting held May 22, 2018:

WHEREAS resident safety is a primary concern for Ajax Council;

AND WHEREAS speeding concerns continue to increase as our population grows;

AND WHEREAS DRPS does not have the capacity to monitor and enforce many of the problem area on a continuous basis;

AND WHEREAS automated speed enforcement is an additional tool to discourage speeding without an increased burden on DRPS;

AND WHEREAS the Province of Ontario has amended the Highway Traffic Act to enable the use of Automated Speed Enforcement Technology to improve safety in school zones and community safety zones;

AND WHEREAS Durham Regional Report #2018-INFO-32 cites a 2017 New York City report indicated that speeding in school zones during school hours was reduced by 63 per cent following the introduction of a fixed position automated speed enforcement camera;

NOW THEREFORE be it resolved that Ajax Council;

1. Direct staff to investigate the use of unmanned speed enforcement on municipal roads in key areas such as school zones; and
2. That this resolution be distributed to the Ministry of Transportation (MTO), the Durham Regional Police Service, Durham Region municipalities and the Region of Durham.

If you require any additional information please do not hesitate to contact me at 905-619-2529 ext. 3342 or alexander.harras@ajax.ca

Sincerely

A handwritten signature in black ink, appearing to be 'AH' followed by a long horizontal stroke.

Alexander Harras
Manager of Legislative Services/Deputy Clerk

Copy: S. Collier, Regional Councillor, Wards 1 & 2
S. Smallwood, Director of Planning & Development Services
J. Grieve, Supervisor of Transportation
Durham Regional Police Service
Durham Region municipalities
Region of Durham

MAY 29 '18 AM 9:04



TOWN OF AJAX
65 Harwood Avenue South
Ajax ON L1S 3S9
www.ajax.ca

Ministry of Transportation
Queen's Park/Minister's Office
77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto, ON
M7A 1Z8

March 23, 2018

Re: **Red Light Cameras**

Please be advised that the following resolution was endorsed by Ajax Town Council at its Meeting held May 22, 2018:

WHEREAS resident safety is a primary concern for Ajax Council;

AND WHEREAS traffic is increasing as our community continues to grow;

AND WHEREAS red light cameras provide an additional tool to discourage red light running at major intersections in Ajax, and enable ticketing for violations without an increased burden on DRPS West Division officers;

NOW THEREFORE be it resolved that Ajax Council;

1. Affirm their support for the Region of Durham to initiate a red-light camera project throughout Durham; and
2. That the Town of Ajax is a willing host for a red-light camera pilot on Regional roads; and
3. That this resolution be distributed to the Ministry of Transportation (MTO), the Durham Regional Police Service, Durham Region municipalities and the Region of Durham.

If you require any additional information please do not hesitate to contact me at 905-619-2529 ext. 3342 or alexander.harras@ajax.ca

Sincerely

Alexander Harras
Manager of Legislative Services/Deputy Clerk

Copy: S. Collier, Regional Councillor Wards 1 & 2
S. Smallwood, Director of Planning & Development Services
J. Grieve, Supervisor of Transportation
Durham Regional Police Service
Durham Region municipalities
Region of Durham



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: [#2018-COW-154](#)
Date: September 5, 2018

Subject:

Subdivision Agreement with Lindvest Properties (Clarington) Limited to allow the Construction of a Temporary Water Booster Pumping Station in Newcastle, 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 Subdivision Agreement with Lindvest Properties (Clarington) Limited to construct a temporary water booster pumping station in Newcastle, Municipality of Clarington at Lindvest Properties' sole cost and expense for the installation and removal of the temporary water booster pumping station required to service lands to advance the final phase of the Foster Creek North plan of subdivision; and
 - B) That the Regional Chair and Clerk be authorized to execute the Subdivision Agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek permission to enter into a Subdivision Agreement with Lindvest Properties (Clarington) Limited (Linvest) to construct a temporary water booster pumping station in Newcastle, Municipality of Clarington, at no cost to the Regional Municipality of Durham (Region).

2. Background

- 2.1 Lindvest has been developing their Foster Creek North draft plan of subdivision in northwest Newcastle over the last several years. These lands are located near the north limit of the Zone 1 water pressure boundary. Lindvest has now developed all of their lands located in Zone 1 and all of their remaining lands are located in the future Zone 2 water pressure area.
- 2.2 In order for the balance of the Lindvest plan of subdivision to proceed, a Zone 2 pumping station is required at the same location as a proposed Zone 1 reservoir. The Environmental Assessment for these two projects is ongoing and the construction financing for these two projects is currently forecasted for 2021.
- 2.3 Lindvest has determined that it would be commercially expedient for them to construct a temporary booster pumping station within their plan of subdivision and has requested permission to construct it through the Regional subdivision agreement required for their remaining phase of development, at no cost to the Region as outlined in their correspondence dated July 30, 2018 (Attachment #1).
- 2.4 As Lindvest has determined that this approach is to their financial advantage, they will not be seeking any Development Charge credits against these costs. These terms will be formalized in the subdivision agreement.
- 2.5 Staff have standing authority to enter into subdivision agreements with developers provided that the agreement adheres to the standard agreement form. Significant changes would be required to the standard subdivision agreement to facilitate this request and as such, Regional Council approval is required.
- 2.6 All other requirements of the Regional subdivision agreement will be in place, including the Regional inspection requirements and the two year infrastructure maintenance period. In addition to the standard letters of credit required for subdivision agreements, we would also require posting of a letter of credit for 100 per cent of the cost of the temporary pumping station.

3. Regional Infrastructure

- 3.1 In addition to the normal sanitary sewer works and water supply works typical of a residential subdivision, Lindvest would be responsible for the design and construction of a temporary booster pumping station within their plan of subdivision.

- 3.2 The temporary booster pumping station will be designed to the Region's satisfaction and will include a check valve connected to water pressure Zone 1. Lindvest's engineer will be required to demonstrate to the Region's satisfaction that limited domestic supply and adequate fire protection can be provided to the balance of their plan of subdivision from Zone 1, in the event of a power failure at the station.
- 3.3 The Region will operate the temporary station. Once the Zone 2 Pumping Station is constructed by the Region, the temporary station will be abandoned. As per the terms of the agreement, Lindvest will be required to remove the temporary pumping station at their expense. Lindvest will be motivated to remove the station as it will be occupying one or more lots on their plan of subdivision which they cannot sell until the temporary station is removed.

4. Financial Implications

- 4.1 There are no financial implications to the Region at this time.

5. Conclusion

- 5.1 It is recommended that the Regional Municipality of Durham enter into a Subdivision Agreement with Lindvest Properties (Clarington) Limited to construct a temporary water booster pumping station in Newcastle, Municipality of Clarington, at no cost to the Regional Municipality of Durham.
- 5.2 This report has been reviewed by Legal Services – Corporate Services Department.

6. Attachments

Attachment #1: Correspondence from Lindvest Properties (Clarington) dated July 30, 2018 re: Request for Approval of a Developer Funded Temporary Watermain Booster Pump

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



July 30, 2018

Regional Municipality of Durham
Department of Public Works Services
605 Rossland Road East, 5th Floor
Whitby, ON L1N 6A3

Attention: Mr. Paul Gillespie,
Manager Development Approvals

Dear Sir:

**Re: Foster Creek North Plan of Subdivision
Lindvest Properties (Clarington) Limited, ("Lindvest")
Request for Approval of Developer Funded
Temporary Watermain Booster Pump
D.G. Biddle File No: 116037**

Further to our recent meeting with the Municipality of Clarington, senior Region of Durham staff and our consulting engineers D.G. Biddle & Associates Limited, we offer the following request for the Region's consideration. As you may be aware, the Foster Creek North plan of subdivision is located near the north limit of the Zone 1 pressure boundary for Newcastle Village. The subdivision is bound by Rudell Road to the west, CP Railway to the north, Foster Creek to the east and King Avenue to the south. Phases 1, 1A, 2 and 3 are currently serviced and all homes within these phases are occupied. It is noted that the Final Phase, located at the north west corner of the Foster Creek North plan of subdivision, is also Draft Approved with zoning in place, requiring only a Subdivision Agreement and Plan Registration. The Draft Approval, which has already been previously extended by the Municipality of Clarington, will lapse in early 2019. A copy of the General Services Plan which illustrates the site location is attached as drawing 116037-D-1.

It is our understanding that the existing Arthur Street Reservoir can only accommodate minimum operating pressure in Newcastle Village to a maximum ground elevation of 105.0m ASL. Due to this limitation, the Final Phase of the Foster Creek North plan of subdivision is on hold until such time as the Region completes their Municipal Class EA, obtains funding approval, and constructs a Zone 1 reservoir and Zone 2 pumping station. This infrastructure would increase the local service elevation to as much as 135m ASL. We understand that funding for the Municipal Class EA was approved in December 2017, with an earliest possible operational timeline for this permanent infrastructure being circa 2023. As with any public consultation process, approvals and construction of the permanent infrastructure may be delayed further. As such, the Final Phase of the Foster Creek North subdivision would be unserviceable until at least 2023.

Highlighted on the attached General Services Plan is the area of the subdivision that is impacted by this elevation restriction. It includes the Final Phase of our subdivision, as well as a portion of our current phase which is Draft Approved and moving forward towards Registration. We note that 16 of the 51 lots in the current Phase are on hold subject to the completion of the required Regional infrastructure (ie. the Zone 1 reservoir and Zone 2 pumping station), postponing the construction of these homes to at least 2023, approximately 5 years forward. The construction of the first phase of this subdivision

commenced in 2009. Recognizing that commencement of the first phase is approaching 10 years, we are looking for immediate completion of the Final Phase of the development as opposed to delaying until 2023.

Rather than waiting at least an additional 5 years for the permanent infrastructure to be completed by the Region, we are prepared to construct the temporary infrastructure, being an in-line booster pump, at Lindvest's sole cost in order to complete the balance of the subdivision now. This temporary booster pump is proposed to be sized to increase the service elevation to a minimum of 110.0m ASL. This elevation will capture the Final Phase of our lands up to the CP Railway corridor, as well as the 16 lots within the Current Phase. This will allow all of our lands to be serviced and registered. We are aware that all costs associated with the temporary pump's installation and full removal will be at Lindvest's expense. We are proposing that it be installed on a temporary basis at the north-east corner of Grady Drive and Rudell Road as illustrated on drawings 116037-D-1 attached.

Through D.G. Biddle's discussions with Aaron Christie, Project Engineer with the Region of Durham Works Department, the temporary booster pump will not be required to provide fire protection for the remainder of the subdivision. During any power failure, the Arthur Street Reservoir and existing infrastructure will have to maintain the minimum pressure of 140 kPa (20psi) for fire protection of the areas above 105.0m ASL. Our engineers will have to demonstrate that this is possible for all of the remaining lands in the plan of subdivision and we anticipate the Region will accept our engineers' conclusions in this regard.

We are requesting that the Region of Durham approve our request and advise us of the next steps to facilitate the servicing of the balance of the Forest Creek North subdivision. We understand that the installation of the temporary booster pump is a cost being incurred for our sole benefit, and we are not seeking recovery for costs related to this temporary infrastructure. It is commercially expedient for Lindvest to pay these costs rather than wait until the Region delivers a Zone 2 pumping station such that we can finalize the development of these lands. Recognizing that Draft Approval will lapse in early 2019, we are anxious to proceed with completion of the servicing for this subdivision as soon as possible. The Region's assistance in this matter is greatly appreciated.

Should you have any questions or require anything further, please contact the undersigned at your convenience.

Yours truly,

LINDVEST PROPERTIES (CLARINGTON) LIMITED

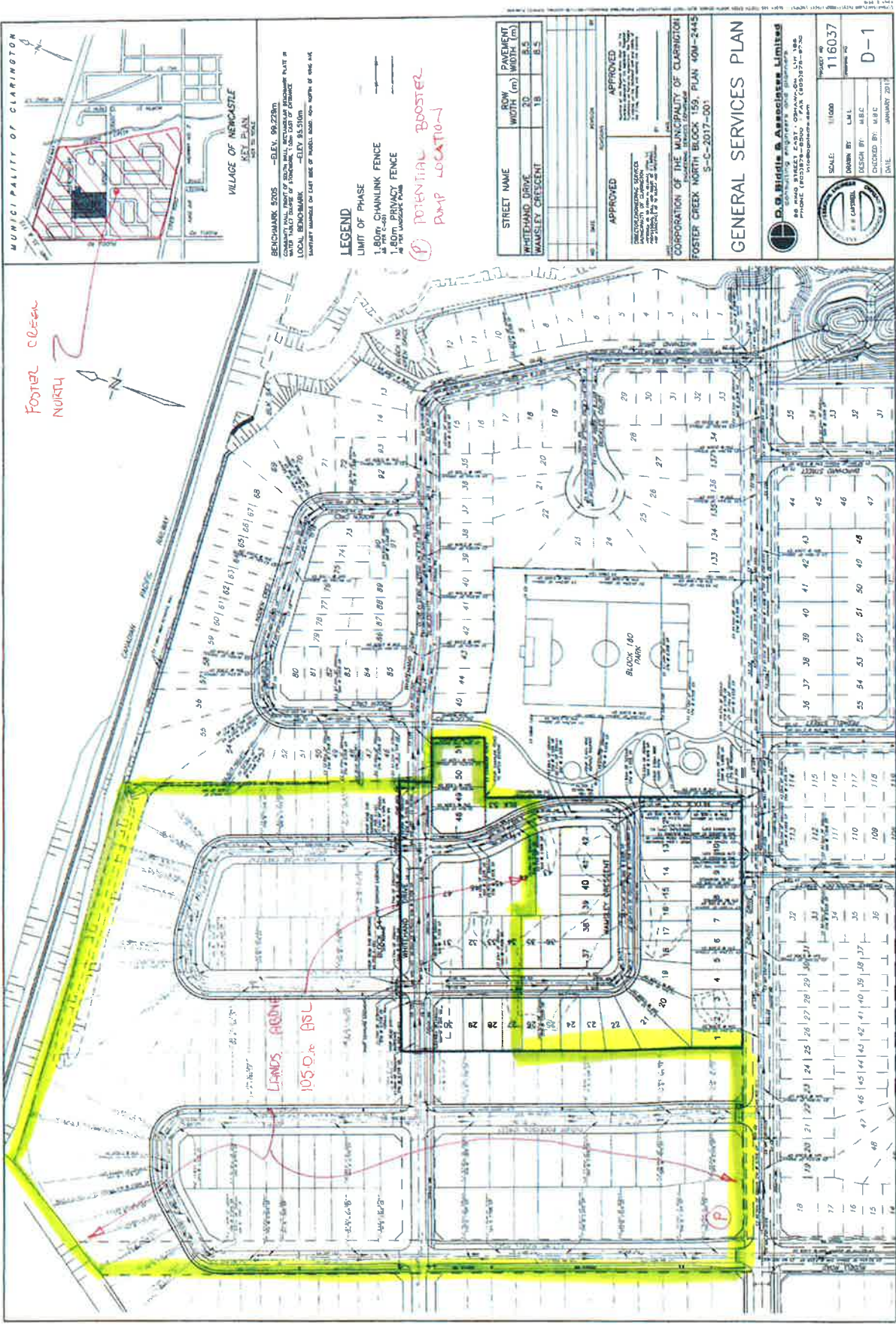
Per:



**for: Frank Palombi, P.Eng.
Vice President, Land Development**

FP:nc
Encl.

Cc: Mr. J. Presta, Director Environmental Services, Region of Durham
Mr. Aaron Christie, Project Engineer, Region of Durham
Mr. Mike B. Carswell, P. Eng., Senior Project Engineer, D.G. Biddle & Associates Limited





The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Works
Report: [#2018-COW-155](#)
Date: September 5, 2018

Subject:

Agreement with the Canadian Pacific Railway for the Rehabilitation of the Regional Road 57 Burketon CP Overpass

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to enter into an Agreement with the Canadian Pacific Railway for the rehabilitation of the Regional Road 57 Burketon CP Overpass at Mileage 147.54, Havelock Subdivision, in the Municipality of Clarington; and
 - B) That the Regional Chair and Clerk be authorized to execute the agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Council approval to enter into an agreement with the Canadian Pacific Railway (CPR) for the rehabilitation of the Regional Road 57 Burketon CP Overpass (Overpass).

2. Background

- 2.1 Order # 114446 of the Board of Transport Commissioners for Canada, dated May 15, 1964, defined the obligations of CPR and the Regional Municipality of Durham (Region) with respect to the Overpass. The Order stated that the Region would be responsible for the construction and all future maintenance of the Overpass at its own expense.
- 2.2 The approved 2018 Construction of Municipal Services Budget identifies rehabilitation of the Overpass as a 2018 project. Construction is scheduled to commence this fall with an estimated cost of \$310,000.

2.3 The proposed rehabilitation work requires the Region and CPR to enter into a Grade Separation Rehabilitation Agreement to illustrate respective obligations. The Agreement will set out the preliminary scope of construction work; the Region's obligations primarily with respect to design, project management and communications; CPR's obligations primarily with respect to oversight, schedule coordination with rail operations, and inspections; access protocols and various safety and security protocols; and environmental requirements. The Region will be responsible for obtaining approvals and permits, and to carry out the rehabilitation work at its sole cost and expense in accordance with Order # 114446.

3. Conclusion

3.1 It is recommended that the Region of Durham enter into an agreement with the Canadian Pacific Railway (CPR) for the rehabilitation of the Regional Road 57 Burketon CP Overpass at Mileage 147.54, Havelock Subdivision, in the Municipality of Clarington.

3.2 The responsibilities being assigned to the Region for maintaining the existing structure are typical for this type of crossing and are consistent with the original Board Order. Once executed, the agreement will be filed with the Canadian Transportation Agency for future reference.

3.3 Legal Services – Corporate Services has reviewed this report and concurs with the proposed agreement.

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-164](#)
Date: September 5, 2018

Subject:

Extension of Lease Agreement for Premises Occupied by the Health Department, Region of Durham Paramedic Services Located at 343 Bay Street, in Beaverton, in the Township of Brock

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Extension of Lease Agreement with Mary Hart Bullock for 234.80 square metres (2,527.5 square feet) of space, being premises located at 343 Bay Street, in the Township of Brock, be approved on the following terms and conditions:
- i) Term is for a period of five years commencing October 1, 2018, and ending September 30, 2023, with the Regional Municipality of Durham having the right to extend for a further period of five years, with the rent to be negotiated and subject to approval by Regional Council;
 - ii) The annual base rent for the first three years of the term to be \$32,857.50* per annum, based on \$139.93* per square metre (\$13.00* per square foot);
 - iii) The annual base rent for the last two years of the term to be \$34,121.25* per annum based on \$145.32* per square metre (\$13.50* per square foot)
 - iv) The Regional Municipality of Durham to be responsible for all operating costs for the leased premises, together with its proportionate share of common area costs which are currently estimated at \$34,121* (\$13.50* per square foot); and

- B) The Regional Chair and Clerk be authorized to execute all documents associated with the Extension of Lease Agreement.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to extend the lease agreement for 234.80 square metres (2,527.5 square feet) of space for a Region of Durham Paramedic Services (RDPS) Station, in the Township of Brock, as per the terms and conditions outline herein. Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 This facility was constructed in 1988 for an Emergency Services Station in accordance with the Ministry of Health specifications and the lease was assumed by the Regional Municipality of Durham (Region) in January 2000. The building is a well maintained two storey facility with the landlord occupying the second floor apartment.
- 2.2 The Health Department has advised that they wish to extend the lease arrangement for this facility.

3. Discussion

- 3.1 The proposed term is for a period of five years commencing October 1, 2018, and ending September 30, 2023, with the Region having the right to extend for a further period of five years, with the rent to be negotiated and subject to approval by Regional Council.
- 3.2 The annual base rent for the first three years of the term to be \$32,857.50* per annum, based on \$139.93* per square metre (\$13.00* per square foot). This rate represents an increase of \$5.38* per square metre (\$.50* per square foot) over the previous rate of \$134.55* per square metre (\$12.50 per square foot).
- 3.3 The annual base rent for the last two years of the term will be \$34,121.25* per annum based on \$145.32* per square metre (\$13.50* per square foot).
- 3.4 The Region will be responsible for all operating costs for the leased premise, together with its proportionate share of common area costs which are currently estimated at \$34,121* (\$13.50* per square foot).

4. **Financial Implications**

- 4.1 Financing for this extension of lease will continue to be provided from the Health Department's Operating Budget for this facility.
- 4.2 The approval for this extension of lease requires a long term financial obligation for which payment is required beyond the term for which Regional Council was elected. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long term debt/financial limit and has determined that the limit has not been exceeded. Therefore this extension of lease does not require the approval of the Local Planning Appeal Tribunal.

5. **Conclusion**

- 5.1 As the Health Department has advised that they wish to extend the lease of this Region of Durham Paramedic Services Facility in the Township of Brock, it is recommended that the extension of lease be approved based on the above terms and conditions.
- 5.2 This report has been reviewed by the Finance Department and Legal Services – Corporate Services Department.

Respectfully submitted,

Original signed by J. Demanuele for:

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-166](#)
Date: September 5, 2018

Subject:

Approval of Request for Pre-Qualification #RFPQ-1150-2018 of General Contractors and Sole Source Assignment of Engineering Services for Construction Administration to Associated Engineering Ltd. for the Sludge Blending Tank Restoration and Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant, in the City of Pickering

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That in accordance with Request for Pre-Qualification #RFPQ-1150-2018, the following general contractors be pre-qualified for the tendering of the Sludge Blending Tank Restoration & Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant in the City of Pickering (Regional Tender D-2018-029):
- Kenaidan Contracting Limited
 - Peak Engineering and Construction Limited
 - North American Construction Limited
 - Romag Contracting Ltd.
- B) That the tender documents for the Sludge Blending Tank Restoration & Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant be issued only to the above noted contractors;

- C) That approval be granted to enter into negotiations for the provision of engineering services for construction administration with Associated Engineering Ltd. at an upset limit not to exceed \$1,100,000* with the Region's share of costs being \$275,000* to be funded from the approved project budget (Y1605) of \$12 million; and
- D) That the Regional Chair and Regional Clerk be authorized to execute the engineering services agreement.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for the pre-qualification of general contractors and the sole source assignment of engineering services for contract administration to Associated Engineering Ltd. for the Sludge Blending Tank Restoration & Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant (WPCP) in the City of Pickering. Dollar amounts followed by an asterisk (*) are before all applicable taxes.

2. Pre-Qualification of General Contractors

- 2.1 The Request for Pre-Qualification (RFPQ) #1150-2018 for general contractors was issued on June 14, 2018 and closed on July 5, 2018.

- 2.2 Nine (9) responses were received from the following firms:

- BGL Contractors CORP
- Kenaidan Contracting Limited
- Matheson Constructors
- North American Construction Limited
- Peak Engineering and Construction Limited
- Romag Contracting Ltd
- Torbear Contracting Inc
- Varcon Construction Co Limited
- W.A Stephenson

- 2.3 The Evaluation Committee was comprised of staff from the Regional Municipality of Durham's (Durham) Works Department, Associated Engineering Limited (AEL) and staff from the Regional Municipality of York (York). The Purchasing Section of Durham's Finance Department oversaw the evaluation process.

2.4 The evaluation of the responses was based on criteria contained within the RFPQ, including:

- Experience and Qualifications (40%);
- Project Management, Organization and Administration Methodology (40%);
- Quality Management (20%); and
- References (pass/fail criterion)

2.5 All respondents were required to meet the minimum threshold score of 65 percent overall.

2.6 The results of the evaluation process generated the following list of four (4) general contractors that met the minimum threshold score and are recommended for the Sludge Blending Tank Restoration & Connection to Digester Gas Systems project at the Duffin Creek WPCP within the City of Pickering:

- Kenaidan Contracting Limited
- North American Construction Limited
- Peak Engineering and Construction Limited
- Romag Contracting Ltd

3. Sole Source Justification

3.1 AEL is the project consultant providing engineering services for the detailed design of Sludge Blending Tank Restoration and Reconnection to the Digester Gas Collection System at the Duffin Creek WPCP. AEL completed the final detailed design report for the project in April 2018.

3.2 Based on their extensive involvement in the project to date, it is recommended that AEL be retained to provide engineering services for construction administration for the project

- 3.3 The use of AEL will ensure that there is continuity between the predesign, design and construction phases to ensure the project is expedited in an efficient manner throughout the construction phase of the project. This approach will be essential given that the work requires a high level of co-ordination with existing plant operations to mitigate any operational risks during the construction and commissioning phases. AEL has an intimate knowledge of the project, deliverables and stakeholders.

4. Financial Implications

- 4.1 Section 14.3 of the Purchasing By-law #68-2000 (Amended) requires that where the value of work exceeds \$125,000, the approval of the Committee of the Whole and Regional Council is required when the pre-qualification process is used.
- 4.2 Section 9.4.2. 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 to obtain approval to acquire the services through a sole source negotiation.
- 4.3 The project costs for engineering services for construction administration for the York Durham Duffin Creek WPCP sludge blending tank restoration and reconnection to digester gas collection systems are to be shared between the Regional Municipalities of York and Durham.

Durham Region's (25.0%) Share	\$275,000*
-------------------------------	------------

York Region's (75.0%) Share	\$825,000*
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- 4.4 Funding for the engineering services assignment for construction administration of the sludge blending tank restoration and reconnection to digester gas collection systems in an amount not to exceed \$1,100,000* is available within the approved capital project budget Project Y1605.

5. Conclusion

- 5.1 It is recommended that Regional Council approve the list of pre-qualified contractors to receive tender documents and submit bids for Sludge Blending Tank Restoration & Connection to Digester Gas Systems project at the Duffin Creek Water Pollution Control Plant in the City of Pickering.

- 5.2 It is recommended that approval be granted to enter into negotiations with Associated Engineering Ltd. for engineering services consisting of construction administration duties for Regional Municipality of Durham Contract D2018-029. Such approval shall be given to allow for negotiations to result in a new engineering services agreement with an upset limit of \$1,100,000*.
- 5.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendation.

Respectfully submitted,

Original signed by John Presta for:

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

From: Acting Commissioner of Finance
Report: [#2018-COW-167](#)
Date: September 5, 2018

Subject:

Treatment of Hotels in the Region of York's Development Charge By-law

Recommendation:

That the Committee of the Whole recommend to Regional Council that the following report be received for information.

Report:

1. Purpose

1.1 The purpose of this report is to respond to the June 13, 2018 direction to staff by Regional Council that "staff report back in September on York Region's recently changed Development Charge treatment of hotels".

2. York Region Development Charge By-law – Hotel Development Charges

2.1 Under York Region's 2012 Development Charge By-law, a blended development charge was applied to hotels. A residential charge was imposed on each unit within the hotel building at the small residential apartment rate and the retail rate was applied to 25% of the entire gross floor area of the hotel.

2.2 As part of the York Region's 2017 Development By-law review, York Region Council directed staff to consider the development charge treatment of hotels. While staff was of the opinion that development charges are not the main driver in hotel location decisions, Regional Council was concerned about the high rate of development charges for hotels as compared to neighboring municipalities. The 2017 review listed alternative approaches for charging hotel developments. Ultimately, a separate non-residential, non-retail development charge rate structure for hotels was recommended.

2.3 In their 2017 Development Charge update, York Region created a separate non-residential category for hotels and currently have three categories of non-residential development charges as follows:

**Table 1
York Region Non-residential Development Charges**

Non-residential Category	Current Rate / Square Foot
Retail	\$52.43
Industrial / Office / Institutional	\$21.77
Hotel	\$10.29

3. Practices in Other Municipalities

- 3.1 Based on the research completed, the City of Brampton is the only other municipality that currently has a separate development charge category for hotels. However, as illustrated in the table below, the development charge rate for hotels in Brampton is higher than the industrial / office rate and only slightly lower than the non-industrial and non-office rate (i.e. the retail charge). This reflects Brampton's policy to set the hotel rate equivalent to the City of Mississauga's Non-industrial rate.

**Table 2
Brampton Non-residential Development Charges**

Non-residential Category	Current Rate / Square Foot
Industrial / Office	\$4.68
Non-Industrial and Non-Office	\$9.99
Hotel	\$9.27

- 3.2 Niagara Region previously imposed a separate development rate for hotels, but no longer does. It is understood that the decision to eliminate the separate category for hotels was based on several considerations, including the concentration of benefits within the City of Niagara Falls and difficulty in applying the charge because of the resort-style amenities that often accompanied new hotel development in Niagara Falls (i.e. indoor waterparks, casinos and retail space).
- 3.3 Peel, Halton, York, Hamilton, and Niagara Region all apply a non-residential development charge to hotel developments as follows:

**Table 3
Treatment of Hotels**

Municipality	Rate Charged for Hotel (\$ / sq. ft.)	DC Category
Durham	\$18.47	Commercial
Peel	\$20.14	Commercial
Halton		
- Urban (Built Boundary)	\$8.61	Industrial / Non-retail
- Urban (Greenfield)	\$12.18	Industrial / Non-retail
York	\$10.29	Hotel
Hamilton	\$20.54	Commercial*
Niagara	\$10.95	Commercial

*Hamilton applies a reduction for all commercial uses in the amount of 50% of the charge paid for the first 5,000 sq.ft. and 75% of the charge paid for the second 5,000 sq.ft.

4. Next Steps

- 4.1 Regional staff will continue to monitor the development charges of other GTA Regions and Cities with regard to the commercial sector.
- 4.2 This report has been reviewed by staff of the Planning and Economic Development Department.

Respectfully submitted,

Original Signed by M.E. Simpson

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

Recommended for Presentation to Committee

Original 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-168](#)
Date: September 5, 2018

Subject:

Regional Development Charges Deferral Agreement Policy for Lands not yet Serviced

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the development charge deferral agreement policy as provided in Attachment #1 be adopted, effective September 12, 2018 and that the Commissioner of Finance and Chief Administrative Officer be authorized to execute deferral agreements for single home residential developments;
- B) That this new policy be applied to permit the deferral of the sanitary sewerage development charges for the proposed building expansion on Scugog Line 6 (Adamson Systems Engineering), provided the landowner enters into a deferral agreement with the Region, as permitted by the above recommended policy; and
- C) That the Commissioner of Finance and Chief Administrative Officer be authorized to execute the necessary deferral agreement with Adamson Systems Engineering.

Report:**1. Purpose**

1.1 At the June 6, 2018 Committee of the Whole meeting during discussion of Report #2018-COW-108 (Final Recommendations Regarding Regional Residential, Commercial, Institutional and Industrial Development Charges) staff were directed to prepare a report for the June 13, 2018 Council meeting to address the following motion to amend the development charge by-law in order to include the following new clause:

“L) c) That for industrial lands where the land is not serviced by water and sewer, 50% of the development charge be deferred until the land has those services available”.

1.2 At the June 6, 2018 Committee of the Whole meeting, a representative of Adamson Systems Engineering provided a delegation. The company is located in the Port Perry Employment Area. It was discussed that their proposed building expansion would be required to pay the sanitary sewerage development charge, despite sanitary sewerage services not being available in the Port Perry Employment Area. The Region’s current policy is that development charges are payable for water supply and / or sanitary sewerage services when these services are not available but the lands to be developed are in those limited areas designated for water supply and / or sanitary sewerage servicing in the Region’s Official Plan, but which are permitted to develop in the interim using private services.

1.3 Staff provided a policy related to the deferral of applicable development charges in those specified areas under certain conditions for the June 13, 2018 Council meeting under Council Correspondence #14. It was referred to the September 5, 2018 Committee of the Whole meeting, to allow Regional staff the opportunity to consult with area municipal staff.

1.4 The purpose of this report is to seek Regional Council approval of a development charge deferral agreement policy for developments that are required to pay the water supply and / or sanitary sewerage development charge, where services have not yet been provided, but are to be developed in an area designated for water supply and sanitary sewerage servicing and can be developed in the interim using private services.

2. Development Charge Deferral Agreement Policy

2.1 The multi-departmental Development Charges Staff Working Group is recommending a Regional policy (Attachment #1) be established to permit development charge deferral agreements for developments that satisfy certain criteria including the following two mandatory criteria:

- A) The specific area is permitted to develop using private water supply and / or sanitary sewerage services; and
- B) The Regional water supply and / or sanitary sewer services are not anticipated to be available for an extended period, but are designated for the water supply and / or sanitary sewerage servicing in the Region’s Official Plan.

2.2 Based on the policy criteria set out in Attachment #1, the areas that will be impacted by this policy include Cannington (Brock Township), Port Perry (Township of Scugog) and Orono (Municipality of Clarington). Historically, there have been limited developments in these areas where this issue has arisen.

2.3 The recommended deferral policy would apply to Living Areas in addition to Employment Lands and would allow the full charge for those unavailable development charge services to be deferred until the capital projects required to provide the necessary services are approved by Regional Council. Broadening the policy to Living Areas will allow the deferral policy to be applied to residential development.

3. Area Municipal Consultation

3.1 Regional staff met with area municipal staff over the summer to discuss the proposed deferral agreement policy. The following provides a summary of comments and questions:

Area Municipal Staff Comments and Question	Regional Staff Response
That consideration be given to provide staff the authority to execute deferral agreements for small residential developments (eg. a one residential unit development).	In order to minimize the potential delay in building permit issuance, it is recommended that staff be provided the authority to execute deferral agreements for building permit applications for a single home. Regional staff may not become aware of the development of an individual home until application of building permit, potentially delaying building permit issuance until Council approves the deferral of the applicable development charges.
That local service be defined in order to prevent misunderstandings between a local and Regional service.	The proposed policy has been slightly modified to clarify local vs. Regional service.
Confirmation that the Region will be responsible for collection of future development charges	The Region will be responsible to contact and invoice the applicable landowners for development charges within deferral

within deferral agreements.	agreements. If the Region is unable to collect the applicable development charges, the Region will request that the area municipality put the appropriate charges on the property tax bill.
Would there be a sunset clause in the agreement?	There will be no sunset clause within the deferral agreement.
Seeking clarification of the deferral policy when the future development is within a plan of subdivision. i.e. the developer constructs the homes and sells to individual landowners.	A deferral agreement would be on title against each individual lot within the subdivision.

4. Conclusion

4.1 The recommended deferral agreement policy will:

- A) Allow the Region to defer the collection of water supply and / or sanitary sewerage development charges for development areas that are allowed to develop on private services but are designated for the water supply and / or sanitary sewerage services in the Region’s Official Plan; and
- B) Permit the deferral of the sanitary sewerage development charges for the proposed building expansion on Scugog Line 6 (Adamson Systems Engineering), provided the landowner enters into a deferral agreement with the Region.

4.2 It is recommended that Regional Council approval be required on a case by case basis (except for building permit applications for a single home where it is recommended that the Commissioner of Finance and Chief Administrative Officer be authorized to execute the necessary deferral agreement) and that the deferral agreement policy as shown in Attachment #1 be effective September 12, 2018.

4.3 Furthermore, it is recommended that this new policy be applied to permit the deferral of the sanitary sewerage development charges for the proposed building expansion on Scugog Line 6 (Adamson Systems Engineering), provided the landowner enters into an agreement with the Region and that the Acting Commissioner of Finance and Chief Administrative Officer be authorized to execute the necessary agreement.

4.4 This report has been reviewed by staff of the Planning and Economic Development, Works and Legal Departments who concur with the above recommendations.

5. Attachment

Attachment #1: Development Charge Deferral Agreement Policy

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

Attachment #1
Regional Development Charge Deferral Agreement Policy

Eligible Developments

- A) That the Regional development charges for the water supply and sanitary sewerage components be deferred, subject to the following conditions being met:
- a. The lands are within the Urban Boundary as shown in Schedule "A" of the Regional Official Plan;
 - b. The lands are designated to be serviced by Regional water supply and sanitary sewerage services, but are also subject to the section 8.3.4 of the Regional Official Plan;
 - c. Under section 8.3.4 of the Regional Official Plan, the lands are permitted to develop on private wells and / or private waste disposal systems as identified in the Regional Official Plan or otherwise identified in this policy; and
 - d. The lands are currently not serviced by Regional water supply and / or sanitary sewerage services.

Application of the Deferral

- B) That the Regional development charge deferral policy apply to Living Areas and Employment Areas within Cannington (Brock Township), Port Perry (Township of Scugog) and Orono (Municipality of Clarington);
- C) That the deferral policy apply to only the Regional development charge payable for the particular service that is not yet available (limited to water supply and sanitary sewerage services);
- D) That the deferral policy not apply if the lands only require local water supply and sanitary sewerage services. Local services are the extension of sanitary sewers and watermains (from the Regional water supply and sanitary sewerage infrastructure) needed to service individual land parcels. Generally, local services are the water supply and sanitary sewerage infrastructure needed to service land that are not included in the Region's Development Charge Background Study;
- E) That the deferral policy not be applied retroactively;

Timing of Payment of Deferred Development Charges

- F) That Development Charges are payable once the Regional water supply and sanitary sewerage services needed to service any of these lands are approved by Regional Council in a Capital Budget or Report (i.e. prior to connection), at the rate in effect at the time the Development Charges are paid;

- G) That notification of the agreement and the agreement or a charge shall be registered on title to the subject lands at the discretion of the Commissioner of Finance and Director of Legal Services and any such registration shall be done by the owner at its sole cost and expense; and

Approval

- H) That the deferral of development charges under this policy requires Regional Council approval on a case by case basis, except for building permit applications for a single home where the Commissioner of Finance and Chief Administrative Officer be authorized to execute the necessary deferral agreement.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance
Report: [#2018-COW-169](#)
Date: September 5, 2018

Subject:

Authorization to Undertake a Review and Update of the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That at the request of the Seaton Landowners Group, the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law be updated;
- B) That the consulting firm of Watson & Associates Economists Ltd. and legal firm of WeirFoulds LLP be retained to assist staff with this Development Charge review and preparation of the Development Charge Background Study and By-law at a cost up to \$100,000, to be financed from the Seaton Area Specific Development Charges Reserve Fund; and
- C) That the Commissioner of Finance be authorized to execute the necessary agreements.

Report:**1. Purpose**

- 1.1 The purpose of this report is to inform Regional Council of the pending work to renew the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law (Seaton ASDC By-law). The current Seaton ASDC By-law (#19-2013) was approved on April 24, 2013 and became effective on November 26, 2015 (i.e. the date the Seaton Phase 1 Regional Infrastructure Front-ending Agreement became effective). The current Seaton ASDC By-law expires on November 25, 2020.
- 1.2 Although the Seaton ASDC By-law does not expire until November 25, 2020, the Seaton Landowners Group has requested that the Region update the Seaton ASDC By-law to reflect updated capital cost estimates based on recent tenders and on-going construction of water supply and sanitary sewerage infrastructure in Seaton.
- 1.3 The Seaton Phase 1 Regional Infrastructure Front-ending Agreement permits the Seaton Landowners Group to request the Region to review the Seaton ASDC By-law as more accurate cost estimates become available. They can request up to two development charge reviews over a five year term. This is the Seaton Landowner's Group's first request to renew the Seaton ASDC By-law.
- 1.4 The report also seeks authorization for staff to acquire the necessary consulting and legal services required to complete the Seaton ASDC By-law update.

2. Review and Update of Development Charges

The following schedule provides the target dates for a new Seaton ASDC By-law, to be implemented in May 2019.

<u>TASK</u>	<u>SEATON WATER SUPPLY AND SANITARY SEWERAGE AREA SPECIFIC DCs</u>
Background Development Charge Review	September 2018 – January 2019
Consultation with development industry and area municipalities	November / December 2018
Background Studies to Councillors and Public	February 2019
Public meeting of Regional Council to Review the Background Studies and proposed By-laws	March 2019
Input from public, local development industry and area municipalities	February - April 2019
Report to Committee and Council to Recommend Development Charges and By-laws	May 2019
Implementation of New ASDC By-law	May 2019

- 2.1 The Region must prepare the background study and follow a public process in accordance with the Development Charges Act 1997 (DCA) and associated regulations. The DCA and associated regulations require that at least one public meeting be held before the passage of a by-law, that the background study and proposed by-law must be available at least two weeks prior to the public meeting and that the background study be made available to the public at least 60 days prior to the passing of the development charge by-law.
- 2.2 Accordingly, the proposed Development Charge review will include a public meeting in March 2019 for the Seaton Water Supply and Sanitary Sewerage ASDC By-law. The review also continues the Region's practice of soliciting input from all area municipalities and the local development industry, as well as the local interest groups.
- 2.3 It is recommended that Watson & Associates Economists Ltd. be retained to assist with the review. This firm has been retained for the Region's past Development Charge studies, including the Seaton ASDC By-law passed in 2013. The firm has extensive experience in the area of development charges and is very familiar with the municipal sector and the Region of Durham in particular.
- 2.4 It will also be necessary to receive outside legal advice and direction to ensure that the Region complies with the requirements of the DCA, including the new provisions introduced in 2015. The DCA provides for the right of appeal to the Local Planning Appeal Tribunal (LPAT), formerly the Ontario Municipal Board, by a person or organization who objects to the new Development Charge By-law. It is imperative, therefore, that the new by-law be supportable under the regime set out in the DCA. It is recommended that the law firm of WeirFoulds LLP be retained to provide the necessary services, including the preparation of the By-law.

3. Financial Implications

- 3.1 The current Seaton ASDC By-law includes costs for Development Charge Studies. It is recommended that the external consulting and legal services expenditures estimated at up to \$100,000 be funded from the Seaton Area Specific Development Charges Reserve Fund.

4. Conclusion

- 4.1 The Seaton Landowners Group has requested that the Region renew the Seaton ASDC By-law to reflect updated capital costs. The ASDC By-law review will be undertaken by Regional staff, with the assistance of the recommended consultant and legal counsel to ensure that the ASDC By-law is updated in accordance with the DCA.
- 4.2 The recommended Seaton ASDC By-law review will include consultation with the Area Municipalities, the local development industry, local boards of trade, Chamber of Commerce and the public.

4.3 This report has been reviewed by staff of the Planning and Economic Development, Works and Legal Departments who concur with the above recommendations.

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: The Committee of the Whole
From: Acting Commissioner of Finance and Commissioner of Social Services
Report: [#2018-COW-170](#)
Date: September 5, 2018

Subject:

Approval to Recommend Award of Contract under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund - Investment in Affordable Housing Program: Rental Housing Component (Year 3)

Recommendations:

That the Committee of the Whole recommend to Regional Council that:

- A) Regional staff be authorized to recommend to the Ministry of Municipal Affairs and Housing the highest ranking proposal(s) for award of contract in Fall of 2018 under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund (SIF) - Investment in Affordable Housing Program: Rental Housing Component (Year 3), subject to a review by the applicable area municipality;
- B) Subject to receipt of a Conditional Letter of Commitment from the Ministry of Municipal Affairs and Housing, the project-specific Municipal Housing Project Facilities By-law, which ensures municipal property taxes are adjusted using the residential property tax rate for approved affordable rental units over the twenty-year affordability period for the successful proponent(s), be approved; and
- C) The Regional Chair and Regional Clerk be authorized to enter into any required agreements related to the administration of the Investment in Affordable Housing Program: 2016 SIF - Rental Housing Component (Year 3 funding), including the Municipal Housing Contribution and Facilities Agreement with the recommended proponent(s).

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Regional Council approval to recommend to the Ministry of Municipal Affairs and Housing the highest ranking proposal(s) for

award of contract in Fall of 2018 under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund (SIF) - Investment in Affordable Housing Program: Rental Housing Component (Year 3), subject to a review by the applicable area municipality.

2. Background

- 2.1 On August 9, 2017, the Region received notification from the Ministry of Housing (MHO) that an additional funding allocation in the amount of \$2,748,300 would be received in Year 3 (2018-2019) of the SIF program. Accordingly, the Region submitted a Revised Program Delivery and Fiscal Plan (PDFP) that included the new three year funding period (2016-2017 to 2018-2019), as approved by Regional Council on December 13, 2017 (Report #2017-COW-257).
- 2.2 A summary of the revised PDFP, which includes the Region's funding allocation for Year 3, is provided below:

Region of Durham's Program Delivery and Fiscal Plan
(as approved by Regional Council on December 13, 2017)

	Component	Year 1 2016-2017 (\$)	Year 2 2017-2018 (\$)	Year 3 2018-2019 (\$)	Total (\$)
SIF-IAH Capital	Rental Housing (91 to 95 units)	5,822,400	4,656,600	2,648,300	13,127,300
SIF-IAH Capital	Home Ownership (4 units)	0	0	100,000	100,000
SIF-IAH Operating	Rent Supplement (20 tenants for 60 months)	500,000	0	0	500,000
	IAH Subtotal	6,322,400	4,656,600	2,748,300	13,727,300
SHIP	Social Housing Improvement Program (urgent capital repair needs at 16 social housing providers)	5,470,800	0	0	5,470,800
SIF	Administration	120,000	0	0	120,000
SIF	TOTAL	<u>11,913,200</u>	<u>4,656,600</u>	<u>2,748,300</u>	<u>19,318,100</u>

- 2.3 As illustrated in the table above, funding in the amount of \$2,648,300 has been allocated to the Rental Housing component in Year 3 of the Rental Housing component of the Social Infrastructure Fund – Investment in Affordable Housing (SIF-IAH). Through Report #2018-COW-45, Regional Council authorized the issuance of a RFP to solicit eligible development proposals for the construction of approximately 16 to 20 affordable housing rental units.
- 2.4 Further, as required under the program, approval was obtained to adjust municipal property taxes for approved projects using the residential property tax rate for approved projects over the twenty-year affordability period of the program. In addition, Regional Council approved the deferral of Regional development charges from building permit issuance to occupancy permit issuance for any successful proposal awarded under the SIF IAH Program – Year 3 Rental Housing Component.

3. Request for Proposal: RFP-1060-2018

- 3.1 On August 13, 2018, RFP 1060-2018 was issued. Private companies, as well as not-for-profit and charitable agencies, have been invited to submit bids for rental housing projects that demonstrate compliance with the following criteria:
- A) Proponents are required to demonstrate their experience in the development and management of rental housing, including the expertise of any partners or affiliates.
 - B) Proponents must demonstrate the ability to start construction within 120 days of signing a Municipal Housing Contribution and Facilities Agreement and prior to March 31, 2019.
 - C) Proponents are required to demonstrate the financial viability of their current operations, as well as the financial viability of the proposed project over the twenty-year affordability period of the program. Rents, on average, for SIF funded units must be at or below 80 per cent of the CMHC Average Market Rent over the twenty-year affordability period of the program.
 - D) Other evaluation criteria include considerations such as the degree to which projects maximize the available funding, offer live/work opportunities, allow for construction apprentice training, the degree to which projects are located near public transit and/or support services, and situated in Regional Centres or Corridors, Community Improvement Plan Areas, Brownfield redevelopment sites or areas of intensification.
 - E) Proposals for self-contained units that will address the needs of applicants on the Region's social housing waiting list are particularly encouraged. Target populations include seniors, persons with disabilities and low income singles and couples. In addition, proponents must identify how energy efficiency and accessibility measures were incorporated into their project design.

- 3.2 The RFP will close on September 6, 2018. All proposals will be initially reviewed by the Finance Department's Purchasing staff to ensure mandatory submission requirements are met. Phase 1 of the evaluation will consider the financial capacity/sustainability of compliant proposals and will be conducted by a third party agency. A minimum score of 70 per cent in Phase 1 will be required to proceed to Phase 2.
- 3.3 Proposals that receive a passing score in Phase 1 will be forwarded to the Evaluation Committee for Phase 2 evaluation, where the evaluation process will consider the overall value and need fulfilment described in each proposal. Proposals will be assessed in each of the following areas: company background, qualifications and experience; work team background, qualifications and experience; proposal summary; site details; and, project development plan and timetable. The Evaluation Committee will include Regional staff from the Social Services, Works, Planning and Economic Development, and Finance Departments. Staff from the Ministry of Municipal Affairs and Housing are expected to be present for the Phase 2 evaluation process.
- 3.4 Given the time constraints within the SIF-Rental program and scheduled Council meetings for the remainder of the year, it is recommended that Regional staff be authorized to recommend to the Ministry of Municipal Affairs and Housing the highest ranking proposal(s) for award of contract in Fall of 2018, subject to a review by the applicable area municipality and to ascertain any available area municipal incentives. The Ministry, at its discretion, may require an independent analysis to confirm the project's financial viability. A conditional letter of commitment from the Ministry of Municipal Affairs and Housing will be issued on or before December 14, 2018 and the Municipal Housing Contribution and Facility Agreement will be executed by December 31, 2018. Regional staff will provide an update to Regional Council with respect to the highest ranking proposals in the Fall of 2018.

4. Municipal Housing Contribution and Facilities Agreement

- 4.1 A Municipal Housing Contribution and Facilities Agreement (MHCFA) will be executed with the successful proponent, subject to the Ministry providing a Conditional Letter of Commitment confirming the availability of Federal-Provincial funding, which establishes the terms and conditions of funding, accountability and reporting obligations of the Proponent, and repercussions should the Proponent be in default under the program. These conditions include operating the project as a rental property for the duration of the Agreement.
- 4.2 The MHCFA is registered on title to ensure the long-term obligations of the Proponent continues to be met.

5. Financial Implications

- 5.1 As per the Province's 2016 SIF Program Guidelines, the required municipal financial contribution for the allocation of affordable rental units under the Rental Housing Component must include a plan for ensuring municipal property taxes are adjusted for approved affordable rental housing projects using the residential property tax rate over the twenty-year program period. To meet program requirements related to property tax rates, the Region must pass project specific by-laws designating each of the projects as "municipal capital facilities." The project-specific Municipal Housing Contribution and Facilities Agreement by-law will be presented to Regional Council at the earliest opportunity following the issuance of the Conditional Letter of Commitment by the Ministry of Municipal Affairs and Housing.
- 5.2 The estimated tax revenue generated by each proposal is dependent on the final Current Value Assessment (CVA) for the project at initial occupancy and the municipality in which the project is located.
- 5.3 As approved through Report #2018-COW-45, Regional Development Charges (DC), normally due at the time of issuance of building permit, will be deferred from building permit issuance until occupancy permit issuance.
- 5.4 Further, as approved through Report #2018-COW-45, administration costs related to the ongoing monitoring of the recommended project over the life of the program will be funded 100 per cent by the Region and included in the future 2016 SIF program budgets, subject to approval of the Annual Business Plans and Budgets.

6. Conclusion

- 6.1 In order to meet program requirements, it is necessary for Regional staff to recommend to the Ministry of Municipal Affairs and Housing the highest ranking proposal(s) for award of contract in Fall of 2018 under Request for Proposal #RFP-1060-2018. Regional staff will provide an update to Regional Council on the evaluation process and the highest ranking proposals at a later date in the Fall of 2018.

Original Signed By _____

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

Original Signed By _____

Dr. H. Drouin
Commissioner of Social Services

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: Commissioners of Finance and Works
Report: [#2018-COW-171](#)
Date: September 5, 2018

Subject:

The 2018 Regional Municipality of Durham Asset Management Plan

Recommendation:

That the Committee of the Whole recommends to Regional Council that the best business practice of allocating funds to address priority rehabilitation and replacement needs of Regional infrastructure systems as identified in this report through the Region's asset management planning process continue as part of the Region of Durham's 2019 Business Planning and Budget deliberations.

Executive Summary:

1. Purpose

- 1.1 The purpose of this report is to present the Region's asset management approach and advise on the state of the Region's infrastructure including consideration of service levels, life cycle, risk and climate change adaptation and mitigation.
- 1.2 The Region's Asset Management Plan report is produced annually to outline the ongoing asset management planning the Region undertakes as part of best business practices and to comply with all Provincial and Federal requirements, including senior grant funding programs and regulatory and reporting requirements. The Region's plan already generally complies with most of the requirements ahead of the due dates in the newly approved Ontario Regulation (O. Reg 588/17), Asset Management Planning for Municipal Infrastructure.
- 1.3 This asset management approach informs the strategic and financial infrastructure planning for the Region through the annual financial planning cycle, including the Economic and Financial Forecast and Budget Guidelines Report, Servicing and Financing studies conducted for major program areas, and detailed individual program Business Plans and Budgets.

- 1.4 This Asset Management Plan report includes detailed analysis of the following:
- Approach and policies;
 - Current infrastructure status (inventory, replacement value, condition and remaining useful life);
 - Service levels and asset-related performance measures based on corporate objectives and goals, policies and regulatory guidelines and requirements;
 - Life cycle considerations;
 - Risk and climate mitigation and climate adaption plans and initiatives;
 - Financial planning strategies to ensure long-term infrastructure sustainability; and
 - Asset management strategies to meet service and life cycle requirements, mitigate asset risk (including climate change adaptation), incorporate climate change mitigation measures and address growth.
- 1.5 Aggregated corporate results are provided within the detailed report and in Appendix 1. Attachments #1 to #7 provide details of major asset classes: water supply, sanitary sewerage, transportation, facilities, transit, fleet and equipment.

2. Corporate Asset Management: Approach and Policies

- 2.1 A formal asset management program has been in place at the Region since 2004. The multi-disciplinary asset management team, coordinated by the Finance Department, includes an inter-departmental Steering Committee and multi-Regional departmental staff working groups that collaboratively gather, analyze and report on the information reflected in Figure 1.

Figure 1: Regional Asset Management Plan

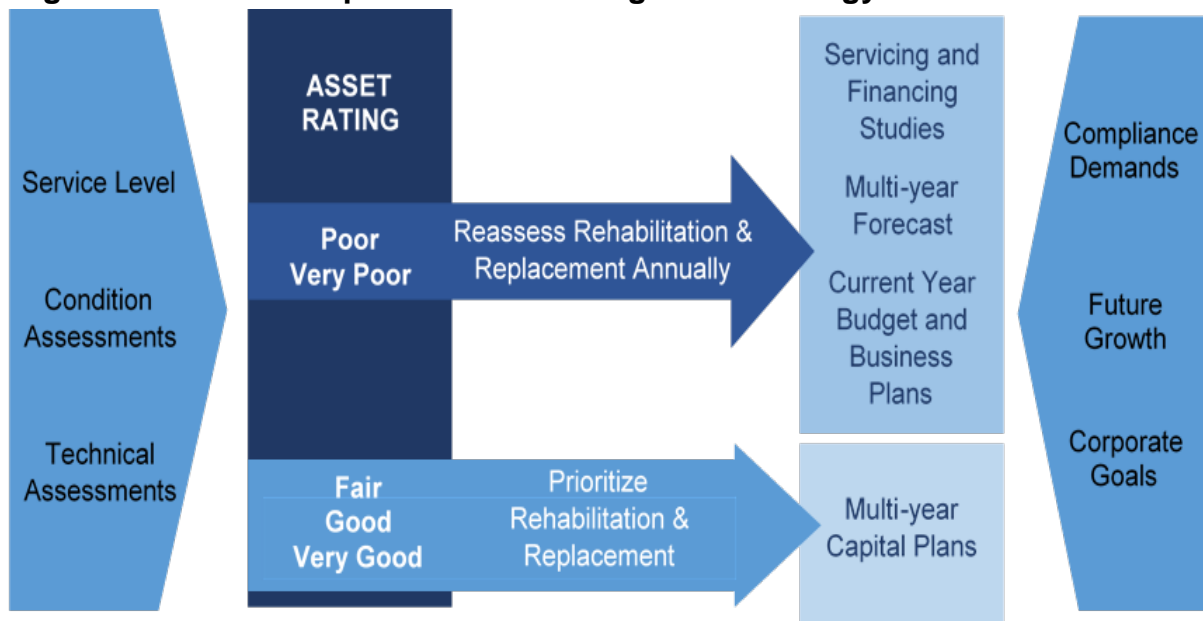


2.2 The Region’s asset management planning is a continuous year-round process. The multi-departmental asset management teams also participate in the Region’s Corporate Climate Change Staff Working Group (CCSWG) as well as in the preparation of servicing and financing studies and business plans and budgets. Through this formal and strong integrated multi-disciplinary asset management approach:

- Opportunities for continuous improvements are identified;
- Assets are maintained to deliver services in accordance with Regional goals while complying with regulatory guidelines, financial sustainability, risk management and life cycle considerations;
- Risk and climate change adaptation and mitigation plans and initiatives are incorporated into asset management planning; and
- Investments to address risk and climate change vulnerability and to replace/rehabilitate critical infrastructure are prioritized and incorporated into the Region’s annual business planning and budget process, as well as into the Region’s asset renewal plan through long term financial planning.

2.3 The asset management planning process is a cornerstone in the Region’s annual business planning cycle. The process starts by identifying and prioritizing infrastructure needs and costs.

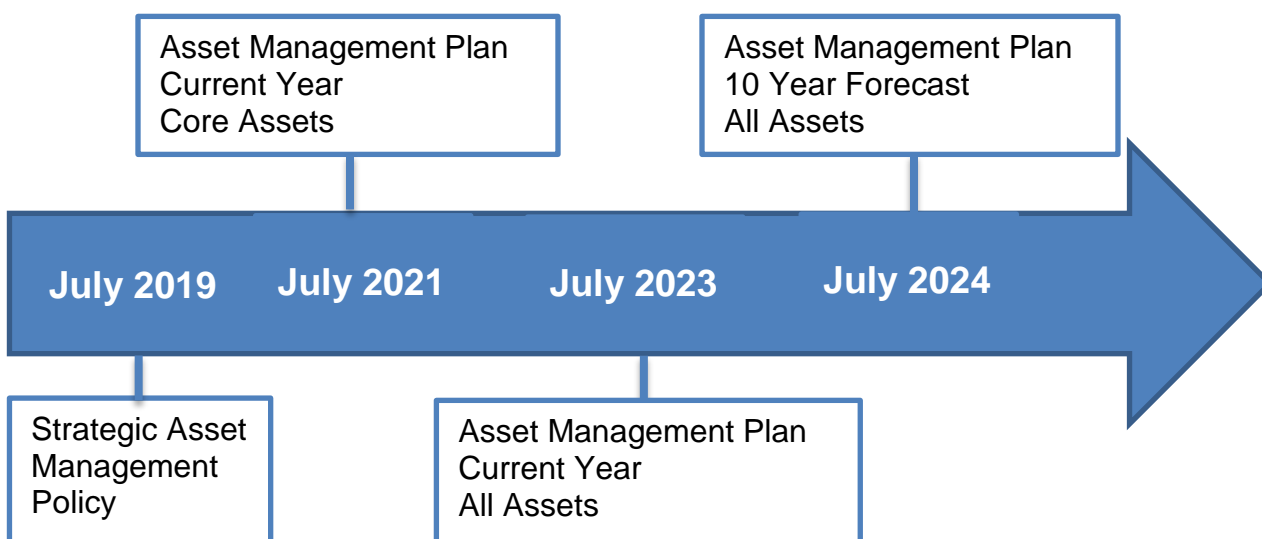
**Figure 2:
Region of Durham Corporate Asset Management Strategy and Financial Planning**



2.4 Detailed options analysis and financial strategy development continues subsequent to this report, commencing with the Multi-Year Economic and Financial Forecast report, which considers the go-forward fiscal and economic context and competing expenditure pressures and financial risks from a Region-wide perspective. The financial planning process is key to achieving financial sustainability objectives and assessment of available financing options for major capital requirements (for both existing assets and future growth).

- 2.5 Asset management needs are addressed in subsequent servicing and financing studies for major program areas as well as Regional Business Plans and Budgets. The multi-disciplinary asset management team also participates in program reviews and the preparation of servicing and financing studies, business plans and budgets, and operational and capital forecasts.
- 2.6 The annual Asset Management Plan report, along with the subsequent servicing and financing studies and business plans and budgets, proceed to Regional Council for approval on an annual basis, setting the path for infrastructure renewal and new investments. An opportunity for the public to provide input is available throughout the approval process.
- 2.7 The Region's approach ensures that asset management allows for continuous improvements and informs infrastructure decisions through the annual business planning and budget process as part of best business practices.
- 3. Complying with Federal and Provincial Requirements, including the New Ontario Asset Management Planning Regulation for Municipal Infrastructure**
- 3.1 In addition to best practices, the Region's annual Asset Management Plan report also ensures the Region is consistent and compliant with the following Provincial, Federal and Regional requirements:
- Federal requirements for the recording of Tangible Capital Assets (TCA);
 - Federal Gas Tax Municipal Funding Agreement requirements;
 - Requirements related to the *Ontario Infrastructure for Jobs and Prosperity Act, 2015*;
 - *The Development Charges Act*;
 - Requirements under *The Smart Growth for Our Communities Act, 2015*;
 - Requirements under the *Growth Plan to support the next Municipal Comprehensive Review (ROPA)*; and
 - The Region's Tangible Capital Assets (TCA) Policy.
- 3.2 On January 1, 2018, Ontario Regulation 588/17, Asset Management Planning for Municipal Infrastructure, under the *Ontario Infrastructure for Jobs and Prosperity Act, 2015*, came into effect. This regulation requires municipal asset management plans to include the following by the specified dates as reflected in Figure 3:

**Figure 3:
Ontario Regulation 588/17 Asset Management Planning for Municipal Infrastructure**

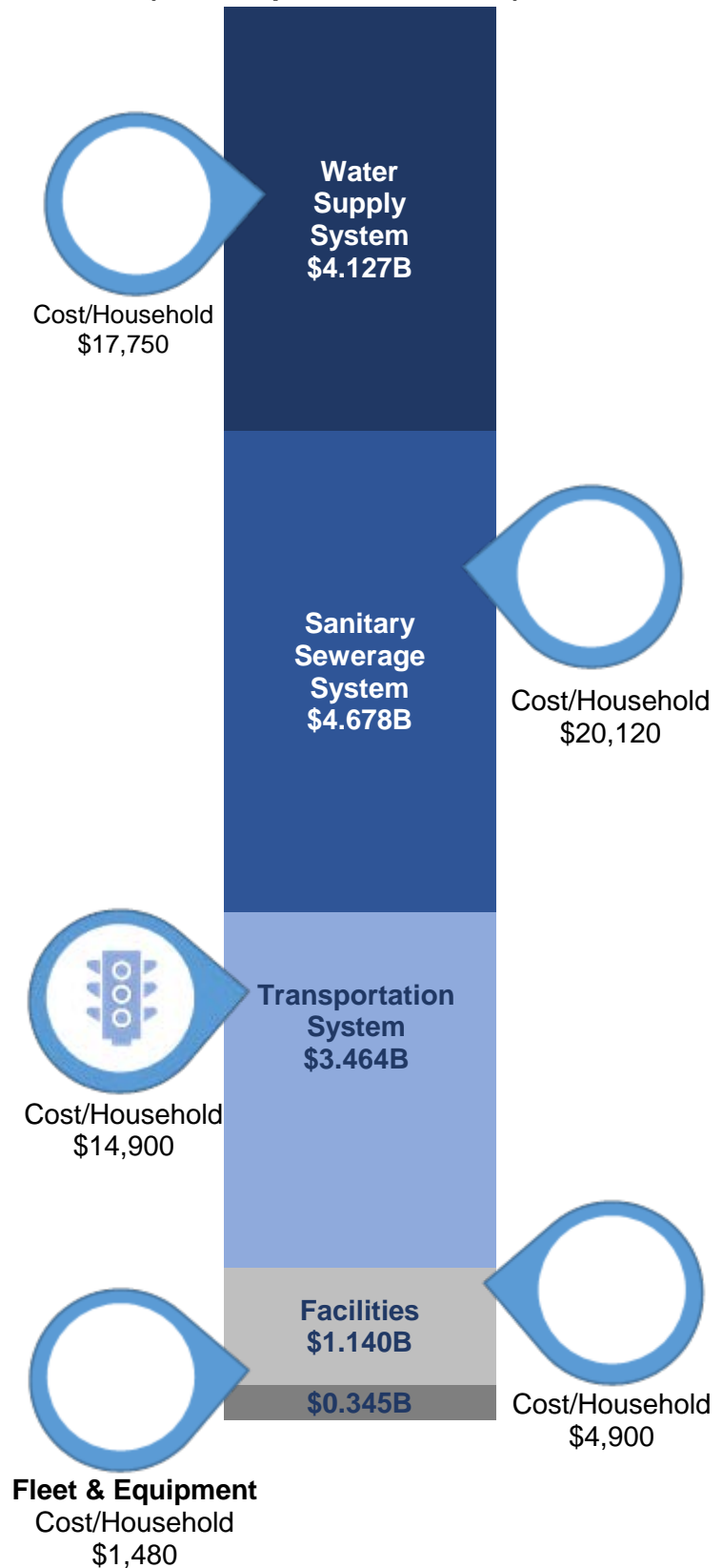


- 3.3 The regulation requires that a municipality's asset management plan be approved by Council. The strategic policy must be reviewed and updated at least once every five years.
- 3.4 Commencing July 1, 2024, municipalities will be required to undertake and complete an annual review of the asset management progress and report to Council by July 1 of each subsequent year. Municipalities are also required to review and update their asset management plan at least once every five years.
- 3.5 Combined with the additional analysis and reporting improvements this year, the Region's Asset Management Plan already meets many of the new asset management regulatory requirements ahead of the specified dates. In addition, the Region has already adhered to specific strategic asset management policies that will be required in the new asset management regulation. The Region is very well positioned and has a plan to meet the remaining additional regulatory requirements by the specified timelines over the next two years and into the future (summarized in Section 11.0).

4. Regional Assets' Replacement Value

- 4.1 At year-end 2017, the Region's infrastructure assets had an estimated replacement value of approximately \$13.754 billion, representing an increase of \$0.567 billion or 4.3 per cent compared to the same period in 2016 (\$13.187 billion).
- 4.2 The water supply system had a replacement value estimated at \$4.127 billion, or 30 per cent of the total replacement value of all Regional assets at the end of 2017 (Attachment #1).
- 4.3 The Region's sanitary sewerage system is the largest asset category by value, at an estimated 2017 year-end replacement cost of \$4.678 billion including only Durham's share of the York Durham Sanitary System (34 per cent of the total replacement value of all Regional assets) (Attachment #2).
- 4.4 The transportation asset class had an estimated replacement value of \$3.464 billion, with arterial roads representing the largest proportion at \$2.280 billion at the end of 2017 (Attachment #3).
- 4.5 The replacement value of Regionally-owned facilities was estimated at \$1.140 billion in 2017 (Attachment #4); and
- 4.6 Fleet asset replacement value at year-end 2017 was estimated at \$179.7 million, while other Regional equipment had a value of \$165.3 million (Attachment #5, #6, #7)

Figure 4: Asset Replacement Value Per Region of Durham Household (2017 Replacement Value)



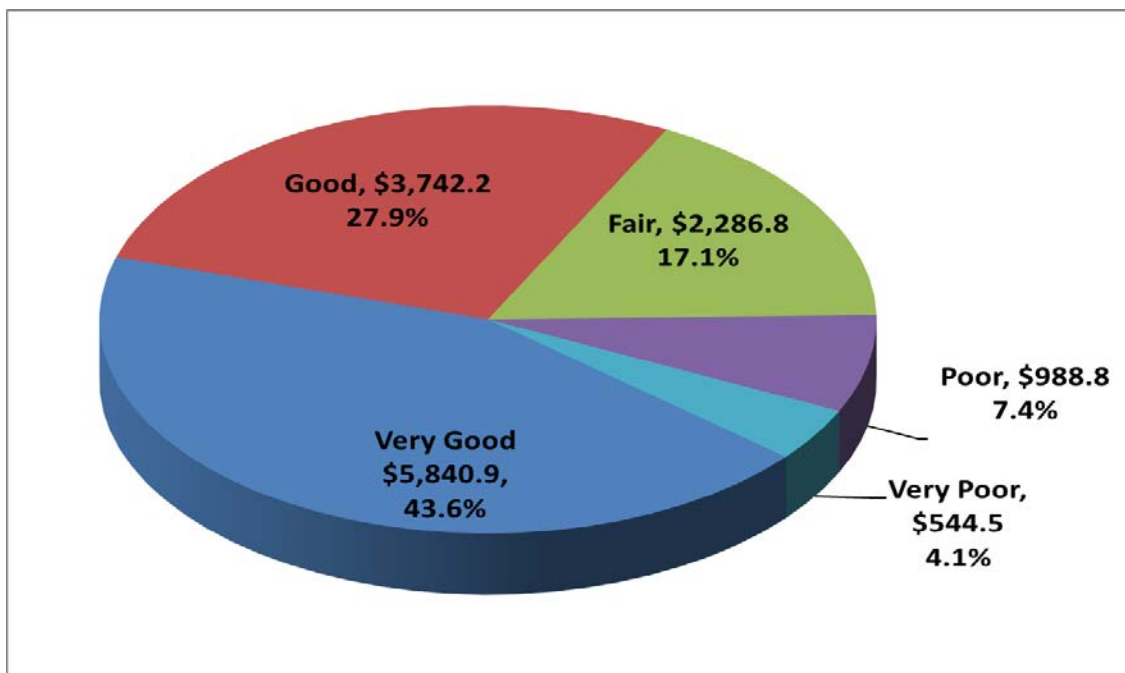
5. The Condition of the Region’s Infrastructure

5.1 Asset condition is an important consideration in the prioritization of maintenance, repair and replacement expenditures. Regional asset management staff employ the following approaches to assess the condition of each asset class:

- For some assets, a standardized ranking of asset condition is used based upon five grades assigned across four factors: soundness; functionality; maintenance cost; and asset age;
- For Facilities, building condition assessments (BCA) are completed to determine condition and rehabilitation and replacement requirements;
- For the transportation network, inspections of the condition of roads, bridges and traffic infrastructure are undertaken, along with consideration of age where appropriate, to determine condition ratings; and
- For water and sewer pipeline segments and service connections (linear assets), some of the factors used to assess condition are pipe material, break rates and remaining service life. For vertical water and sewer assets, either high level assessment or detailed assessment are employed for the building structure and process equipment.

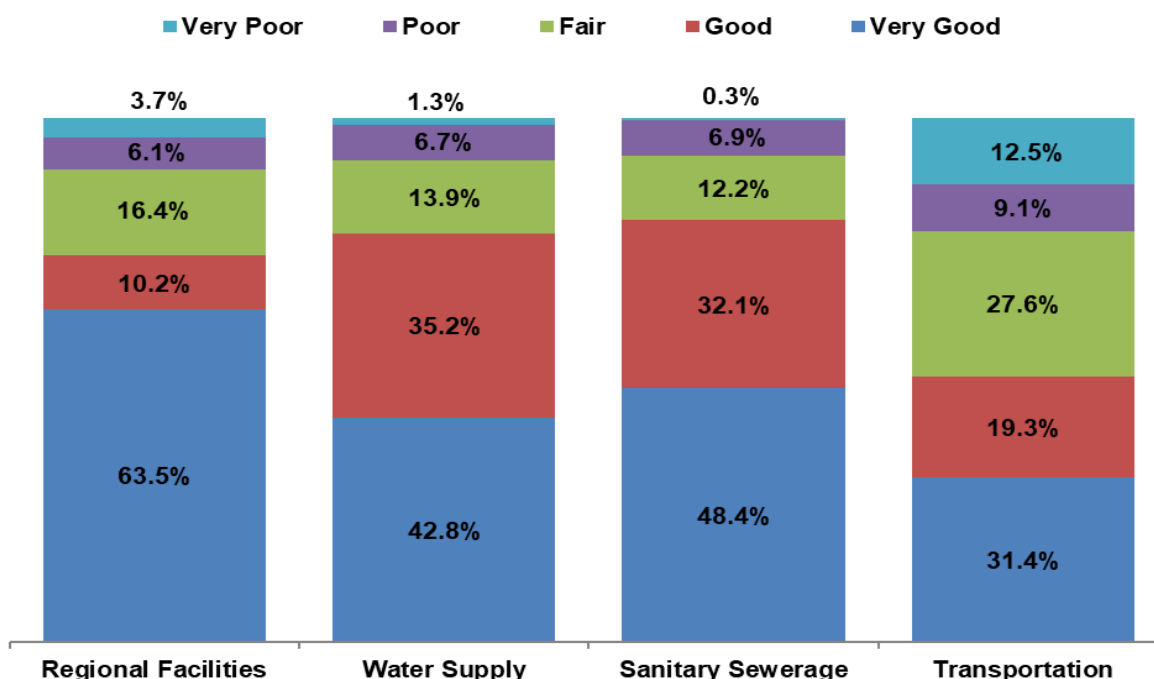
5.2 Across all assets, most are rated in Fair to Very Good condition (88.6 per cent based on proportion of total replacement value).

Figure 5: Regional Asset Condition Rating Overall (2017 Replacement Value) (\$ millions)¹



¹ Condition ratings exclude fleet and equipment.

Figure 6: Regional Asset Condition Rating by Asset Class



5.3 Of the infrastructure assets currently rated in Very Poor condition:

- Approximately \$433.2 million are within the transportation asset class. This asset class continues to experience material year over year inflationary price increases for roads, minor shifts within the road classifications from rural to urban and from low volume rural to high volume rural (which have a higher replacement unit cost structure), and slight decreases in Pavement Condition Index (PCI). It is important to note that in the 2018 Roads Capital Budget, \$33.2 million was approved for road rehabilitation work, which was an increase of \$9.7 million over 2017 (including \$4.8 million in additional Federal Gas Tax funding) to address road segments that were in Very Poor condition. There is only one bridge in the Region’s inventory that is in Very Poor condition which is being replaced in 2018 utilizing approved funding from the 2018 Budget;
- There is approximately \$55.2 million in water supply assets that are in Very Poor condition representing 1.3 per cent of the total water supply system assets. Of this, \$8.5 million is related to watermains which are being addressed with the 2018 approved Water Supply Budget for watermain replacements and/or betterments;
- For the Region’s Sanitary Sewerage assets, only 0.3 per cent (with a replacement value of \$14.4 million) is in Very Poor condition, primarily in linear assets (\$10.7 million). The 2018 Sanitary Sewerage Budget includes \$7.8 million to address priority sanitary sewer linear asset replacements and/or betterments; and

- While approximately \$41.7 million of Regional facilities are in Very Poor condition, primarily associated with the DRLHC housing stock, the overall condition rating for the DRLHC housing stock is Fair. Currently approved funding for the DRLHC housing stock is assisting in addressing needs, with an update on future needs to be refined and brought forward within the 2019 Social Housing Servicing and Financing Study and 2019 Business Plan and Budget.
- 5.4 The assets currently rated in Poor to Very Poor condition will continue to undergo assessment through the 2019 Business Planning and Budget cycle. Ongoing maintenance and repair needs and activities for the other assets in Fair to Very Good condition will continue to be incorporated into the annual business planning and budget process.
- 6. Service Levels**
- 6.1 Service levels are a key consideration that influences asset management planning and investment decisions. Assets must be maintained, repaired, rehabilitated and/or replaced in a timely manner to ensure services can be provided at approved levels.
- 6.2 The Region's asset related service levels for each asset class are defined through:
- Approved corporate goals, policies, plans, by laws, reports, strategic planning documents, studies, and council direction;
 - Best engineering and industry practices;
 - Regulatory guidelines and/or requirements; and
 - Other performance expectations as defined through multiple reports as approved by Regional Council.
- 6.3 This year's asset management report includes refined and new service levels for each asset class in anticipation of complying with the new provincial asset management planning regulation (O. Reg 588/17) reporting requirements by 2021 for core assets (water, wastewater, roads, structures and stormwater) and by 2023 for non-core assets (all other Regional services). Each asset class also has refined performance measures to track the delivery of service against set targets. These are detailed in each of the asset class attachments to this report.
- 6.4 Regional asset management staff will continue to refine and update service levels and performance measures that reflect Regional Council approved goals, plans, policies, strategies and best engineering practices as well as meet all the remaining new provincial asset management regulatory reporting requirements (O. Reg. 588/17) by the stipulated dates.

7. Life Cycle Considerations

- 7.1 Life cycle refers to how assets are managed over their useful lives, from construction to disposal. Life cycle management involves determining the optimal timing and type of maintenance, repair, renewal, and rehabilitation to maximize the value of that asset at its lowest possible cost over its life span.
- 7.2 Life cycle management is important as it improves the ability to predict, plan and include the necessary repair and replacement activities into business plans and budgets to undertake the optimal treatments at the appropriate time to maintain service levels while maximizing the life of the asset at its lowest cost.
- 7.3 Attachments #1 to #7 provide further life cycle considerations for each asset class including a sampling of useful lives, timing and type of repair, rehabilitation and operational treatments that were included in the 2018 Budgets.
- 7.4 Regional asset management staff will continue to refine life cycle management and costing as part of best business practices as well as to meet all the new provincial asset management regulatory reporting requirements (O. Reg. 588/17) by the stipulated dates.

8. Risks Including Climate Risk and Adaptation Measures

- 8.1 The Region proactively identifies and manages potential risks through its enterprise risk management program, including climate risk. The Region's Corporate Climate Change Staff Working Group also collaborates with asset and risk management teams in identifying key climate related risks to infrastructure, opportunities, and potential mitigation strategies.
- 8.2 The Region's asset management planning process includes consideration of those potential risks related to asset condition, health, and performance, as well as potential impacts to infrastructure due to climate related conditions. Mitigation strategies include efforts to ensure effective and coordinated response to potential risk events, ensure business continuity objectives, and address service interruption and quality issues.
- 8.3 The asset class attachments identify potential asset management related risks and climate considerations and provides a sample of mitigation measures, including those that have been incorporated into the Regional Business Plans and Budgets.
- 8.4 Risks and climate mitigation related to Regional assets will continue to be refined, monitored and addressed through the Region's Corporate Climate Change Working group, asset management working group teams and business planning process as part of best business practices and to continue to remain in compliance with the new provincial asset management regulatory reporting requirements (O. Reg. 588/17).

9. Financial Analyses and Strategy

9.1 The Asset Management Plan is integral to long-term financial and business planning and is a recognized strength by investors and bond rating agencies. Standard and Poor's Global Ratings noted:

“Durham demonstrates what we view as very strong financial management practices. The administration is experienced and works together with council to enact policies that achieve fiscal sustainability.”

9.2 Major capital investments approved in 2018 as part of the 2018 Business Planning and Budget process, totaled \$272.6 million, of which \$138.0 million or 51 per cent was for the improvement of the existing non-growth infrastructure for tax supported, Water Supply and Sanitary Sewerage programs.

9.3 Looking over the capital expenditure forecast (2018 to 2027), improvements to existing non-growth infrastructure for tax supported, Water Supply and Sanitary Sewerage programs has been identified at \$1.5 billion, while growth related expansion capital is \$3.0 billion, for an overall total of \$4.5 billion.

9.4 Through this year's updated asset management plan, refined asset needs have been identified. These updated needs, which include rehabilitation and replacement capital requirements over asset life-cycles, will be re-evaluated in conjunction with other growth-related priority capital requirements to further refine the 2019 and 2020 to 2028 forecasted expenditure projections through the 2019 business planning cycle.

9.5 In addition to the infrastructure capital included within the forecast, investments are also made annually in the following capital assets, based upon associated life-cycles and replacement schedules:

- furniture and fixtures;
- computer hardware and infrastructure;
- building improvements;
- vehicles (fleet replacements); and
- machinery and equipment.

9.6 These capital from current investments are funded through annual departmental budgets, which in 2018 totaled \$28.0 million comprised:

- \$21.7 million in new and replacement capital investments for property tax funded programs; and
- \$6.3 million in new and replacement capital for Water Supply and Sanitary Sewerage user rate funded programs.

9.7 In addition, the 10-year operating and maintenance cost for water supply, sanitary sewerage and transportation (the three major infrastructure systems) is forecasted at \$266.7 million or an average annual maintenance cost of \$26.7 million.

9.8 The Region is facing significant asset needs for both expansion growth related capital and the need to improve existing non-growth infrastructure across all asset classes. As the 2019-2028 forecasted capital expenditures are refined and updated based on asset management renewal needs and growth-related capital priorities, the financing strategy will also be refined accordingly and presented during the 2019 business planning and budget process. The Region will employ a combination of the following financing options to fund these capital infrastructure needs:

- Regional Roads Rehabilitation Reserve Fund;
- Regional Bridge Rehabilitation Reserve Fund;
- Asset Management Reserve Funds;
- Water Supply Treatment Plant/Rate Stabilization Reserve Fund;
- Sanitary Sewerage Treatment Plant/Rate Stabilization Reserve Fund;
- Provincial and Federal Gas Tax Revenue;
- User Rate Revenues;
- Property Tax Revenues;
- Development Charges; and
- Debt (with repayment over subsequent years).

10. Asset Management Strategy

10.1 Regional staff establishes short and long-term asset management strategies which are reviewed and reported through multiple reports over the financial planning cycle. The annual asset management report provides a consolidated approach:

- Assessment of service level requirements and performance measurement;
 - Defined by strategic planning, master planning documents, Regional policies, procedures, bylaws, regulatory guidelines and requirements and other best practice and Council-defined performance expectations;
 - Integration of climate change considerations (adaptation and mitigation);
 - Integrated and reliable barrier-free infrastructure;
 - Local municipal and other asset-related partnerships; and,
 - Increasing compliance requirements.
- Life-cycle optimization;
 - Determining operational and financial impacts related to investment timing and implementation decisions for maintenance, renewal and rehabilitation, replacement, disposal and capital expansion activities.
- Assessing asset management requirements;
 - Reviewing useful life assumptions, building condition assessment reviews, life-cycle options, risk analysis and non-infrastructure solutions.
- Consideration of asset risk and mitigation controls;
 - Enterprise risk management program, emergency response and

emergency support, climate adaptation, reliability and service quality impacts and assessments of asset criticality.

- Balancing growth related demands;
 - Regional Official Plan, development charges and other related infrastructure plans seek to accommodate fixed targets, while the annual long term financial planning minimizes risks that projections may not materialize as estimated.

10.2 The goal is to ensure assets are maintained to deliver services in accordance with corporate goals while complying with regulatory guidelines in a financially sustainable manner with tolerable risks mitigated through strategies and prudent and informed life cycle considerations.

11. Next Steps

11.1 The infrastructure needs and challenges identified in this report will continue to be considered through the 2019 financial and business planning process, including in the Economic and Financial Forecast and 2019 Budget Guideline Report, Servicing and Financing studies for major program areas, and detailed individual business plans and budgets.

11.2 The 2019 Business Planning schedule recently approved by Council is:

Table 1: 2019 Business Planning Process and Reporting Schedule

2019 Business Planning Process and Reporting Schedule	
2018 Asset Management Plan	September 2018
Water and Sewer S&F Study and User Rate Report	December 2018
Water and Sewer Business Plans and Budgets	December 2018
Economic and Financial Forecast and 2019 Budget Guidelines Report	January 2019
Transportation S&F Study	January 2019
Solid Waste Management S&F Study	January 2019
Social Housing S&F Study	January 2019
Transit S&F Study	January 2019
Detailed Tax-Supported Business Plans and Budgets	February 2019

- 11.3 Asset management staff will continue to work collaboratively to improve asset management planning, analysis, outcomes, policies and strategies as part of best business practices, as well as to work towards meeting the remaining new asset management regulatory requirements coming into effect between 2019 and 2024. The specific next step tasks include:
- Complete a Strategic Asset Management Policy for approval by Regional Council by July 2019;
 - Refine data collection, methodology and analyses as well as data verification protocols to enhance accuracy, consistency, and improve asset management planning capabilities to better inform business plans and budgets, capital forecasts, and long term financial planning strategies;
 - Migrate reporting and analysis to specific municipal service based categories (i.e. as opposed to asset class category);
 - Continue to develop and refine service levels and performance measurement;
 - Refine life cycle data, costing, and analysis to estimate life cycle costs to better inform timing and type of maintenance, repair, rehabilitation, replacement, disposal, and or new renewal expansion decisions to optimize the life cycle of assets at the lowest possible cost; and
 - Continue to assess risk (including climate risk), business continuity, asset criticality, and asset reliability to develop, consider and incorporate mitigation approaches.

12. Conclusions

- 12.1 The Asset Management Plan is the first step in the annual business planning process. It identifies asset needs and informs capital planning to be considered in subsequent servicing and financing studies and budgets.
- 12.2 The collaborative and coordinated multi-disciplinary asset management team approach has supported several successful Regional initiatives, including the following which are described within individual asset class attachments:
- Polybutylene Water Service Connection Replacement Program;
 - Water Meter Replacement Program;
 - Regional Road Rehabilitation and Replacement Program;
 - Bridge Rehabilitation and Replacement Program;
 - Transit Bus Fleet Replacement Program; and,
 - Building Condition Assessment (BCA) Strategy for Region-owned Facilities.
- 12.3 Asset Management is a key element of the Region's long-term financial planning practice, which is recognized as a best business practice by investors, community and bond rating agencies and a contributor to the Triple 'A' rating.
- 12.4 The results contained in this report highlight that the Region is in compliance with senior government requirements as well as being prepared ahead of the new Ontario asset management planning regulatory requirements (O. Reg. 588/17), which are due in stages (2019, 2021, 2023, and 2024).

- 12.5 The Region will continue to refine its annual asset management planning and reporting as part of best business practices, as well as meet the remaining requirements of the new asset management planning regulation between 2019 and 2024.

Original Signed By

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

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

List of Acronyms

AODA	<i>Accessibility for Ontarians with Disabilities Act, 2005</i>
APS	Accessible Pedestrian Signals
ASHRAE	American Society of Heating, Refrigerating and Air-Conditioning Engineers
ATV	All-Terrain Vehicle
BCA	Building Condition Assessment
BRT	Bus Rapid Transit
BTE	Benefit to Existing
CAMPS	Capital Asset Management and Planning Solution
CCTV	Closed Circuit Television Inspection
CDM	Conservation and Demand Management
COW	Committee of the Whole
CSA	Canadian Standards Association
CTC	Credit Valley/Toronto/Central Lake Ontario
CUTA	Canadian Urban Transit Association
CVOR	Commercial Vehicle Operators Registration
CWA	<i>Clean Water Act, 2006</i>
DBO	Design-Build-Operate
DC	Development Charges
DCA	<i>Development Charges Act</i>
DRLHC	Durham Regional Local Housing Corporation
DRPS	Durham Regional Police Service
DRT	Durham Region Transit
DYEC	Durham York Energy Centre
EA	Environmental Assessment
EMMS	Enterprise Maintenance Management System
EMS	Environmental Management Systems
ENR	Engineering News Record
ERV	Emergency Response Vehicle
ESU	Emergency Support Unit
HQ	Headquarters
HVA	Highly Vulnerable Aquifers
I/I	Inflow and Infiltration
ISO	International Organization for Standardization
IT	Information Technology
ITS	Intelligent Transportation Services
Km	Kilometers
KPI	Key Performance Measure
kWhe	Kilowatt-Hour Equivalent
LSRCA	Lake Simcoe Region Conservation Authority
LTC	Long Term Care
m	Metre
m ³	Cubic Metre
MBN	Municipal Benchmarking Network
mm	Millimeters
MECP	Ministry of the Environment, Conservation and Parks
MOHLTC	Ministry of Health and Long-Term Care

MPMP	Municipal Performance Measurement Program
MSHW	Municipal Hazardous or Special Waste
MTO	Ministry of Transportation Ontario
NRBCPI	Non-Residential Building Construction Price Index
NWWBI	National Water and Wastewater Benchmarking Initiative
P2	Pollution Prevention
PCI	Pavement Condition Index
PMCVI	Periodic Mandatory Commercial Vehicle Inspection
PTIF	Public Transit Infrastructure Fund
PTTW	Permit to Take Water
RDPS	Region of Durham Paramedic Services
ROPA	Durham Region Official Plan
RRV	Rapid Response Vehicle
S&F	Servicing and Financing
SCADA	Supervisory Control and Data Acquisition
SDWT	Significant Drinking Water Threats
SGB-LS	South Georgian Bay – Lake Simcoe
SIMMS	Signal Inventory and Maintenance Management System
SMART	Specific, Measurable, Achievable, Realistic and Time-Related
SPC	Source Protection Committee
SPP	Source Protection Plan
SPR	Source Protection Regions
SSPS	Sanitary Sewerage Pumping Station
TCA	Tangible Capital Assets
TCC	Trent Conservation Coalition
TOC	Traffic Operations Centre
UPS	Uninterrupted Power Source
WHPA	Wellhead Protection Area
WPCP	Water Pollution Control Plant
WSP	Water Supply Plant



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning & Economic Development, Acting
Commissioner of Finance and Commissioner of Works
Report: [#2018-COW-172](#)
Date: September 5, 2018

Subject:

Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Vacant Lands located at 80 Bond Street East in the City of Oshawa

Recommendation:

That the Committee of the Whole recommends to Regional Council:

A) That the application submitted by the City of Oshawa, on behalf of Bond and Mary Development (Phase 2) Inc. (BMDI), under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the development of vacant lands located at 80 Bond Street East in the City of Oshawa (Phase 2), be approved, subject to the following conditions:

i) The Region to provide \$580,000 for Phase 2 of the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the City of Oshawa for distribution to BMDI, in accordance with the timing and flow of funds under the RRP:

Full building permit issued to BMDI	50%
Framing inspection (or equivalent structural completion), passed by the area municipal building inspection authority	40%
Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit;	10%

ii) BMDI must pay all applicable Regional Development Charges due at building permit issuance;

- iii) All costs associated with works for the development of the lands will be borne by the developer, BMDI, in keeping with Regional policies;
 - iv) Satisfying all performance criteria outlined in the agreement between the City of Oshawa and BMDI in regard to incentives (financial or other) provided under the City's Central Business District Renaissance Community Improvement Area and applicable City By-laws;
 - v) The City of Oshawa enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding; and,
 - vi) The City of Oshawa agrees to annual post-project reviews and audits for five years after substantial occupancy of Phase 2 of the development of vacant lands, in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources; and,
- B) That as per the RRP, the increased property tax revenue generated from the increased current value assessment of Phase 2 of the development project located at 80 Bond Street East in the City of Oshawa be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to consider a request for Regional financial assistance under the Regional Revitalization Program (RRP) for the development of vacant lands located at 80 Bond Street East in the City of Oshawa. (Attachment #1)
- 1.2 On June 25, 2018, the City of Oshawa endorsed the submission of an application, on behalf of Bond and Mary Development (Phase 2) Inc. (BMDI), requesting Regional financial assistance under the RRP.

2. Key Elements of the Regional Revitalization Program

- 2.1 Regional Council established the RRP on October 8, 2008 (Report #2008-J-37) for a term of five years. The RRP was renewed indefinitely by Regional Council on March 5, 2014 (Report #2014-J-10). Key elements and application requirements of the RRP are contained in the Guideline for the Regional Revitalization Program – Region of Durham.
- 2.2 The RRP is a partnership between the Region of Durham and participating area municipalities and aims to strategically target Regional investment towards key areas that advance the goals of the Regional Official Plan and achieve positive economic and community objectives and support development that would not otherwise proceed without municipal financial assistance.

2.3 The RRP contains the following key elements:

- The RRP targets new projects within Community Improvement Plan (CIP) Areas as recommended by area municipalities;
- The RRP focuses on initiatives that advance the goals of the Regional Official Plan (ROP) as a basis for achieving positive economic and community objectives;
- The RRP encourages both residential and employment growth in the Region's key urban locations, including Regional Centres and Regional Corridors, and brownfield sites throughout the Region, which are given preference;
- The project must entail significant and substantial revitalization and/or development. Construction cannot already be underway. Examples of eligible project types are:
 - New construction
 - Additions to existing buildings
 - Redevelopment
 - Brownfield Redevelopment
- Projects involving façade improvements are not eligible under the RRP;
- Program eligibility is determined through the submission of an application, including a business case by the supporting area municipality, which demonstrates the benefits of the project and the need for Regional financial assistance. Area municipalities must submit an application, including a business case, to the Region's Commissioner of Finance;
- Applications are reviewed and evaluated by the Commissioners of Planning and Economic Development, Works and Finance to ensure that program eligibility and business case requirements are addressed;
- Recommendations regarding project selection are then presented to Committee of the Whole and Regional Council;
- Regional financial assistance under the RRP is not to be greater than the area municipality's financial assistance;
- Funds for approved community improvement projects will be transferred to the applicable area municipality at the following stages:
 - Building permit issued by area municipality: 50%
 - Framing inspection, or equivalent structural completion, Passed by the area municipal building inspection authority: 40%
 - Occupancy permit received from area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit: 10%

- The participating area municipalities are required to provide relevant project information for all qualified community improvement projects approved through the RRP on an annual basis for the five years after substantial occupancy of each project;
- Funding is provided through the Regional Revitalization Reserve Fund, which is replenished through the dedication of the increased Regional property tax revenue of the RRP projects, resulting from increased current value assessment, for a time period after substantial occupancy to be determined by Regional Council at project approval; and
- Regional financial assistance operates like a grant; it is not an exemption from Regional Development Charges, a reduction in property taxes, or a contribution towards Regional infrastructure.

3. BMDI'S Proposal

- 3.1 BMDI, a development company affiliated with Atria Development Corporation, is proposing to develop an 18-storey high-rise purpose-built rental building (with condominium title), containing 370 residential apartment units and approximately 5,000 square feet of ground floor commercial uses at 80 Bond Street East in downtown Oshawa. The site occupies 0.98 acres of vacant land (formerly occupied by General Motors of Canada). According to BMDI's proposal, the site was contaminated, but was cleaned to the residential standard by the City of Oshawa for which a Record of Site Condition was obtained.
- 3.2 The proposed development is the second phase of the adjacent 100 Bond Street purpose-built rental mixed-use development (also undertaken by BMDI). Phase 1 of the development (100 Bond Street East) received Regional financial assistance in the amount of \$430,000 through the RRP (refer to Report #2015-J-10). The site is in the Downtown Oshawa Urban Growth Centre and is within proximity to the Tribute Communities Centre, the YMCA, the UOIT downtown campus and the Durham Consolidated Courthouse.
- 3.3 The proposed development is intended to be registered as a condominium and developed as a condominium rental. According to the proposal, the total construction budget for Phase 2 of the project is approximately \$80 million.

4. Project Support by the City of Oshawa

- 4.1 On June 25, 2018, the Council of the City of Oshawa (Oshawa) supported a request by BMDI for financial incentives in the form of reduced property taxes over a period of 16 years estimated at \$3.4 million.
- 4.2 BMDI is required to enter into an agreement with Oshawa setting out specific performance criteria related to the Increased Assessment Grant under the City's Urban Growth Centre Community Improvement Plan, including, but not limited to:
- The building's foundation must be completed by March 31, 2020 to the satisfaction of the Chief Building Official;
 - The project must be completed and available for first occupancy by August 31, 2022 to the satisfaction of the Chief Building Official;
 - The Director of Planning Services must approve an Accessibility Plan, with input from the Oshawa Accessibility Advisory Committee and this Plan must be implemented and maintained;
 - The property, including any building, must be maintained in accordance with the Property Standards By-law and the Ontario Building Code during the period of the Grant;
 - BMDI shall continuously comply with any City agreement and City By-laws;
 - Any Increase Assessment Grant will only be provided to BMDI after all applicable City taxes have been paid by the property owner;
 - The building architecture is to be designed to the satisfaction of the Director of Planning Services; and
 - BMDI must agree to register a plan of condominium within 15 months of the first occupancy of the building.
- 4.3 In addition, the subject property is exempt from applicable City Development Charges, since the City's Development Charge By-law 80-2014 specifies that no development charge shall be imposed to any development within the Central Business District Renaissance Community Improvement Plan Area. Further, the City's Parkland Dedication By-law 91-2007 does not apply to development on lands within the Central Business District Renaissance Community Improvement Plan Area. Although this by-law is currently under review, the City has agreed to waive the payment of all cash-in-lieu of parkland dedication fees provided that a building permit can be issued prior to any Council approved changes to the existing Downtown exemption.

5. Request for Regional Assistance

- 5.1 On June 25, 2018, the Council of the City of Oshawa endorsed a resolution to request the Region support the proposed project under the Regional Revitalization Program, including a request to reduce or defer the payment of Regional development charges for the proposed development.

6. Market and Financial Risk Analysis Related to the Project

6.1 Market Overview

Greater Toronto Area Apartment Market

- Housing prices in the Greater Toronto Area (GTA) have escalated over the last decade due to strong immigration and a limited supply of new housing. As people have moved into the region to take advantage of quality employment opportunities, demand for rental units and home ownership has continued to strengthen year-over-year. Accelerated housing price growth over the past decade has resulted in housing prices more than doubling, pushing many potential buyers into the rental market.
- Significant rental rate growth, combined with a relatively flat growth in rental stock suggests that the existing rental market is significantly underserved, as supply is unable to accommodate demand in the GTA. The heightened competition between renters in an ultra-low vacancy environment and double-digit rental rate growth in some market segments have created affordability concerns.
- The GTA continues to see strong demand and market absorption for new housing supply over the years. In addition, continued increases in land costs and a policy preference for higher-density types of development have made apartment and condominium apartments highly desirable for both developers and buyers who seek affordable home ownership options.
- Going forward, high land costs will likely push for higher-density forms of housing starts over the next decade. Despite many end buyers looking towards the condominium apartment sector for more affordable home ownership options, many potential home buyers are priced out of the market, due to tight mortgage lending requirements, escalating housing prices and interest rate hikes. Therefore, demand for rental properties will remain strong in the foreseeable future. However, it is important to be cognizant of oversupply concerns moving forward, as construction has lagged behind demand.

City of Oshawa Apartment Market

- In the City of Oshawa, there has been a recent trend toward higher density forms of housing development, likely because of policy and lifestyle preferences, as well as limited land supply and rising land costs. Over the past decade, apartment starts in the City of Oshawa have surged from 6 in 2007 (1 per cent of

total housing starts) to 523 in 2017 (32 per cent of total housing starts).

- Due to the GO Train extension and the 407 East extension, the City of Oshawa will continue to benefit from improving regional connectivity, which may further support high density development, especially around the transit hub. As such, the trend towards rental and condominium apartment forms of development is likely to continue, and is expected to represent a greater proportion of total housing starts in the upcoming years.
- Impressive full absorption across all housing types over the past five years suggests a strong market for residential development in the City of Oshawa. Similar to the GTA, the full absorption rates suggest that demand already exceeds available supply in the marketplace. Given the strong market appetite and positive outlook, additional residential supply may be added to the City's stock to accommodate such strong demand.
- Given increasing concerns over housing affordability in the GTA, the City of Oshawa will likely attract many buyers given its competitive pricing, and a well connected transit network. On average, Oshawa prices are valued at a 17 per cent discount to the Region of Durham average, and a 42 per cent discount to the GTA average.
- Over the past 10 years, there has been minimal growth in the amount of rental apartment stock, while rental rates have experienced double digit growth of 37 per cent. Significant rental rate growth combined with relatively flat rental stock suggest that the existing rental market is significantly underserved, as supply is unable to accommodate demand in the City of Oshawa.
- Within the City, north Oshawa continues to be a strong rental market, given its higher rents, higher population growth rate and lower vacancy rates. In 2017, the average vacancy was only 1.9 per cent for north Oshawa and 3 per cent for south Oshawa. However, as the City continues to focus on downtown redevelopment, the City's south and central market has the opportunity to improve significantly over the next decade. The Phase 1 development at 100 Bond Street East has achieved a rental rate range of \$1,600 to \$2,500 per month with only 3 per cent vacancy. The success of the Phase 1 development may support additional developments in the Downtown area.

7. Regional Financial Assistance Under the RRP

7.1 Higher Risk associated with Residential Development in Downtown Oshawa

- Downtown Oshawa has undergone a major economic transformation over the last decade, aided by the expansion of the UOIT campus into the downtown core, the presence of the Durham Consolidated Courthouse and Tribute Communities Centre. Despite the positive impacts of these significant non-residential investments, residential development has been generally limited in downtown Oshawa, where the rental stock is much older.
- The recently completed mixed-use development at 100 Bond Street East (239 apartment units) and current mixed-use redevelopment of the former Genosha Hotel at 68-72 King Street East (86 apartment units) are examples of the privately-initiated projects aimed at addressing the demand for residential units in Oshawa's Downtown core.
- In the Oshawa CMA market, 743 apartment unit starts have been identified in 2017, with 347 units "absorbed" by the market. The proposed 370 units at 80 Bond Street East may absorb the entire demand for the Oshawa CMA marketplace. As a result, there is some risk that competing projects may affect demand, resulting in more time to obtain unit occupancies, and thereby affecting development feasibility.

7.2 Project Satisfies Mandatory Criteria under the RRP

7.2.1 The proposed project by BMDI satisfies mandatory criteria for eligibility and consideration under the RRP, including:

- The project is located within a designated Centre (Downtown Oshawa Urban Growth Centre) and within the City of Oshawa's Urban Growth Centre Community Improvement Plan (formerly the Central Business District Renaissance CIP);
- The project supports Regional Official Plan (ROP) policies, which encourage both residential and employment growth in a Regional Centre (Urban Growth Centre), on a brownfield site;
- The project entails significant and substantial revitalization and/or development and construction cannot already be underway;
- The project has been recommended by the City of Oshawa; and,
- A financial commitment has been provided by the City of Oshawa.

7.2.2 The BMDI proposal also addresses key policy objectives in the ROP by providing a high density mixed-use development within a designated Urban Growth Centre that supports higher order transit services, while providing diversity in housing tenure opportunities to address the needs of residents.

7.2.3 In addition, there are expected immediate and long-term economic benefits associated with the development, including:

- Direct employment in construction and administration related to the development, as well as the spin-off employment from the demand for

- goods and services by those employees;
- Direct impact from the initial capital expenditures related to construction (i.e. hard construction costs);
- Employment through the operation of retail space at the base of the development and ongoing operation and maintenance of the property;
- Support recent initiatives and investments by UOIT in Downtown Oshawa through the provision of accommodation for UOIT students, faculty and employees;
- Potential synergies with new private sector residential investment on the subject site, supporting ridership of local transit and providing additional benefit to downtown businesses through increased foot traffic in the Downtown core;
- Regional Development Charges generated by the Phase 2 development are estimated to be \$5.7 million (with existing Regional DC rates);
- Higher annual Regional property taxes generated by the Phase 2 development due to increased current value assessment; and,
- The anticipated increase in post-development current value assessment of the property has the potential to increase the current value assessment of neighbouring properties in the downtown vicinity.

7.2.4 Although there are anticipated benefits during and post-construction, as identified above, there are significant risks regarding this project that must be considered. For example, construction financing during the construction period would be limited, given that the project would be operating as an apartment rental building, thus forgoing potential upfront revenues received as deposits from the sale of condo units. As previously identified, according to CMHC rental market survey, lower average market rents for south and central Oshawa (in contrast to average market rents in north Oshawa) will challenge the financial feasibility of the project.

7.2.5 The application, as submitted by the City of Oshawa, suggests that the market for rental accommodation for the proposed project may be driven by presence of UOIT students in Downtown Oshawa.

7.2.6 A study commissioned by HDR Inc. anticipated that the downtown location would grow from 2,144 students in 2014-15 to 2,330 students by 2019-20. The proposed BMDI project with 370 units could contribute to satisfying this projected demand in the short term and could contribute to additional future demand based on projections of 1,810 purpose-built beds and 2,160 private market beds for students by 2030 (according to the same study).

7.2.7 The existing two-acre property was a former brownfield site, and has been cleaned to the residential standard and therefore does not present the same challenges that Phase 1 presented. In addition, when considering market risk, the success of the Phase 1 development further supports additional developments in the area, as previously demonstrated by the apartment absorption rates in the City of Oshawa. The 100 Bond Street development has achieved 95 percent rental occupancy within 16 months of being granted initial occupancy in February of 2017.

8. Financial Implications

- 8.1 Under the RRP, projects are required to fully pay all applicable Regional fees and charges, including Development Charges (DCs).
- 8.2 The proponent has requested a reduction or deferral of payment of Regional DCs for the proposed mixed-use development at 80 Bond Street East. The applicable Regional DCs (based on current rates) for the proposed development are approximately \$5.7 million. Given Regional Council's long-standing practice of neither forgiving Regional DCs nor deferring the payment of Regional DCs, Regional staff recommend that a payment of \$580,000 would offset the financial and market challenges of the project in an emerging revitalization area within a CIP, including the estimated carrying costs of Regional DCs over an extended period of time until occupancy. This grant will assist the proposed project by providing funding to assist with the costs related to rental apartment construction, which unlike condominium apartment construction, would not have upfront investment by the future condo owners.
- 8.3 It is recommended that the application submitted by the City of Oshawa, on behalf of BMDI under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the development of vacant lands located at 80 Bond Street East in the City of Oshawa, be approved, subject to the following conditions:
- i) The Region to provide \$580,000 for Phase 2 of the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the City of Oshawa for distribution to BMDI, in accordance with the timing and flow of funds under the RRP:

Full building permit issued to BMDI	50%
Framing inspection (or equivalent structural completion), passed by the area municipal building inspection authority	40%
Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit	10%
 - ii) BMDI must pay all applicable Regional DCs due at building permit issuance;
 - iii) All costs associated with works for the development of the lands will be borne by the developer, BMDI, in keeping with Regional policies;
 - iv) Satisfying all performance criteria outlined in the agreement between the City of Oshawa and BMDI in regard to incentives (financial or other) provided under the City's Central Business District Renaissance Community Improvement Area and applicable City By-laws;

- v) The City of Oshawa enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding; and,
- vi) The City of Oshawa agrees to annual post-project reviews and audits for five years after substantial occupancy of Phase 2 of the development of vacant lands, in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources.

8.4 As per the RRP, it is recommended that the increased property tax revenue generated from the increased current value assessment of Phase 2 of the development project located at 80 Bond Street East in the City of Oshawa be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.

9. Conclusion

9.1 The RRP is a partnership between the Region of Durham and participating area municipalities and aims to strategically target Regional investment towards key areas of Durham Region's area municipalities that advance the goals of the Regional Official Plan and achieve positive economic and community objectives where development would otherwise not proceed.

This report has been prepared with assistance from Corporate Services – Legal Services Division.

Respectfully submitted,

Original Signed By

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

Original Signed By

B. Bridgeman, M.C.I.P., R.P.P.
Commissioner of Planning & 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



July 3, 2018

File: B-1200-0229

Mary Simpson,
Director of Financial Planning & Purchasing
Regional Municipality of Durham
605 Rossland Road East
Whitby, ON
L1N 6A3

**Re: Request for Regional Support under the Regional Revitalization Program
80 Bond Street East, Oshawa, ON
Bond & Mary Development (Phase 2) Inc.**

Atria Development Corporation (Atria), on behalf of Bond and Mary Development (Phase 2) Inc. (B.M.D.I.) is proposing to develop an 18-storey building with 370 apartment units and ground floor commercial space at 80 Bond Street East in the Downtown Oshawa Urban Growth Centre. Oshawa City Council supports this project. The development contributes to the revitalization of downtown Oshawa, is located on a former contaminated site and supports Provincial and Regional planning policies and initiatives.

The development at 80 Bond Street East supports a number of Regional policies and initiatives, including:

- The Provincial Growth Plan, which encourages intensification of built-up areas, identifies Oshawa's downtown as one of the two Urban Growth Centres in Durham Region, and sets a target of 200 persons and jobs combined per gross hectare for these areas.
- Providing appropriate intensification in the form of a mixed-use development along a regional arterial road;
- Providing transit supportive density along a major transit route;
- Making better use of existing municipal infrastructure/services;
- Implementing the Provincial Growth Plan and Regional Official Plan policies;
- Supporting a pedestrian-oriented urban environment; and
- Supporting the ongoing growth of the University of Ontario Institute of Technology and the positive direct and indirect impacts these institutions have on the Regional economy.


The development will contribute to significant economic growth by creating jobs (both construction and permanent) and increased assessment and taxes. The City has requested that the Region of Durham support the project by providing a grant through the Regional Revitalization Program.

The Regional Revitalization Program application for the development at 80 Bond Street East in Oshawa is attached and presents a sound business case.


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If you require further information or clarification, please contact Laura Moebis at the address shown or by telephone at (905) 436-3311, extension 2818 or by email to lmoebis@oshawa.ca.

Regards,



Mayor



Chair, Development Services Committee



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Acting Commissioner of Finance and Commissioner of Social Services
Report: [#2018-COW-173](#)
Date: September 5, 2018

Subject:

Social Housing Projects in Difficulty as at July 31, 2018

Recommendation:

That Report #2018-COW-173 be received for information.

Report:

1. Purpose

1.1 In 2003, Regional Council approved a process for the identification and management of social housing projects in difficulty (Report #2003-J-22). The purpose of this report is to provide a semi-annual update, as required under the process, to the Committee on the status of all social housing projects that have required Regional intervention.

2. Background

2.1 By definition, a designated housing project is in difficulty under section 72(2) of the Housing Services Act (HSA) when any of the following occurs:

- A) The mortgage is in default
- B) The mortgage is likely to be in default within 12 months of the end of the current fiscal year
- C) The housing provider is likely to fail to meet a substantial financial obligation within 12 months of the end of the current fiscal year; or
- D) The housing provider has failed to comply with a substantial obligation under the HSA, and the failure is deemed to be material.

2.2 For reporting purposes, projects in difficulty are classified as either Tier 1 or Tier 2, based on the following criteria:

A) Tier 1 Projects in Difficulty: These are social housing providers with significant unresolved problems, regardless of the risk to the mortgage. The issues leading to the designation as a Tier 1 Project in Difficulty may relate to finance, governance, technical and/or other matters that require close monitoring to avoid financial insolvency, mortgage default or other triggering events as described under section 83 of the HSA.

B) Tier 2 Projects in Difficulty: These social housing providers have unresolved issues, but have demonstrated satisfactory performance in addressing the problems and require monitoring only.

3. Status of Projects in Difficulty (PID)

3.1 The following table shows the number of projects in Tier 1 and Tier 2 PID status as at July 31, 2018, along with the number of units in these projects, compared to the totals for all housing providers.

	April 2016	April 2017	July 2018
Number of Projects:			
Tier 1 PID	5	5	2
Tier 2 PID	2	2	5
Total number of PIDs	7	7	7
Total number of Housing Providers	44	44	38
Percentage of projects in PID status	16%	16%	18%
Number of Units:			
Units in PID Status	554	554	554
Total Units	5,098	5,098	4,611
Percentage of units in PID status	11%	11%	12%

3.2 Typically, at the end of the operating agreement and the maturity of the mortgage the Region's role as Service Manager, with oversight responsibilities for social housing projects, would end. However, social housing providers with an on-going financial relationship with the Region will continue to be monitored by Regional staff and, where applicable, will be included as a PID for status update reports. Projects that have reached the end of their operating agreement (EOA) are not monitored as a PID and are not included in total units, resulting in a decrease in the number of projects and units.

3.3 Staff continues to closely monitor the housing projects designated as projects in difficulty to support activities that demonstrate improvements in the areas identified by Regional staff.

4. Confidential Attachments

Attachment #1: Tier 1 Projects in Difficulty – Significant Issues

Attachment #2: Tier 2 Projects in Difficulty – Continued Monitoring

Respectfully submitted,

Original Signed by Mary E. Simpson

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

Original Signed by Dr. H. Drouin

Dr. H. Drouin,
Commissioner of Social Services

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: The Committee of the Whole
From: Commissioner of Corporate Services
Report: [#2018-COW-158](#)
Date: September 5, 2018

Subject:

Procedural By-law Update

Recommendations:

The Committee of the Whole recommends to Regional Council:

That Procedural By-law #70-2017 be repealed and replaced, effective December 1, 2018, with the draft Procedural By-law, generally in the form included as Attachment #1 to this report.

Report:

1. Purpose

1.1 The purpose of this report is to recommend revisions to Council's Procedural By-law to implement the change back to a Standing Committee governance structure and to incorporate some additional amendments to modernize the procedural by-law. The effective date of these changes is the beginning of the new term of Council.

2. Background

2.1 On April 11, 2018, Regional Council adopted a Standing Committee governance structure following a monthly meeting cycle for the next term of Council beginning on December 1, 2018, as outlined in Report #2018-COW-70.

3. Discussion

3.1 The Legislative Services Division has completed a comprehensive review of Council's Procedural By-law with the intent of identifying the revisions necessary to return to a Standing Committee governance structure and also with the view to modernizing the by-law. Staff has also reviewed the procedural by-laws of other municipalities and the responses to the Committee Governance Structure Questionnaire received from members of Council as part of the preparation of Report #2018-COW-70 of the Commissioner of Corporate Services.

- 3.2 The proposed Procedural By-law has been informed by previous practices in Standing Committees and incorporates some of the process changes made during the transition to a Committee of the Whole governance structure, including the Council Information Package and updated agenda process and format for electronic agendas. The by-law has also been revised to include the changes required to implement electronic voting for recorded votes during Council and Committee of the Whole meetings held in the Council Chambers.
- 3.3 Changes to some of the previous rules governing the procedure in Standing Committees are recommended to ensure consistency between Standing Committee and Committee of the Whole procedures, specifically:
- (a) A motion may be introduced orally and with a seconder.
- Previously a motion could be introduced orally and without a seconder at Standing or Advisory Committee meetings. In September 2016 an amendment to the Procedural By-law was passed to require a seconder to introduce a motion. As a result, the procedures for all Committees were updated to require a mover and seconder to introduce a motion. Staff has reviewed parliamentary procedure resources and has found that usually a seconder is required. Staff has consulted with other Regional Municipalities regarding their practices at Standing Committees and has been advised that the Regions of Niagara and Waterloo require a seconder for motions moved at Standing Committee meetings; the Region of Peel does not require a seconder for motions moved at Standing Committees; and the Regions of Halton and York do not currently use a Standing Committee structure; however previously a seconder was not required for motions moved at Standing Committee meetings and York Region does not currently require a seconder for motions moved at Committee of the Whole meetings. The Legislative Services Division recommends that the current procedure of requiring a seconder to introduce a motion in Council and Committees be maintained in order to retain current practices at meetings and based on staff's review of parliamentary procedure resources.
- (b) A recorded vote shall be in order at Committee meetings.
- Recorded votes are permitted at all meetings in accordance with section 246 of the Municipal Act. As noted above, the procedural by-law will be revised through this report to implement electronic voting only for meetings held in the Council Chambers. Meetings not held in Council Chambers will follow the current procedure when a recorded vote is requested.
- 3.4 Revisions to the practices for communications and delegations are also recommended due to the return to a Standing Committee governance structure and the implementation of the Council Information Package, specifically:

- (a) Correspondence received by the Clerk will be included in the Council Information Package for the information of Council. Correspondence which requires action by Council will be included on a Council or Committee agenda. For example, if the correspondence is on a subject within the purview of a Committee it will be referred directly to that Committee. It is also recommended that correspondence from an area municipality within the Region of Durham requesting or requiring action by Council be included on the next agenda of the appropriate Committee.
- (b) Delegation requests will be directed by the Clerk to the appropriate Committee of Council and may be heard at Council provided that they have first appeared before the Committee responsible for the matter. A delegation that did not appear before a Committee will require a two-thirds majority vote to be heard by Council, except where the matter to be addressed is put forward directly to Council without first being considered by Committee. It is also recommended that delegations only be permitted to appear at a Committee of the Whole meeting if the subject matter is included on the agenda, which is the same as the previous requirement for appearing at Joint Committee meetings. As well, it is recommended that delegation requests received after Wednesday noon the week prior to the meeting only be added to the addendum if the subject matter is included on the agenda for the meeting. If the subject matter is not included on the agenda for the meeting, the request will be placed on the agenda of the next regular meeting of the applicable Committee.

4. Proposed Revisions to the Procedural By-law

- 4.1 The following revisions to the Procedural By-law are necessary to incorporate the return to a Standing Committee governance structure and to replace Joint Committees with Committee of the Whole include:
 - (a) Amendments to the definitions of Committee, Committee Chair, Committee of the Whole, Committee Vice-Chair, and Member [Section 1];
 - (b) Amendment to provide that the Regional Chair is not eligible to be a Standing Committee Chair or Vice-Chair [Section 3];
 - (c) Changes to the order of proceedings at the first meeting of Council [Section 6];
 - (d) Changes to the process for appointment of Committees [Section 7];
 - (e) Changes to reflect the new meeting schedule and clarification that regular meetings are not held in July and August [Sections 8.2, 22.2 and 25.2];
 - (f) Amendment to **delegated hearing or meeting to** reflect Standing Committee governance structure [Section 9.1];
 - (g) Changes to the order of proceedings in Council, Committee of the Whole and Standing Committees [Sections 14.1, 23.3 and 26.3];
 - (h) Changes to practices for communications to reflect Standing Committee governance structure and Council Information Package process [Section 15.4];

- (i) Changes to practices for presentations to reflect Standing Committee governance structure and to implement deadline for including on an agenda [Section 15.5];
 - (j) Changes to practices for delegations to reflect Standing Committee governance structure [Section 15.6];
 - (k) Changes to practices for Committee Reports to reflect Standing Committee governance structure [Section 15.7];
 - (l) Changes to practices for Departmental Reports to reflect Standing Committee governance structure [Section 15.8];
 - (m) Change to deadline for submission of notice of motions as a result of change to Council agenda distribution timeline [Section 19.2 (a)(ii)];
 - (n) Change to the timeline for making Committee of the Whole agendas available to the public as a result of change to agenda distribution timeline [Section 22.6];
 - (o) Revisions to the Committee of the Whole structure [Section 23.1];
 - (p) Addition of new sections to re-introduce the Standing Committee governance structure [Sections 24, 25 and 26];
 - (q) Updated procedures in Committee of the Whole and Standing Committees for consistency [Sections 23.5 and 26.5];
 - (r) New section to outline processes for Committee of the Whole and Standing Committee minutes and agendas [Sections 23.4 and 26.4]; and
 - (s) Amendment to reflect change to Committee of the Whole instead of Joint Committee meetings [Section 24.4].
- 4.2 The following revisions to modernize the Procedural By-law are also recommended for inclusion:
- (a) Enhancements to the definitions section [Section 1];
 - (b) Changes to the process for the appointment of Committees based on the previous referral to staff at the September 2016 Committee of the Whole meeting [Section 7.3];
 - (c) Clarification of the practices for calling a special Council meeting [Section 8.3 (a)];
 - (d) New section to provide for the calling of emergency Council meetings and to add a provision for the place of meetings in case of an emergency [Sections 8.4 and 8.1 (b)];
 - (e) New section to outline the process for cancellation of a Council meeting [Section 8.6];
 - (f) Revision to the wording for public notice for clarity [Section 8.7];
 - (g) Changes to the wording for declarations of interest to reflect the Municipal Conflict of Interest Act [Section 15.1];

- (h) Revisions to reflect current practices for Council minutes and to reflect previous timelines for including minutes with the Council agenda [Section 15.3];
 - (i) Addition of a new section to clarify practices for Other Business [Section 15.10 (a)];
 - (j) Revision to section for By-laws to remove the reference for by-laws to be in typewritten form and to include a new provision to permit the Clerk to make minor corrections to a by-law that are immaterial in nature and which do not alter the intent of the by-law [Section 15.11]
 - (k) Amendment to the wording related to rising to speak to a motion [Section 16.2];
 - (l) Amendment to the wording for notice of motions to clarify current practices [Section 19.2];
 - (m) Amendment to the wording for re-introduction of a defeated motion for clarity [Section 19.16];
 - (n) Revision to the wording for Recorded Vote to permit the use of electronic voting equipment [Section 20.7]
 - (o) New section to clarify practices for recording, broadcasting or streaming of meetings [Section 21];
 - (p) Amendment to the wording for place of meetings, calling a special meeting, rescheduling a meeting or cancelling a meeting, consistent with Council procedures [Sections 22.1, 22.3, 22.4, 22.5, 25.3, 25.4, and 25.5];
 - (q) Revision to the wording under quorum for consistency with Council procedures [Section 23.2 (b)];
 - (r) Addition of a new section under Committees to clarify the Regional Chair is an ex-officio member of each Standing Committee [Section 24.3];
 - (s) Revision to include Standing Committee minutes on next regular Committee agenda instead of the Council agenda [Section 26.4 (c)];
 - (t) Addition of a new section to outline procedures for Advisory Committees [Section 27];
- 4.3 Additional housekeeping revisions have also been made to the Procedural By-law in order to clarify cross-references within the by-law and references to the Municipal Act.

5. Other Considerations

- 5.1 Based on staff's review of other procedural by-laws, feedback received from members during the Committee of the Whole pilot, and responses to the Committee Governance Structure Questionnaire, the following additional revisions are also included for Council's consideration:

- (a) A new provision to reflect that notice that is substantively given but is irregular will not invalidate the holding of a meeting [proposed addition to Sections 8.7, 22.6 and 25.6]

This provision would be used in the event of a website disruption or a power outage which prevents the posting of an agenda on the Regional website on the Friday preceding the meeting. This would clarify that a meeting could still proceed if notice is irregular or in an emergency.

- (b) A new section to limit announcements at Council to two minutes per Member and to clarify practices for minutes [proposed new Section 15.2]

A new section related to announcements at Council is recommended to clarify the procedure at meetings and for the minutes. It is recommended that a time limit for announcements be introduced and that it be clarified that announcements will not be recorded in the minutes. Generally announcements are less than two minutes per Member and it is recommended that minutes only include a statement that announcements were made relating to the activities and events within the Region and area municipalities.

- (c) A new provision to restrict delegations related to labour relations, ongoing legal proceedings or solicitation of business unless a written copy of their presentation is provided to the Clerk at least 48 hours prior to the meeting. If the presentation contains information which in the opinion of the Clerk should be dealt with in a closed session, the Clerk shall advise the Chair prior to the delegate speaking [proposed new clause 15.6 (j)]

It is recommended that delegations related to labour relations, ongoing legal proceedings or solicitation of business be restricted from appearing before Council or Committees unless a written copy of their presentation is provided to the Clerk at least 48 hours prior to the meeting. Generally these are topics which may require a meeting to be closed to the public and the Clerk will advise the Chair if the matter is related to contract negotiations, interpretation of union contracts, grievances, matters already in litigation, or a related matter which may require a closed session. Individuals wishing to appear on such matters will be encouraged to speak with the appropriate Regional staff and/or to submit written correspondence to Council.

- (d) A new provision to restrict delegations related to a previous decision of Council within 12 months of the decision [proposed new clause 15.6 (k)]

This provision would restrict delegations from appearing on a substantive motion which has been decided by Council within 12 months, which would be subject to a motion to reconsider under Section 19.15 of the Procedural By-law or a motion to re-introduce with leave of Council under Section 19.16 of the Procedural By-law. This also corresponds with responses to the Committee Governance Structure Questionnaire which supported that delegations should only be permitted to appear regarding items included on the agenda.

- (e) An amendment to the procedures for delegations to require delegates appearing at a Council meeting to submit their presentation or an outline of their delegation at least 24 hours prior to the Council meeting [proposed amendment to Section 15.6 (p)]

This provision would require delegations appearing at a Council meeting to submit their presentation or an outline of their delegation to the Legislative Services Division at least 24 hours prior to the Council meeting. If a copy of their presentation or an outline of their delegation is not received, a two-thirds majority vote will be required to hear the delegation. Members of Council strongly supported including a requirement for delegates and presenters to submit material prior to the meeting for distribution in their responses to the Committee Governance Structure Questionnaire. For Committee meetings, it is recommended that the current process of requesting delegations to provide a written copy of their submission to the Clerk prior to the commencement of the meeting, be maintained.

- (f) A new provision to clarify that requests for substantive information or reports from staff require the approval of a majority of the Members present at a meeting and identify the Department and objective of the request [proposed new Section 15.10 (b)]

With the return to a Standing Committee Governance Structure, it is recommended that requests for substantive information or reports from staff require the approval of a majority of the Members present at the meeting and identify the department the request is directed to and/or the objective of the request. This will assist staff when responding to requests which impact multiple departments or divisions and provide clarity as to which Committee the corresponding report should be presented.

6. Conclusion

- 6.1 This report is being submitted to facilitate the necessary revisions to the Procedural By-law to implement the return to a Standing Committee governance structure and to incorporate amendments to modernize the procedural by-law. Following approval of these revisions, a new Procedural By-law which will come into effect on December 1, 2018, will be presented to Council for passage.
- 6.2 Any questions regarding this report may be directed to Ralph Walton, Regional Clerk/Director of Legislative Services, 905-668-7711, extension 2100.

7. Attachments

Attachment #1: Draft Procedural By-law

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

By-law Number *-2018**
of The Regional Municipality of Durham

Being a by-law to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

Whereas Section 238(2) of the Municipal Act requires the Regional Council to pass a procedural by-law for governing the calling, place and proceedings of meetings of the Regional Council and any of its committees.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. DEFINITIONS/INTERPRETATION

1.1 In this ~~By-law~~By-Law,

- (a) "Act" means the Municipal Act, S.O. 2001, c. 25, as amended or re-enacted from time to time;
- (b) "Acting Chair" means the Member appointed to act from time to time in the place and stead of the Chair under Section 242 of the Act;
- (c) "Chair" means the person presiding at a meeting~~Chair of the Council~~;
- (d) "Clerk" means the Clerk of the Regional Corporation;
- (e) "Closed Meeting" means a meeting, or part of a meeting, which is closed to the public as permitted by the Act, also referred to as an "in-camera meeting";
- (f) "Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also Members of Regional Council, including a Standing or Special Committee of Council;
- (g) "Committee Chair" means the Chair of a Standing or Special Committee of Council~~or the Chair of a section of the Committee of the Whole~~;
- (h) "Committee of the Whole" means all the Members of the Council present sitting in Committee of the Whole;
- (i) "Committee Report" means a report from Committee of the Whole or a Special or Standing Committee of Council outlining the items approved by the Committee and being forwarded to Council for its consideration;
- (j)(i) "Committee Vice-Chair" means the Vice-Chair of a Standing or Special Committee of Council~~or the Vice-Chair of a section of the Committee of the Whole~~;
- (j)(k) "Council" means the Council of the Regional Corporation;
- (l) "Departmental Report" means a report from staff of the Regional Corporation submitted to Members of Council and included on an agenda for a Council or Committee meeting or included in the Council Information Package;
- (k)(m) "Majority Vote" means an affirmative vote of more than one half of the Members present and voting;
- (j)(n) "Meeting" any regular, special or other meetings of council, or of certain local boards or committees, where a quorum is present and where

members discuss or otherwise deal with matters in a way that materially advances the business or decision making of the relevant body;

~~(m)~~(o) "Member" means a Member of the Council, or an alternate appointed under Sections 267 or 268 of the Municipal Act, 2001 while in attendance at the meeting;

~~(n)~~(p) "Members" mean the Members of the Council, including any alternates appointed under Sections 267 or 268 of the Municipal Act, 2001 while in attendance at the meeting;

~~(q)~~ "Motion" means a proposal moved by a Member and seconded by another Member, for the consideration of Council or a Committee;

~~(r)~~ "Point of Order" means a motion raised by a Member drawing attention to an infraction of this By-law;

~~(s)~~ "Point of Personal Privilege" means a motion concerning the health, safety, rights, or integrity of the Member, the Council, a Committee or anyone present at a meeting;

~~(t)~~(t) "Recorded Vote" means the making of a ~~written~~ record of the name and the vote of each Member who votes on a question;

~~(u)~~ "Regional Chair" means the Head of Council;

~~(p)~~(v) "Regional Corporation" means The Regional Municipality of Durham;

~~(w)~~ "Resolution" means a motion that has been carried by Council;

~~(q)~~(x) "Rules of Procedure" means the rules and regulations which are set forth in this ~~By-law~~By-Law;

~~(r)~~(y) "Substantive Motion" means any motion except one of the following:

- (i) to refer;
- (ii) to defer/~~postpone~~;
- (iii) to amend;
- (iv) to table the question;
- (v) to recess;
- (vi) to vote on ~~put~~ the question;
- (vii) to reconsider;
- (viii) to adjourn;
- (ix) to divide.

~~(s)~~(z) "To Defer " means a motion to postpone all discussion or action on a matter until a future date or time, which is established as part of the motion;

~~(t)~~(aa) "To Refer" means a motion to direct the matter under discussion to Council, a Standing Committee, staff or another Committee for further consideration or review;

~~(u)~~(bb) "To Table" means a motion to postpone a matter without setting a future date or time for consideration and for which consideration may be resumed at any time by a motion to lift from the table;

(v)(cc) "Two-thirds Majority Vote" means an affirmative vote of at least two-thirds of the Members present and voting;

(w)(dd) "Website" means the official internet website of the Regional Corporation.

2. APPLICATION

2.1 The Rules of Procedure contained in this ~~By-law~~ **By-Law** shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in Council, and, where applicable, in a Committee or in the Committee of the Whole.

2.2 Despite Section 2.1 of this By-law, the Rules of Procedure may be suspended by a two-thirds majority vote.

2.3 In any case for which provision is not made in this ~~By-law~~ **By-Law**, the procedure to be followed shall be determined by the Chair, subject to an appeal to Council.

3. CHAIR

3.1 The Regional Chair shall ~~be~~, by virtue of the office, be a member of all Committees with the same rights and privileges as all other members, but shall not be eligible to be the Chair or Vice-Chair of a ~~Standing Committee~~ section of a Committee of the Whole meeting.

4. ACTING CHAIR

4.1 The Council shall appoint, in alphabetical order of the area municipalities on a rotating basis, the head of each area municipality for a term of three months, to act in the place and stead of the Regional Chair when he/she is absent, refuses to act or the office is vacant, as it pertains to the role of presiding at meetings.

5. DUTIES OF REGIONAL CHAIR

5.1 It shall be the role of the Regional Chair to carry out the responsibilities set forth in the Municipal Act, 2001, Sections 225 "Role of head of council", and 226.1 "Head of council as chief executive officer".

5.2 The Regional Chair shall act as spokesperson and co-ordinate the presentation of the Region's position to the public and to other external public bodies, agencies and organizations.

5.3 Under the Rules of Procedure, it also shall be the duty of the Regional Chair:

- (a) to open the meeting of Council by taking the chair and calling the Members to order;
- (b) to receive and submit, in the proper manner, all motions presented by the Members;
- (c) to put to vote all questions, which are duly moved and seconded, and to announce the result;
- (d) to decline to put to vote, motions which infringe upon the Rules of Procedure or which are beyond the jurisdiction of Council;
- (e) to restrain the Members, when engaged in debate, within the Rules of Procedure;
- (f) to enforce on all occasions, the observance of order and decorum by the Members and any other persons present in the Chamber;

- (g) to call by name, any Member persisting in breach of the Rules of Procedure and to order him/her to vacate the Chamber in which the meeting is being held, but if the Member apologizes he/she may, by vote of the Council, be permitted to retake his/her seat;
- (h) to authenticate by his/her signature, when necessary, all by-laws, resolutions and minutes of Committee of the Whole and Council;
- (i) to inform the Council on any point of order as seems necessary;
- (j) to represent and support the Council, declaring its will and implicitly obeying its decision in all things;
- (k) to perform other duties when directed to do so by a resolution of Council;
- (l) if he/she considers it necessary because of grave disorder, to adjourn the sitting without the question being put, or suspend the sitting for a time to be specified by him/her;
- (m) to ensure that no person except a Member, officer or employee of the Regional Corporation is permitted to enter upon the floor of the Chamber during the sittings of the Council without permission of the Chair or the Council.

6. **FIRST MEETING OF COUNCIL**

6.1 The first meeting of Council after a regular election shall be held after the councils of the area municipalities have held their first meetings, but in any event not later than thirty-one (31) days following the day on which the term of office in respect of which the election was held commences, on such date and at such time and place as may be fixed by ~~By-Law~~ By-law of the Regional Council.

6.2 The order of proceedings at the first meeting of Council after a regular election shall be as follows:

- (a) the filing of certificates in accordance with Section 232 of the Act:
 - (i) Regional Chair
 - (ii) Members of Council;
- (b) declarations of office in accordance with the provisions of Section 232 of the Act:
 - (i) Regional Chair
 - (ii) Members of Council;
- (c) inaugural address by the Regional Chair;
- (d) appointment of Members to the Police Services Board;
- (e) appointment of ~~Committee of the Whole section~~ Standing Committee Chairs ~~and Vice-Chairs~~;

(f) appointment of Members to Standing Committees;

(f)(g) passage of a confirming by-law.

7. **APPOINTMENT OF COMMITTEES**

7.1 The appointment of the Committee ~~Section-Chairs/Vice-Chairs~~, Members of the Standing Committees and ~~the three~~ Members to the Regional Municipality of Durham Police Services Board shall be in the following order:

- (a) One Member to the Regional Municipality of Durham Police Services Board to be the Head of Council or designate;
- (b) A second and third Member to the Regional Municipality of Durham Police Services Board;
- ~~(c) A Committee Chair and Vice-Chair for each Standing Committee of the Whole section that reflect the Region's Commissions;~~
- ~~(d) Two Members to each Standing Committee;~~
- ~~(e) Two further Members to each Standing Committee;~~
- ~~(e)(f) Two further Members to each Standing Committee.~~

7.2 The order in which Committee Chairs and ~~Vice-Chairs~~Members are to be appointed to Standing Committees shall be decided by lot, drawn by the Clerk.

7.3 The appointments under Section 7.1 of this By-law shall be conducted at the first meeting of Regional Council after a regular election, and shall be conducted in the following manner, with modifications as necessary:

- (a) The Chair as Presiding Officer shall call for nominations;
- (b) Each nomination shall be regularly moved and seconded;
- (c) When there are no further nominations, the Chair shall call for a motion declaring nominations closed;
- ~~(d) After nominations have been closed, each mover and seconder of a nomination and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five (5) minutes;~~
- ~~(e) After nominations have been closed, the Chair shall ask each nominee if they wish to stand for election. If a nominee declines to stand, their name shall be withdrawn from the list of nominees;~~
- ~~(d)(f) If only one nominee stands for appointment, they shall be declared appointed;~~
- ~~(e)(g) When more than one nominee stands for appointment, a vote shall be taken;~~
- ~~(f)(h) To be appointed a nominee shall obtain a vote of the majority of the Members present and voting;~~
- ~~(g)(i) The vote shall be by roll-call of all Members present and voting, the order of which will be decided by lot, drawn by the Clerk;~~
- ~~(h)(j) The Clerk shall appoint, as required, members of his/her staff to act as scrutineers for the appointment;~~
- ~~(i)(k) If there are only two nominees who elect to stand:

 - (i) The nominee who receives the majority required to be appointed, shall be declared appointed; or
 - (ii) If there is an equality of votes, after three successive rounds of voting with the same results, a deadlock shall be declared a ten-minute recess shall be held followed by a second vote. If on the second vote there is still an equality of votes or a nominee does not receive the majority required to be appointed, a further ten-minute recess shall be held followed by a third vote. If on the third vote there is still an equality of votes or a nominee does not receive the majority required to be appointed, and the Clerk shall conduct a draw by lot of the nominees, with the name of ~~and~~ the~~

nominee who is drawn, ~~shall be~~ being declared appointed.

~~(i)~~ (I) If there are more than two nominees who elect to stand:

- (i) The nominee who receives the majority required to be appointed, shall be declared appointed;
- (ii) If no nominee receives the majority required to be appointed, the name of the nominee receiving the least number of votes shall be dropped and Council shall proceed with the next vote;
- (iii) If two or more nominees are tied with the least number of votes, the Clerk shall conduct a draw by lot of the tied nominees until there is one name not drawn and the nominee who is not drawn, shall be dropped and Council shall proceed with the next vote;
- (iv) Voting shall continue until either a nominee receives the majority required to be appointed or it becomes apparent by reason of an equality of votes or any other reason that no nominee can be appointed, ~~in which event the procedure in clause 7.3 (g)(i)(ii) shall apply.~~ After three successive rounds of voting with the same results, a deadlock shall be declared and the Clerk shall conduct a draw by lot of the nominees, with the name of the nominee who is drawn being declared appointed.

7.4 The Members of each Standing Committee shall appoint a Committee Vice-Chair at their first meeting of Committee after a regular election.

7.5 Each Member of Council shall serve on one of the Standing Committees.

7.6 Members appointed to the Regional Municipality of Durham Police Services Board shall also be a Member of a Standing Committee.

7.7 No Member except the Regional Chair shall serve on more than one Standing Committee.

7.4.7.8 The term of the Members to Standing Committees and ~~as the Committee Chair/Vice-Chair and to~~ the Regional Municipality of Durham Police Services Board shall be for the term of the Council.

8. COUNCIL MEETINGS

8.1 Place of Meetings

(a) All meetings of Council shall be held in the Council Chambers in the Regional Headquarters building or at such other place within the Region of Durham or an adjacent municipality as Council from time to time appoints.

~~(a)~~(b) In the case of an emergency, Council may hold its meetings at any convenient location within or outside the municipality, as determined by the office of the Clerk, in consultation with the Regional Chair and Chief Administrative Officer.

8.2 Regular Meetings of Council

~~All regular meetings of Council shall be held on the second Wednesday of the month at the hour of 9:30 AM unless such a day shall be a public or civic holiday in which case the Council shall meet at the same hour on the next following day, which is not a public or civic holiday, unless otherwise provided by resolution of the Council.~~

(a) Regular meetings of Council shall be held on Wednesday at the hour of 9:30 AM in the fourth week of the monthly meeting schedule, except for the month of December when the meeting shall be held in the third week

of the monthly meeting schedule, unless otherwise provided by resolution of Council.

(b) Where a regular meeting of Council is scheduled on the same day as a public or civic holiday, Council shall meet at the same hour on the next following day, which is not a public or civic holiday, unless otherwise provided by resolution of Council.

(c) No regular meetings of Council shall be held in the months of July and August.

8.3 **Special Meetings of Council**

(a) A special meeting of Council may be called at any time by:

(i) The Regional Chair upon written direction to the Clerk stating the date, time and purpose of the special meeting, or

(ii) The Clerk upon written request by the majority of the Members, for the purpose and at the time mentioned in the request.

~~(a) In addition to regular meetings, the Chair may at any time summon a special meeting of Council by giving a written direction to the Clerk stating the date, time and purpose of the special meeting.~~

~~(b) Upon receipt of the petition of the majority of the Members, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition.~~

~~(b)~~ The Clerk shall give all Members written notice of a special meeting of Council at least twenty-four hours before the time appointed for such meeting.

~~(c)~~ Notice may be given by delivering the written notice personally to a Member; or by leaving such notice at his/her residence or place of business; or by facsimile transmission to such residence or place of business; or by electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency.

~~(d)~~ The written notice to be given under clause 8.3 (b) shall indicate the nature of the business to be considered at the special meeting, date, time and place of the meeting.

~~(e)~~ No business other than that indicated in the written notice shall be considered at the special meeting except with the unanimous consent of all Members present and voting at such meeting.

8.4 **Emergency Meetings of Council**

(a) An emergency meeting of Council may be held, without written notice, to deal with an emergency or extraordinary situation, including issues that may urgently affect the health or safety of residents.

(b) The Clerk or designate shall notify all Members of the meeting as soon as possible and in the most expedient manner available.

(c) The Clerk or designate shall attempt to notify the public of emergency meetings and publish an agenda as soon as possible and in the most expedient manner available.

(d) No business other than the business dealing directly with the emergency shall be transacted at the meeting.

8.48.5 **Change of Date and/or Time of Regular Council Meetings of Council**

- (a) Where the Regional Chair considers it necessary because of exceptional circumstances to change the date or the time, or both, of a regularly scheduled meeting of Council, he/she shall direct the Clerk to ascertain the views of the Members via email concerning the proposed change.
- (b) Where the Clerk ascertains that a majority of the Members have no objection to the proposed change, he/she shall notify the Regional Chair in writing and give notice of the change to all Members in the manner set forth in clauses 8.3 (b) and (c) of section 8.3 of this By-law the Rules of Procedure.

8.6 **Cancellation of Council Meetings**

- (a) A regular, special or emergency meeting of Council may be cancelled in any of the following circumstances:
 - (i) If the Clerk determines in advance that quorum will not be achieved;
 - (ii) If the meeting is cancelled by Council resolution; or
 - (iii) In the event of exceptional circumstances, at the discretion of the Regional Chair or Clerk.
- (b) The Clerk shall give notice of the cancellation to all Members of Council in the manner set forth in clauses 8.3 (b) and (c) of this By-law.

8.58.7 **Public Notice of Council Meetings**

- (a) Pursuant to ~~section~~ Section 238 of the Municipal Act, public notice for regularly scheduled Council meetings shall be deemed to be given by making the agenda available in the office of the Clerk and ~~posted by~~ posting on the Regional website ~~by the afternoon of~~ the Friday preceding the regularly scheduled meeting. For special meetings notice shall be posted on the Regional website at least twenty-four hours preceding the meeting.
- (b) The Clerk may amend the agenda for regularly scheduled Council meetings, by way of an addendum, to add matters to the agenda, such as correspondence and delegations. The addendum may be presented at the meeting and notice shall be given by an advisory email to members of Council summarizing any additions on the day preceding the ~~Council~~ council meeting and making the addendum available in the office of the Clerk by no later than 9:00 AMa.m. on the day of the meeting at which it is to be presented.
- ~~(b)~~(c) Notice which is substantively given but is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

9. DELEGATED HEARING OR MEETING

- 9.1 Where any statute confers a right to be heard by Council before the passing of a by-law, or where Council by statute is required to hold a public meeting before the passing of a by-law, such a meeting or hearing may be held at the Committee ~~of the Whole~~ having jurisdiction over the subject matter of the by-law.

10. CLOSED MEETINGS

- 10.1 A meeting or part of a meeting may be closed to the public, in accordance with Section 239 of the Municipal Act, if the subject matter being considered is,
 - (i) the security of the property of the Regional Corporation;

- (ii) personal matters about an identifiable individual, including employees of the Regional Corporation;
- (iii) a proposed or pending acquisition or disposition of land for Regional Corporation purposes;
- (iv) labour relations or employee negotiations;
- (v) litigation or potential litigation, including matters before administrative tribunals, affecting the Regional Corporation;
- (vi) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (vii) a matter in respect of which Council may hold a closed meeting under another Act;
- (viii) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (ix) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (x) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (xi) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

10.2 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- (i) a request under the Municipal Freedom of Information and Protection of Privacy Act; or
- (ii) an on-going investigation respecting the municipality, a local board, or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in Subsection 223.13(1) of the Municipal Act, or the investigator referred to in Subsection 239.2(1).

10.3 A meeting of Council may be closed to the public if the meeting is held for the purpose of educating or training Members and no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council.

10.4 Before holding a meeting or part of a meeting that is to be closed to the public, a motion to proceed into closed session shall be received stating,

- (i) The fact of holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (ii) in the case of a meeting under Section 10.3 of this By-law, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under subsection 239 (3.1) of the Municipal Act.

10.5 A meeting shall not be closed to the public during the taking of a vote, except where a closed meeting is permitted under Section 10 of this By-law and the vote is for a procedural matter or for giving directions or instructions to officers,

employees or agents of the Regional Corporation or persons retained by or under a contract with the Regional Corporation.

10.6 After holding a closed meeting, a motion to rise from the closed meeting and proceed into public session shall be received.

10.7 (i) The verbal communications of Members which are made during closed meetings shall be confidential communications, and the disclosure, recording or transcribing of such communications is prohibited.

(ii) Any person found by the Member chairing the meeting to be in contravention of this section shall be reprimanded and ordered to vacate the meeting, but if the Member apologizes to the Members present, disengages the transcribing device and erases the recording or transcription, he/she may, by vote of the Council, be permitted to retake his/her seat.

10.8 The Clerk shall cause minutes to be taken of each closed session, which shall include:

(i) the place, date and time of the meeting;

(ii) the names of the presiding officer or officers and the record of the attendance of the Members; and

(iii) all other proceedings at the meeting, without note or comment.

10.9 Should a report be issued by a Closed Meeting Investigator which finds that a meeting or part of a meeting that was the subject of an investigation by that person appears to have been closed to the public contrary to Section 239 of the Act or to this procedure by-law, Council must pass a resolution advising how it intends to address the report.

11. CALLING OF MEETING TO ORDER

11.1 As soon after the hour fixed for the holding of the meeting of the Council as a quorum is present, the Regional Chair shall call the Members to order.

12. ABSENCE OF CHAIR

12.1 If the Regional Chair does not attend a meeting of Council within fifteen minutes after the time appointed, the Clerk shall call the Members to order and the Acting Chair shall preside until the arrival of the Regional Chair.

12.2 If the Acting Chair is not present at the time when the Clerk calls the Members to order, the Members present shall appoint a Member who shall preside until the arrival of the Regional Chair or Acting Chair.

12.3 While presiding over a meeting of Council, the Acting Chair or Member appointed to preside over the meeting has and may exercise all the rights, powers and authority of the Regional Chair under this By-law~~By-Law~~.

12.4 The Regional Chair may state relevant facts and the Chair's position or advise on any matter before Council without vacating the chair, but the Acting Chair shall assume the chair when the Regional Chair is temporarily absent from the meeting, is taking part in debate on a question or is presenting a motion.

12.5 At no time shall an alternate member (as appointed by a lower-tier municipality under Section 268 of the Municipal Act, 2001) be permitted to act as the Acting Chair. If an alternate is substituting for the Councillor who is the Acting Chair for that specified period, then the procedures outlined in Section 12.2 of this By-law shall be followed.

13. QUORUM

- 13.1 Fifteen Members of the Council representing at least four area municipalities are necessary to form a quorum.
- 13.2 If a quorum as required by Section 13.1 of this By-law is not present within thirty minutes after the time appointed for a meeting of Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law.
- 13.3 If during the course of a meeting a quorum is lost, then the meeting shall stand adjourned and any unfinished business will be taken up at the next regular meeting or other meeting called in accordance with the provisions of this By-law. Prior to adjourning a meeting under this section, the Chair may recess the meeting to determine if a quorum can be found.

14. ORDER OF PROCEEDINGS IN COUNCIL

- 14.1 The order of business for the regular meetings of the Council shall be as follows:
- (a) Roll Call
 - (b) Declarations of Interest
 - (c) Announcements
 - (d) Presentations
 - (e) Adoption of Minutes ~~of Previous Meeting~~
 - (f) Communications
 - (g) Delegations
 - ~~(h) Motions~~
 - ~~(+)(h)~~ Notices of Motions
 - ~~(+)(i)~~ Committee ~~of the Whole~~ Reports
 - Finance and Administration
 - Health and Social Services
 - Planning and Economic Development
 - Works
 - Committee of the Whole
 - ~~(+)(j)~~ Unfinished Business
 - ~~(+)(k)~~ Other Business
 - ~~(l)~~ By-laws
 - (m) Confirming By-law
 - (n) Adjournment
- 14.2 All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by majority vote.

15. AGENDA IN COUNCIL

15.1 Declarations of Interest

~~Any verbal declarations made under Section 14.1 (b) shall also be submitted in writing to the Clerk using the prescribed form.~~

- ~~(a) Where a Member has a pecuniary interest as defined in the Municipal Conflict of Interest Act, the Member shall prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof and shall not take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.~~
- ~~(b) Where the meeting is not open to the public, in addition to declaring the conflict, the member shall leave the meeting or the part of the meeting during which the matter is under consideration.~~
- ~~(c) Where a member is absent from a meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose the interest at the next meeting attended by the Member.~~
- ~~(d) The Clerk shall record any declarations of interest made by a Member in the meeting minutes, noting the matter and the general nature of the declaration.~~
- ~~(e) Any verbal declarations made under Section 14.1 of this By-law shall also be submitted in writing to the Clerk using the prescribed form and shall be made available in the office of the Clerk and through an online registry.~~

15.2 Announcements

- ~~(a) Announcements by Members shall be limited to two minutes each.~~
- ~~(b) Announcements will not be recorded in the minutes.~~

~~15.2~~ 15.3 Minutes and Agenda

- (a) The Clerk shall prepare an agenda with a list of the items in the order of topics set out as the order of business in Section 14.1 of ~~this By-law the Rules of Procedure~~ for the use of each Member at a regular meeting.
- (b) The Clerk shall cause minutes to be taken of each meeting of Council, which shall include:
 - (i) the place, date and time of the meeting;
 - (ii) the names of the presiding officer or officers and the record of the attendance of the Members, including the nature of the absence, if the Legislative Services Division is advised in advance of the meeting, or within 24 hours of the termination of the meeting; ~~along with senior staff in attendance;~~
 - (iii) ~~the names and corporate identification of external consultants present;~~
 - (iv) the reading, if requested by a majority of Members present and voting; any correction, if necessary; the adoption of the minutes of the previous meeting; and the declarations of interest;
 - (v) all other proceedings of Council without note or comment.
- (c) ~~It shall be the duty of the~~ The Clerk ~~shall to~~ ensure that the minutes of the last regular meeting of Council and of all special, closed and or Committee ~~committee~~ of the Whole ~~whole~~ meetings held more than three days prior to the agenda distribution (excluding weekends and statutory

~~holidays~~) a regular meeting are included in the next regularly scheduled Council agenda.

- (d) Minutes referred to in clause 15.3 (b) may be adopted by Council ~~or the Committee of the Whole~~ without having been read at the meeting at which the question of their adoption is considered.

15.3 15.4 Communications

- (a) Communications intended to be presented to the Council shall:
- (i) include the author's full name (first and last) and municipal address;
 - (ii) be legibly written or printed;
 - (iii) not contain any ~~impertinent or~~ improper matter or language; and
 - (iv) be filed with the Clerk.
- ~~(b) Every communication relating to a matter on the Council agenda shall be delivered to the Clerk not later than Thursday noon before the meeting. Communications relating to a matter on the Committee of the Whole agenda shall be delivered to the Clerk not later than Monday at 9:00 AM before the meeting.~~
- (b) The Clerk shall prepare a Council Information Package listing all items of correspondence received by the Clerk for information of Council. The Council Information Package shall be delivered electronically directly to each Member of Council every Friday.
- ~~(d) A member of Council may request in writing that an item from the Council Information Package be lifted and included on the next Committee of the Whole agenda. The item will be included on the next Committee of the Whole agenda if submitted to the Clerk not later than 9:00 AM on the Monday one week prior to the meeting.~~
- (c) A Member of Council may request in writing to the Clerk that an item from the Council Information Package be lifted and included on the next agenda of the appropriate Committee of Council as determined by the Clerk in consultation with the Member of Council. The item will be included on the agenda of the next regularly scheduled meeting of the appropriate Committee of Council if submitted to the Clerk not later than Wednesday noon the week prior to the meeting.
- (d) Communications from a lower-tier municipality within the Regional Municipality of Durham requesting or requiring action by Council shall be included on the next agenda of the appropriate Committee of Council as determined by the Clerk.
- (e) Communications which in the opinion of the Clerk require action by Council shall be included on a Council or Committee agenda under Communications and shall include a recommendation for disposal.
- (f) Where an item of correspondence is received and the subject matter pertains to an item on an agenda for a Council or Committee meeting, the correspondence shall be added to the agenda for the applicable meeting if received by the Clerk by noon the day preceding the meeting.
- ~~(e)~~ (g) The Clerk shall prepare a summary of the substance of any correspondence to be included on a Council or Committee agenda.
- (h) Correspondence on any subject within the purview of a Committee shall be referred directly to that Committee of Council.

15.415.5 Presentations

- (a) Presentations may be permitted at the request of Council, ~~Committees~~Committee of the Whole, or Regional staff. Other than presentations by Regional staff ~~with report-related~~ background material related to a report on the agenda, presentations shall be limited to 10 minutes and shall be limited to:
 - (i) award presentations; or
 - (ii) presentations by Regional staff, outside agencies/organizations or consultants retained by the Region, including programs, policies and practices of the Region.
- (b) Presentation requests shall be submitted to the Clerk not later than Wednesday noon the week prior to the meeting.

15.515.6 Delegations

- (a) Persons desiring to verbally present information on matters of fact or to make a request to Council shall give written notice to the Clerk no later than Wednesday noon 9:30 AM on the Monday the week prior to preceding the meeting.
- (b) Delegations shall be directed by the Clerk to the appropriate Committee of Council, except where the delegation wishes to address Council with respect to a matter which will be put forward directly to Council without first being considered by a Committee~~Delegations shall be directed by the Clerk to the next Committee of the Whole meeting. Delegations shall be heard by the Committee provided that they have met the requirements included in Section 15.5, except where there is a statutory right to be heard.~~
- ~~(c) Delegations may be heard at Council and/or Committee of the Whole.~~
- ~~(d) Delegations shall be heard by the appropriate Committee of Council provided that they have met the requirements included in Section 15.6 of this By-law, except where there is a statutory right to be heard.~~
- ~~(e) Where a request is received after Wednesday noon the week prior to the meeting and the subject matter is included on an agenda for a meeting, the request will be added to the addendum for the applicable meeting if written notice to the Clerk is received by noon the day preceding the meeting.~~
- ~~(f) Where a request is received after Wednesday noon the week prior to the meeting and the matter is not included on the agenda for the meeting, then the request will be placed on the agenda of the next regular meeting of the Committee of Council.~~
- ~~(g) Delegations will be permitted from the gallery without prior registration only during statutory public meetings under the Planning Act or any other legislation, as required. Delegations are not required to give written notice to the Clerk but are encouraged to do so in order to facilitate the efficient conduct of the meeting.~~
- ~~(e)(h)~~ Delegations may be heard at Council provided they have first appeared before the Committee of Council responsible for the matter. A delegation that did not appear before a Committee requires a two-thirds majority vote to be heard by Council, except where the delegation wishes to address Council with respect to a matter which will be put forward directly to Council without first being considered by a Committee.
- ~~(d) Where a request is received after 9:30 AM on the Monday preceding the meeting and the matter is either:~~

- i) ~~included on the agenda for the meeting, then the request will be added to the agenda and the right to be heard will be subject to a two-thirds majority vote; or~~
 - ii) ~~not included on the agenda for the meeting, then the request will be placed on the agenda of the next regular meeting of the Committee of the Whole.~~
- (i) Delegations may not appear at a Committee of the Whole meeting unless the matter is included on the agenda.
 - (j) Delegations related to labour relations, ongoing legal proceedings or solicitation of business will not be considered by Council or a Committee unless a written copy of their presentation is provided to the Clerk at least 48 hours prior to the meeting. If the presentation contains information which in the opinion of the Clerk should be dealt with in a closed session, the Clerk shall advise the Chair prior to the delegate speaking.
 - (k) Delegations related to a previous decision of Council shall not be considered by Council or a Committee within 12 months following the decision of Council unless a motion to reconsider or re-introduce the matter is presented to Council pursuant to Section 19.15 or 19.16 of this By-law.
 - ~~(e)~~(l) Delegations may only appear once on a matter within six (6) months, unless a recommendation pertaining to the matter is included on the agenda within the six (6) months.
 - ~~(f)~~(m) Delegations shall be limited to speak not more than five (5) minutes, with the exception that a delegation consisting of more than five persons shall be entitled to two speakers with each limited to speak not more than five (5) minutes. A single one-time two minute extension may be granted by a majority vote.
 - (n) Delegations shall submit any electronic presentations at least twenty-four (24) hours prior to the commencement of the meeting.
 - (o) Delegations requesting to appear before a Committee of Council will be requested to provide a written copy of their submission, if available, to the Clerk prior to the commencement of the meeting.
 - ~~(g)~~(p) Delegations requesting to appear before Council shall submit a written copy of their presentation or an outline of their delegation at least 24 hours prior to the Council meeting. A delegation that did not submit a written copy of their presentation or an outline of their delegation at least 24 hours prior to the Council meeting requires a two-thirds majority vote to be heard by Council.

15.615.7 **Committee Reports**

- (a) The Committee Chair or Vice-Chair shall present the Reports of ~~their section of the agenda~~Committees.
- (b) Council may adopt, reject, amend, table or refer back with or without instructions, any or all items included on the Report of a Committee.
- ~~(b)~~(c) The Members of Council shall, following disposition of each ~~Commission section~~Committee Report in the agenda, be ~~allowed~~permitted to question the ~~section-Committee~~ Chair on matters not necessarily included in the minutes of the Committee or the Report of such Committee, of the Whole subject to the Chair intervening if she/he deems it necessary to continue the agenda. Such ruling by the Chair to be subject, if challenged, to a decision of Members.

- ~~(c) Staff Reports submitted to Council Members for information shall not be presented to Council through the Committee of the Whole, but will be included in the Council Information Package which is sent out electronically to all members of Council every Friday.~~
- ~~(d) For exceptions where it is necessary for an information report to be discussed at a Committee of the Whole meeting, the Chief Administrative Officer, in consultation with the Regional Chair and the appropriate Committee Chair, may request the Clerk to include said information report on the Committee of the Whole agenda.~~
- ~~(e) A Member of Council may request in writing to the Regional Clerk that an information report be added to the Committee of the Whole agenda.~~

15.8 Departmental Reports

- (a) Departmental reports shall be presented to the Committee of Council responsible for the matter, unless there is a legislated requirement or a resolution of Council directing the matter to come directly to Council.
- (b) Departmental reports of an urgent nature which have not been considered by a Committee of Council shall be listed under the Other Business section of the agenda for Council's consideration, at the discretion of the Clerk, in consultation with the Regional Chair and Chief Administrative Officer.
- (c) Departmental reports for information shall be included in the Council Information Package which is sent out electronically to all Members of Council every Friday.
- (d) For exceptions where it is necessary for an information report to be discussed at a Committee of Council, the appropriate Department Head may request the Clerk to include the information report on the appropriate Committee agenda.
- (e) A Member of Council may request in writing to the Clerk that an information report from the Council Information Package be lifted and included on the next agenda of the appropriate Committee of Council. The item will be included on the agenda of the next regularly scheduled meeting of the appropriate Committee of Council if submitted to the Clerk not later than Wednesday noon the week prior to the meeting.
- (f) Departmental reports submitted to a Committee of Council for information shall not be presented to Council through the Committee Report to Council, unless there is a legislated requirement or a resolution of Committee or Council directing the matter to come forward.

15.715.9 Unfinished Business

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council, or which have been tabled, and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until dealt with or removed from the agenda by leave of Council.

15.10 Other Business

- (a) A Member may introduce a motion under Other Business without notice, if Council, without debate, dispenses with notice on a two-thirds majority vote, in accordance with Section 19.4 of this By-law.
- (b) All requests for substantive information or reports from staff shall require the approval of a majority of the Members present at a meeting and such requests shall identify the appropriate Department and the objective(s) of the report.

15.815.11 By-Laws

- (a) No by-law shall be presented to Council unless the subject matter thereof has been considered and approved by Council or a Committee to which Council has delegated authority, except:
 - (i) a by-law to confirm the proceedings of Council;
 - (ii) Tile Drainage ~~By-laws~~By-Laws prepared under the Tile Drainage Act;
 - (iii) a by-law arising as the result of an order or decision of any judicial or quasi-judicial body;
 - (iv) a by-law to appoint acting/chief building officials and sewage system inspectors;
 - (v) a by-law to dedicate any lands acquired by the Regional Municipality of Durham for road widening purposes, to form part of the Regional Road system;
- (b) Every by-law shall be introduced upon a motion by a Member, and any number of by-laws may be introduced together in one motion, but Council shall, at the request of a Member, deal separately with any by-law.
- ~~(c) Every by-law when introduced, shall be in typewritten form, and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Statute, and shall be complete with the exception of the number and date of the by-law.~~
- ~~(d)~~(c) Every by-law which has been passed by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Regional Chair and the Clerk and shall be deposited by the Clerk in his/her office for safekeeping.
- ~~(d) The Clerk shall be authorized to make minor corrections to a by-law that are immaterial in nature and which do not alter the intent of the by-law.~~

16. RULES OF DEBATE IN COUNCIL

- 16.1 No Member shall be deemed to have precedence or seniority over any other Member.
- 16.2 Before speaking to a question or motion, a Member who is able to shall rise from his/her seat and address the Chair.
- 16.3 When two or more Members wish to speak, the Chair shall recognize the Member who, in the opinion of the Chair, first signified their intention to speak.
- 16.4 When a Member is speaking, no other Member shall pass between that Member and the Chair or interrupt that Member except to raise a point of order.
- 16.5 A Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member who is speaking.
- 16.6 No Member shall speak more than once to the same question without leave of the Council, but a reply may be made by the Member who has presented the motion to the Council.
- 16.7 No Member, without leave of the Council, shall speak to the same question, or reply, for longer than five minutes.
- 16.8 (a) A Member may ask a question for the purpose of obtaining information relating to the matter under discussion and such question shall be stated concisely and asked only through the Chair.

- (b) When a Member has been recognized as the next speaker, before speaking the Member may ask a question of or through the Chair on the matter under discussion for the purpose of obtaining information, following which the Member may speak.

16.9 No member may speak to any question or matter and immediately thereafter present a motion.

17. POINTS OF ORDER AND PRIVILEGE

17.1 The Chair shall preserve order and decide points of order and points of privilege.

17.2 (a) When a Member rises on a point of order, he/she shall ask leave of the Chair to raise a point of order and after leave is granted, the Member shall state the point of order and sit down and remain seated until the Chair has decided the point of order.

(b) If no Member appeals, the decision of the Chair is final.

(c) After the Chair has decided the point of order, a Member shall only address the Chair for the purpose of appealing to the Council from the Chair's decision.

(d) If a Member appeals to Council on a point of order, Council shall hear the reason for the appeal from the appellant and the reason for the decision from the Chair, and shall decide the question without debate.

(e) The decision of Council under clause [17.2](#) (d) is final.

17.3 (a) Where a Member considers that his/her integrity or the integrity of the Council as a whole has been impugned, he/she may, on a point of privilege, rise with the consent of the Chair for the purpose of drawing the attention of Council to the matter.

(b) When a point of privilege is raised, it shall be considered and decided by the Chair immediately.

(c) The decision of the Chair on a point of privilege is final.

18. CONDUCT OF MEMBERS IN COUNCIL

18.1 No Member shall:

(a) speak disrespectfully of the Reigning Sovereign, of any member of the Royal Family, of the Governor-General of Canada, of the Lieutenant-Governor of any Province, of any Member of Senate or of any elected assembly;

(b) use offensive words or unparliamentary language in or against the Council or against any Member, or any officer or employee of the Regional Corporation;

(c) speak on any subject other than the subject in debate;

(d) disobey the Rules of Procedure or a decision of the Chair or of the Council on questions of order or procedure or upon the interpretation of the Rules of Procedure; and in case a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith order him/her to vacate the Chamber in which the meeting is being held, but if the Member apologizes he/she may, by vote of the Council, be permitted to retake his/her seat;

(e) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status, or disability.

18.2 No food shall be allowed in the Chamber during the sittings of the Council.

19. MOTIONS

19.1 Motions Without Notice and Without Leave

- (a) The following matters and motions may be introduced orally without written notice and without leave, and to be decided without debate:
- (i) a point of order;
 - (ii) a point of privilege;
 - (iii) a motion to adjourn;
 - (iv) a motion to refer;
 - (v) a motion to defer/~~postpone~~;
 - (vi) a motion to suspend the Rules of Procedure;
 - (vii) a motion to table the question;
 - (viii) a motion to vote on the question;
 - (ix) a motion to divide;
 - (x) a motion to go into Committee of the Whole;
 - (xi) a motion to recess.
- (b) The following motions may be introduced without notice and without leave, but shall be in writing and signed by the mover and seconder:
- (i) a motion to amend;
 - (ii) a motion to table the question with direction or instructions;
 - (iii) a motion to refer with direction or instructions;
 - (iv) a motion to defer/~~postpone~~ with directions or instructions.

19.2 Notice of Motion

- (a) ~~Subject to the provisions of section 19.5, N~~notice of all new motions, except motions listed in clauses 19.1_(a) and (b), shall be given in writing and signed by the mover and the seconder, either:
- (i) at a meeting of Council but shall not be debated until the next regular meeting of Council; or
 - (ii) delivered to the Clerk not later than ~~Thursday~~Wednesday noon ~~the week prior to preceding the date of~~ the meeting at which the motion is to be introduced.
- (b) Where notice of motion has been given under clause 19.2 (a), the motion shall be included in the agenda for the next regular meeting of Council and for each succeeding regular meeting until the motion is considered or otherwise disposed of.
- (c) When a Member's notice of motion has been called from the Chair at two successive meetings and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise.
- (e)(d) A notice of motion included in the agenda may be debated by Council without having been read at the meeting.

19.3 **Motion in Writing**

Except as provided in clause 19.1 (a), a motion shall be in writing and signed by the mover and seconder.

19.4 **Dispensing with Notice**

A motion may be introduced without notice if Council, without debate, dispenses with notice on a two-thirds majority vote.

19.5 **Seconding**

A motion shall be formally seconded before the presiding officer puts the question or before a motion is recorded in the minutes.

19.6 **Presentation of Motion by Chair**

When a motion is presented in Council in writing, it shall be read, or, if it is a motion which may be presented orally, it shall be stated by the Chair before debate.

19.7 **Motions Beyond Jurisdiction of Council**

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

19.8 **Withdrawal**

After a motion is read or stated by the Chair it shall be deemed to be in possession of Council, but may, with the permission of Council, be withdrawn at any time before decision or amendment.

19.9 **Priority of Disposition**

A motion properly before Council for decision must receive disposition before any other motion can be received, except motions in respect of matters listed in clauses 19.1 (a) and (b).

19.10 **Procedure at Next Meeting**

A motion called in the order in which it stands upon the agenda of a meeting and which has not received disposition by Council shall be allowed to stand retaining its precedence upon the agenda of the next regular meeting of Council.

19.11 **Motion to Amend**

- (a) Only one amendment at a time can be presented to the main motion and only one amendment can be presented to an amendment, but when the amendment to the amendment has been disposed of, another may be introduced, and when an amendment has been decided, another may be introduced.
- (b) The amendment to the amendment, if any, shall be voted on first, then if no other amendment is presented, the amendment shall be voted on next, then if no other amendment is introduced, the main motion, or if any amendment has carried, the main motion as amended, shall be put to a vote.
- (c) Every amendment shall be in writing.
- (d) Nothing in this section shall prevent other proposed amendments being read for the information of the members.

19.12 **Motion to Vote on the Question**

A motion that a vote on the question be now taken:

- (a) cannot be amended or debated;
- (b) cannot be proposed when there is an amending motion under consideration, except for the purpose of moving that the amending motion be put;
- (c) when resolved in the affirmative, requires that the question (motion, amending motion or motion as amended, whichever is under consideration) be put forward immediately without debate or amendment;
- (d) can only be moved in the following words, "that the question be now put", and seconded;
- (e) may be voted against by the mover and seconder;
- (f) cannot be moved or seconded by a Member who has spoken on the main question or an amendment to the main question.
- (g) A motion 'that the question be now put' requires an affirmative vote of two-thirds of the Members present and voting and can be made only by a Member who is recognized by the Chair and is on the Chair's list of Members wishing to speak to the motion.

19.13 **Motion to Adjourn**

A motion to adjourn the Council or to adjourn the debate shall always be in order except:

- (a) when a Member is speaking or during the taking of a vote;
- (b) immediately following the affirmative resolution of a motion that a vote on the question be now taken;
- (c) when a Member has already indicated to the Chair that he/she desires to speak on the question;

and, when resolved in the negative, cannot be made again until Council has conducted further proceedings.

19.14 **Motion to Refer or Defer/~~Postpone~~**

- (a) A motion to refer or defer/~~postpone~~ the question may include instructions respecting the terms upon which the question is to be referred or deferred/~~postponed~~.
- (b) A motion to refer or defer/~~postpone~~ the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.
- (c) A motion to refer or defer/~~postpone~~ a question may be amended in accordance with the provisions of Section 19.11 of this By-law.

19.15 **Motion to Reconsider**

- (a) Subject to clauses 19.15_(b) and 19.15_(c) no substantive motion, after it has been decided, shall be reconsidered within 12 months following the decision of the Council unless Council decides to do so by a two-thirds majority vote.
- (b) After any substantive motion has been decided, any Member who voted with the prevailing side, may make a motion to reconsider the question.
- (c) A motion to reconsider may not be introduced without notice, unless the Council, without debate, dispenses with notice on a two-thirds majority vote.

- (d) A motion to reconsider is debatable.
- (e) No discussion of the main substantive motion shall be allowed until the motion for reconsideration is carried.
- (f) Once the substantive motion is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise.
- (g) If the substantive motion is reopened, all previous decisions of the Council remain in force unless the Council decides otherwise.
- (h) No motion to reconsider may, itself, be the subject of a motion to reconsider.
- (i) Where a notice of reconsideration is accepted pursuant to clause [19.15](#) (c), consideration of the motion to reconsider shall be at the next regular meeting of Council unless:
 - 1) The Council decides by a two-thirds majority vote to deal with the motion at some earlier time; or,
 - 2) An earlier special meeting of Council is called pursuant to ~~Section~~[Section](#) 8.3 of ~~this By-law~~[the Rules of Procedure](#) to deal with the subject matter under reconsideration.
- (j) A motion to reconsider an amendment after the original motion to which the amendment was proposed has been considered and disposed of is out of order.
- (k) An amendment cannot be the subject of reconsideration independently of the motion, by-law or other matter amended.
- (l) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

19.16 Re-introduction of a Defeated Motion

A ~~motion to rescind a~~defeated motion of Council ~~is not required and the subject matter~~ may not be re-introduced or debated in any form without leave of Council upon a majority vote.

19.17 Motion to Rescind

A motion to rescind a previous resolution of Council requires a two-thirds majority vote and can only be considered if notice has been given pursuant to clause 19.2_(a) ~~of the Rules of Procedure~~ or Council has dispensed with the notice pursuant to Section 19.4 [of this By-law](#).

20. VOTING ON MOTIONS

20.1 Majority

Except as otherwise provided in this By-law, the concurring votes of a majority of Members present and voting are necessary to carry any resolution or other measure.

20.2 Chair or Acting Chair

The [Regional](#) Chair or Acting Chair in the absence of the [Regional](#) Chair, or Member appointed to preside over the meeting in the absence of both, has the right to vote at all meetings of Council, Committee of the Whole, and those Committees of which he/she is a member.

20.3 **Members Present**

Every Member present at a meeting of the Council, when a question is put shall vote thereon unless prohibited by statute or by these rules, in which case, the Clerk shall record the name of the Member and the reason that he/she is prohibited from voting.

20.4 **Negative Vote**

If a Member does not vote when a question is put, he/she shall be deemed to have voted in the negative, except where the Member is prohibited from voting by statute.

20.5 **Equality of Votes**

Where a vote is taken and a tie results, the question shall be deemed to have been decided in the negative.

20.6 **Unrecorded Vote**

The manner of determining the decision of Council shall be at the discretion of the Chair and may be by show of hands, standing or otherwise.

20.7 **Recorded Vote**

(a) When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record the name and vote of every Member on the question.

(b) A recorded vote shall be in order at Council, Committee and Local Board meetings and may be requested immediately before or after the taking of the vote.

(c) Members shall use the electronic voting equipment for the purpose of recording their vote.

(d) The result of the vote shall be displayed once voting has closed and then declared by the Chair.

(e) Should Council or Committee meet in a location where there is no electronic voting system or should the electronic voting system be inoperable:

(i) The order in which Members vote on recorded votes shall be in alphabetical order of the Members present and voting (with necessary modifications made for alternate members), commencing and continuing through the alphabet with the Member who made the request and then back to the beginning of the alphabet, if necessary, until all Members have voted, save and except the Chair who shall vote last;

(ii) If a request is made by the Chair for a recorded vote, the order in which Members vote shall be in alphabetical order of the Members present and voting, save and except for the Chair who shall vote first.

~~(e)(f) The order in which Members vote on recorded votes shall be in alphabetical order of the Members present and voting (with necessary modifications made for alternate members), commencing and continuing through the alphabet with the Member who made the request and then back to the beginning of the alphabet, if necessary, until all Members have voted, save and except the Chair who shall vote last.~~

~~(d)(g) If a request is made by the Chair for a recorded vote, the order in which Members vote shall be in alphabetical order of the Members present and voting, save and except for the Chair who shall vote first.~~

20.8 Declaration of Chair

If a Member disagrees with the announcement of the Chair that a question is carried or defeated, he/she may immediately after the declaration by the Chair, object to the Chair's declaration and require that a recorded vote be taken on the question.

20.9 Procedures During Voting

When the Chair calls for a vote on a question, each Member shall occupy his/her seat and shall remain there until the result of the vote has been declared by the Chair, and during such time no Member shall walk across the Chamber or speak to a Member or any other person or make any noise or disturbance.

20.10 Vote Not Allowed

A Member not in their seat when the question is called by the Chair is not entitled to vote on that question.

20.11 No Interruption after Question

After a question is put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

21. RECORDING, BROADCASTING OR STREAMING OF MEETINGS

21.1 Meetings may be audio or video recorded, broadcast and/or streamed publicly by the Regional Corporation, except for closed meetings in accordance with Section 10.7 of this By-law.

21.2 Meeting attendees may record meetings, except for in-camera meetings, provided that doing so is not disruptive to the meeting or other attendees.

21.3 No person except a Member, officer or employee of the Regional Corporation is permitted to enter upon the floor of the Chamber during the sitting of the Council without permission of the Chair or the Council.

21.22. COMMITTEE OF THE WHOLE MEETINGS

21.122.1 Place of Meetings of Committee of the Whole

- (a) Regular meetings of ~~the~~ Committee of the Whole shall be held in the Council Chambers in the Regional Headquarters building or at such other place as Council from time to time appoints, unless otherwise decided by resolution of Committee of the Whole.
- (b) The location for a special meeting of ~~a~~ Committee of the Whole shall be determined by the office of the ~~Regional~~ Clerk.

21.222.2 Regular Meetings of Committee of the Whole

~~The time for the regular meetings of the Committee of the Whole shall be 9:00 AM unless decided by resolution of Committee of the Whole.~~

- (a) Meetings of Committee of the Whole may be held during a meeting of Council or on its own.
- (b) Regular meetings of Committee of the Whole shall be held at the hour of 9:30 AM on the day provided in the monthly meeting schedule approved by Council, unless otherwise decided by resolution of Council.
- (c) Where a regular meeting of Committee of the Whole is scheduled on the same day as a public or civic holiday, Committee of the Whole shall meet at the same hour on the next following day, which is not a public or civic holiday, unless otherwise decided by resolution of Council.

- (d) No regular meetings of Committee of the Whole shall be held in the months of July and August or during the week of March Break.

21.322.3 **Special Meetings of Committee of the Whole**

- (a) ~~In addition to regular meetings, the~~ The Regional Chair may at any time summon a special meeting of Committee of the Whole by giving written direction to the Clerk stating the date, time and purpose of the special meeting.
- (b) The Regional Chair shall summon a special meeting of Committee of the Whole when requested to do so by a majority of Members of the Committee.
- (c) ~~The Clerk shall give W~~ritten notice of a special meeting of ~~a~~ Committee of the Whole ~~must be given~~ to all Members of Council at least twenty-four hours before the time appointed for such meeting.
- (d) Notice of special meetings may be given by delivering the written notice personally to a Member; or by leaving such notice at his/her residence or place of business; or by facsimile transmission to such residence or place of business; or by electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency.
- (e) The written notice to be given under clause 22.3 (c) shall indicate the nature of the business to be considered at the special meeting, date, time and place of the meeting.
- (f) No business other than that indicated in the written notice shall be considered at the special meeting except with the unanimous consent of all Members of the Committee present and voting at such meeting.

21.422.4 ~~Cancellation or Change of Date and/or Time of Regular Meeting of~~ **Committee of the Whole Meetings**

The Clerk may ~~cancel or~~ reschedule a regularly scheduled meeting of Committee of the Whole, in consultation with the Regional Chair, where it is considered necessary because of exceptional circumstances. The Clerk shall give notice of the ~~cancellation or~~ change to all Members of Council in the manner set forth in clauses ~~8.322.3~~ (c) and (d) of ~~this By-law the Rules of Procedure.~~

22.5 **Cancellation of Committee of the Whole Meetings**

- (a) A regular or special meeting of Committee of the Whole may be cancelled in any of the following circumstances:
- (i) If the Clerk determines in advance that quorum will not be achieved;
- (ii) If the meeting is cancelled by Council or Committee resolution;
- (iii) Where the meeting is not required as determined by the Clerk due to a lack of forecasted agenda items; or
- (iv) In the event of exceptional circumstances, at the discretion of the Regional Chair or Clerk.
- (b) The Clerk shall give notice of the cancellation to all Members of Council in the manner set forth in clauses 22.3 (c) and (d) of this By-law.

21.522.6 **Public Notice of Committee of the Whole Meetings**

- (a) Pursuant to ~~section~~ Section 238 of the Municipal Act, ~~the~~ public notice for regularly scheduled Committee of the Whole meetings shall be deemed to be given by making the agenda available in the office of the Clerk and

by posting on the Regional website ~~the by afternoon of the Friday~~ Wednesday preceding the regularly scheduled meeting. For special meetings notice shall be posted on the Regional website at least twenty-four hours preceding the meeting.

- (b) The Clerk may amend the agenda for regularly scheduled Committee of the Whole meetings, by way of an addendum, to add matters to the agenda, such as correspondence, delegations and presentations. The addendum may be presented at the meeting and notice shall be given by an advisory email to members of Council summarizing any additions on the day preceding the Committee meeting and making the addendum available in the office of the Clerk by no later than ~~8:45~~ 9:00 AM on the day of the meeting at which it is to be presented.
- (c) Notice which is substantively given but is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

~~21.6~~ **Structure**

- ~~(a) Committee of the Whole meetings shall be divided into sections that reflect the Region's Commissions.~~
- ~~(b) The order of the sections shall be rotated each meeting.~~

23. COMMITTEE OF THE WHOLE PROCEEDINGS

21.7**23.1 Presiding Officer**

- ~~(a) The Regional Chair shall open each meeting and preside over presentations, deputations and any closed session portion of the meeting.~~
- ~~(b) Each section of the Committee of the Whole shall be chaired by the Member appointed by Council as the Chair of the section.~~
- ~~(c) The Vice-Chair, appointed by Council, shall chair the pertinent Committee of the Whole section in the absence of the Chair of the section.~~
- ~~(d) The Regional Chair is not eligible to be Chair or Vice-Chair of a section.~~
- (a) The Regional Chair or in his/her absence the Acting Chair, or in the absence of both, such other Member of the Committee as may be appointed by the vote of a majority of the Members of the Committee present, shall preside over Committee of the Whole meetings.
- (b) The Acting Chair shall preside during any part of a meeting when the Regional Chair is temporarily absent from the meeting, is taking part in debate on a question or is presenting a motion.

21.8**23.2 Quorum**

- (a) The quorum of Committee of the Whole shall be 15 members, including the Regional Chair.
- (b) If a quorum is not present within thirty minutes after the time appointed for the meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned.
- (c) When a meeting has been adjourned under clause 23.2 (b), the Regional Chair may summon a special meeting in accordance with Section 21.3:22.3 of this By-law
- (d) If during the course of a meeting a quorum is lost, then the meeting shall stand adjourned and any unfinished business will be taken up at the next regular meeting or other meeting called in accordance with the provisions

of this By-law. Prior to adjourning a meeting under this section, the Chair may recess the meeting to determine if a quorum can be found.

21.923.3 **Order of Proceedings in Committee of the Whole**

- (a) The order of business for regular meetings of Committee of the Whole shall be as follows, subject to such changes as may be appropriate in the circumstances:
 - (i) Declarations of Interest
 - (ii) ~~Statutory Public Meetings~~Public/Statutory Meetings
 - (iii) Delegations
 - (iv) Presentations
 - ~~(v) Correspondence~~
 - ~~(vi) Reports~~
 - ~~(vii) Confidential Matters~~
 - ~~(v) — Applicable Section — Communications~~
 - ~~(vi) — Applicable Section — Reports~~
 - ~~(vii) — Repeat (v and vi) as required~~
 - (viii) Other Business
 - ~~(ix) — Closed Session~~
 - ~~(x) — Reconvene in Open Session~~
 - ~~(xi)~~(ix) Adjournment
- (b) All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by majority vote.

23.4 **Minutes and Agenda**

- ~~(a) The Clerk shall prepare an agenda with a list of the items in the order of topics set out as the order of business in Section 23.3 of this By-law for the use of each Member at a regular meeting.~~
- ~~(b) The Clerk shall cause minutes to be taken of each meeting of Committee of the Whole, which shall include:
 - ~~(i) the place, date and time of the meeting;~~
 - ~~(ii) the names of the presiding officer or officers and the record of the attendance of the Members, including the nature of the absence, if the Legislative Services Division is advised in advance of the meeting, or within 24 hours of the termination of the meeting;~~
 - ~~(iii) the names of senior Regional staff in attendance;~~
 - ~~(iv) the reading, if requested by a majority of Members present and voting; any correction, if necessary; the adoption of the minutes of the previous meeting; and the declarations of interest; and~~
 - ~~(v) all other proceedings of Committee of the Whole without note or comment.~~~~
- ~~(c) The Clerk shall ensure that the minutes of the last regular meeting and all special and closed meetings of Committee of the Whole held more than~~

three days prior to the Council agenda distribution (excluding weekends and statutory holidays) are included in the next regularly scheduled Council agenda.

(d) Minutes referred to in clause 23.4 (b) may be adopted by Council without having been read at the meeting at which the question of their adoption is considered.

23.5 Procedures in Committee of the Whole

~~The rules governing the procedure of the Council and the conduct of Members in Council shall be observed in Committee of the Whole, so far as they are applicable, provided that:~~

(a) The rules governing the procedure ~~in of the~~ Council and the conduct of Members in Council shall be observed in Committee of the Whole, ~~except as otherwise provided in this By-law.~~

(b) A motion may be introduced orally and with a seconder.

(c) A recorded vote shall be in order at Committee of the Whole.

(d) Where a vote is taken and a tie results, the question shall be deemed to have been decided in the negative.

~~(e)~~(e) No meeting or part of a meeting shall be closed to the public, except in accordance with Section 10 of this By-law.

~~(d)~~(f) The rules in respect to the hearing of delegations, Section 15.6 of this By-law, shall apply to Committee of the Whole.

~~(e)~~(g) The rules in respect to the introduction of new business in Council, Section 15.10 of this By-law, shall apply to Committee of the Whole.

~~(f)~~(h) When a point of order is raised or when a Member is called to order in Committee of the Whole, Sections 17 and 18 of this By-law, the same procedure shall be adopted as in Council, ~~except that the question shall be decided by the respective Chair,~~ subject to an appeal to the Members of the Committee.

~~(g) Where a vote is taken and a tie results, the question shall be deemed to have been decided in the negative.~~

~~(h)~~(i) The number of times of speaking on any question shall not be limited provided that no Member shall speak more than once except to make an explanation, until every Member who desires to speak has spoken.

~~(i)~~(j) For the Committee of the Whole a dedicated dinner hour shall be at 5:30 PM.

23.6 Committee Clerk

The Clerk or an employee of the Regional Corporation designated by the Clerk shall be the Recording Secretary of each Committee.

~~21.101.1 For the Committee of the Whole a dedicated dinner hour shall be at 5:30 PM.~~

~~22. COMMITTEES~~

~~22.1 Council may at any time appoint a special or Ad Hoc Committee to enquire into and report on any matter.~~

~~22.2 The rules governing Committee of the Whole will apply to any Ad Hoc or Special Committee.~~

23.24. **STANDING COMMITTEES**

23.124.1 There shall be four Standing Committees of Council namely:

- (a) The Finance and Administration Committee;
- (b) The Health and Social Services Committee;
- (c) The Planning and Economic Development Committee;
- (d) The Works Committee.

23.224.2 Each of the Standing Committees shall be composed of seven Members.

24.3 The Regional Chair shall be an ex officio member of each Standing Committee and shall be entitled to vote at such meetings.

23.324.4 Council may consider any matter without referring it to a Committee or may refer it to ~~two or more Committees or refer it to the~~ Committee of the Whole pursuant to Section 22 of this By-law, and may withdraw a matter from a Committee at any time.

23.424.5 Council may at any time appoint a special or ad hoc Committee to enquire into and report on any matter.

24.25. **STANDING COMMITTEE MEETINGS**

24.125.1 **Place of Standing Committee Meetings**

- (a) Regular meetings of Standing Committees shall be held at Durham Regional Headquarters, 605 Rossland Road East, Whitby, Ontario, unless otherwise decided by resolution of Committee.
- (b) The location for a special meeting of a Standing Committee(s) shall be determined by the office of the ~~Regional~~ Clerk.

24.225.2 **Regular Meetings of Standing Committees**

- (a) Regular meetings of the Standing Committees shall be held at the hour of 9:30 AM on the day provided in the monthly meeting schedule approved by Council, unless otherwise decided by resolution of Council.
- (b) Where a regular meeting of a Standing Committee(s) is scheduled on the same day as a public or civic holiday, the Committee shall meet at the same hour on the next following day, which is not a public or civic holiday, unless otherwise decided by resolution of Council.
- ~~(b)~~(c) No regular meetings of Standing Committees shall be held in the months of July and August or during the week of March Break.

24.325.3 **Special Meetings of Standing Committees**

- (a) ~~In addition to regular meetings,~~ A Committee Chair may at any time summon a special meeting of a Committee by giving written direction to the Clerk stating the date, time and purpose of the special meeting, provided, however, that the Committee does not meet while Council is meeting.
- (b) A Committee Chair shall summon a special meeting of a Committee when requested to do so by a majority of Members of the Committee.
- (c) The Clerk shall give written notice of a special meeting of a Committee to all Members of Council at least twenty-four hours before the time appointed for such meeting.

- (d) Notice of special meetings may be given by delivering the written notice personally to a Member; or by leaving such notice at his/her residence or place of business; or by facsimile transmission to such residence or place of business; or by electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency.
- (e) The written notice to be given under clause 25.3 (c) shall indicate the nature of the business to be considered at the special meeting, date, time and place of the meeting.
- (f) No business other than that indicated in the written notice shall be considered at the special meeting except with the unanimous consent of all Members of the Committee present and voting at such meeting.

24.425.4 **Change of Date and/or Time of Standing Committee Meetings**

The Clerk may ~~cancel or~~ reschedule a regularly scheduled meeting of a Standing Committee, in consultation with the Committee Chair, where it is considered necessary because of exceptional circumstances. The Clerk shall give notice of the cancellation or change to all Members of Council in the manner set forth in clauses 25.3 (c) and (d) of this By-law.

25.5 **Cancellation of Standing Committee Meetings**

- (a) A regular or special meeting of a Standing Committee may be cancelled in any of the following circumstances:
 - (i) If the Clerk determines in advance that quorum will not be achieved;
 - (ii) If the meeting is cancelled by Council or Committee resolution;
 - (iii) Where the meeting is not required as determined by the Clerk and applicable Department Head due to a lack of forecasted agenda items; or
 - (iv) In the event of exceptional circumstances, at the discretion of the Committee Chair or Clerk.
- (b) The Clerk shall give notice of the cancellation to all Members of Council in the manner set forth in clauses 25.3 (c) and (d) of this By-law.

24.525.6 **Public Notice of Committee Meetings**

- (a) Pursuant to Section 238 of the Municipal Act, public notice for regularly scheduled Committee meetings shall be deemed to be given by making the agenda available in the office of the Clerk and by posting on the Regional website by the Friday preceding the regularly scheduled meeting. For special meetings notice shall be posted on the Regional website at least twenty-four hours preceding the meeting.
- (b) The Clerk may amend the agenda for regularly scheduled Committee meetings, by way of an addendum, to add matters to the agenda, such as correspondence, delegations and presentations. The addendum may be presented at the meeting and notice shall be given by an advisory email to Members of Council summarizing any additions on the day preceding the Committee meeting and making the addendum available in the office of the Clerk by no later than 9:00 ~~a.m.~~AM on the day of the meeting at which it is to be presented.
- (c) Notice which is substantively given but is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

25.26. **STANDING COMMITTEE PROCEEDINGS**

25.126.1 **Presiding Officer**

- (a) The Committee Chair or in his/her absence the Committee Vice-Chair, or in the absence of both, such other Member of the Committee as may be appointed by the vote of a majority of the Members of the Committee present, shall preside at the meeting of a Committee and may vote on all questions submitted.
- (b) The Committee Vice-Chair shall preside during any part of a meeting when the Committee Chair is temporarily absent from the meeting, is taking part in debate on a question or is presenting a motion.

25.226.2 **Quorum**

- (a) The quorum of a Committee shall consist of a majority of the total Members excluding the Regional Chair, however, the Regional Chair can be counted to form a quorum.
- (b) If a quorum is not present within thirty minutes after the time appointed for the meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned.
- (c) When a meeting has been adjourned under clause 26.2 (b), the Committee Chair may summon a special meeting in accordance with Section 25.3 of this By-law.
- (d) If during the course of a meeting a quorum is lost, then the meeting shall stand adjourned and any unfinished business will be taken up at the next regular meeting or other meeting called in accordance with the provisions of this By-law. Prior to adjourning a meeting under this section, the Committee Chair may recess the meeting to determine if a quorum can be found.

25.326.3 **Order of Proceedings in Committee**

- (a) The order of business for regular meetings of Committee shall be as follows, subject to such changes as may be appropriate in the circumstances:
 - (i) Declarations of Interest
 - (ii) Adoption of Minutes
 - (iii) Statutory Public Meetings
 - (iv) Delegations
 - (v) Presentations
 - (vi) Applicable Section – Correspondence
 - (vii) Applicable Section – Reports
 - (viii) Repeat (vi and vii) as required
 - (~~vi~~)(ix) Advisory Committee Resolutions
 - (~~vii~~)(x) Confidential Matters
 - (~~viii~~)(xi) Other Business
 - (~~ix~~)(xii) Adjournment

- (b) All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by majority vote.

26.4 Minutes and Agenda

- (a) The Clerk shall prepare an agenda with a list of the items in the order of topics set out as the order of business in Section 26.3 of this By-law for the use of each Member at a regular meeting.
- (b) The Clerk shall cause minutes to be taken of each meeting of Committee, which shall include:
- (i) the place, date and time of the meeting;
 - (ii) the names of the presiding officer or officers and the record of the attendance of the Members, including the nature of the absence, if the Legislative Services Division is advised in advance of the meeting, or within 24 hours of the termination of the meeting;
 - (iii) the names of senior Regional staff in attendance;
 - (iv) the reading, if requested by a majority of Members present and voting; any correction, if necessary; the adoption of the minutes of the previous meeting; and the declarations of interest; and
 - (v) all other proceedings of Committee without note or comment.
- (c) The Clerk shall ensure that the minutes of the last regular meeting and all special and closed meetings of Committees held more than three days prior to the respective Committee agenda distribution (excluding weekends and statutory holidays) are included in the next regularly scheduled agenda of the respective Committee.
- (d) Minutes referred to in clause 26.4 (b) may be adopted by Council or the respective Committee without having been read at the meeting at which the question of their adoption is considered.

25.426.5 Procedures in Committee

- (a) The rules governing the procedure in Council and the conduct of Members in Council shall be observed in Committees shall apply to the proceedings of Committees, except as otherwise provided in this By-law.
- (b) A motion may be introduced orally and with ~~without~~ a seconder.
- (c) A recorded vote shall be in order ~~not be permitted~~ at Committee meetings.
- (d) Where a vote is taken and a tie results, the question shall be deemed to have been decided in the negative.
- (e) No meeting or part of a meeting shall be closed to the public, except in accordance with Section 10 of this By-law.
- (f) The rules in respect to the hearing of delegations, Section 15.6 of this By-law, shall apply to Committees.
- (g) The rules in respect to the introduction of new business in Council, Section 15.10 of this By-law, shall apply to Committees.
- (h) When a point of order is raised or when a Member is called to order in a Committee, Sections 17 and 18 of this By-law, the same procedure shall be adopted as in Council, except that the question shall be decided by the Committee Chair, subject to an appeal to the Members of the Committee.

- (i) The number of times of speaking on any question shall not be limited provided that no Member shall speak more than once except to make an explanation, until every Member who desires to speak has spoken.
- (j) Meetings of Committees shall be open to all Members of Council who may, with the permission of the Committee Chair, take part in discussion or debate after Members of the Committee have had the first opportunity to speak, however it is understood that only Members of the Committee may make motions and vote.

25.526.6 **Committee Clerk**

The Clerk or an employee of the Regional Corporation designated by the Clerk shall be the Recording Secretary of each Committee.

27. ADVISORY COMMITTEES

27.1 The rules governing the procedure in Standing Committees and the conduct of Members in Standing Committees shall be observed in Advisory Committees, except as otherwise provided in this By-law and the Advisory Committee's Terms of Reference.

27.2 Minutes of Advisory Committees shall be included on the Council Information Package prepared by the Clerk pursuant to clause 15.4 (b) of this By-law, for Council's information.

27.3 If a quorum is not present within thirty minutes after the time appointed for the meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned. Advisory Committees shall not receive presentations, hear delegations or consider any matter when a quorum is not present.

27.4 The Clerk may cancel a meeting of an Advisory Committee, in consultation with the Staff Liaison to the Committee, where it is considered necessary because of any of the following circumstances:

- (a) If the Clerk determines in advance that quorum will not be achieved;
- (b) If the meeting is cancelled by Council or Committee resolution;
- (c) Where the meeting is not required as determined by the Staff Liaison and Clerk due to a lack of forecasted agenda items;
- (d) Due to the forecast of inclement weather; or
- (e) In the event of exceptional circumstances, at the discretion of the Staff Liaison or Clerk.

The Clerk shall give notice of the cancellation to all Members of the Committee by electronic mail or by telephone and shall post notice of cancellation on the Regional website.

~~26.28.~~ **COMMENCEMENT AND ADMINISTRATION**

~~26.1~~28.1 This ~~By-law~~By-Law shall be administered by the Clerk.

~~26.2~~28.2 ~~By-law #70-2017~~By-Law #42-2016 is hereby repealed.

28.3 This By-law shall come into force on the day the new Council is organized following the 2018 regular municipal election.

~~26.3~~28.4 The short title of this ~~By-law~~By-Law is the "Procedural ~~By-law~~By-Law" or the "Rules of Procedure".

This By-law Read and Passed on the ----th day of September, 2018.

G.L. O'Connor, Regional Chair and CEO

R. Walton, Regional Clerk

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The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: # [2018-COW-160](#)
Date: September 5, 2018

Subject:

Proposed Revisions to the Durham Region Roundtable on Climate Change (DRRCC) Terms of Reference.

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That the revised DRRCC Terms of Reference (ToR), as detailed in Attachment 2, be adopted.

Report:

1. Purpose

1.1 This report is to seek approval from COW for amendments to the ToR of the DRRCC. Amendments have been made to accurately represent the purpose and current work of the DRRCC and its meeting schedule.

2. Background

2.1 The DRRCC is an ad hoc committee, formed in 2015 to champion and assist Durham Region in its response to climate change. The DRRCC has three main areas of focus:

- a. Outreach: assist all stakeholders within the Region to address climate change in their respective practices and operations;
- b. Advocacy: make recommendations with respect to policy positions that Regional Council could adopt and/or take forward to other levels of government and government agencies to address climate change; and
- c. Education: continually improving knowledge and understanding of climate change.

3. Amendments to the DRRCC Terms of Reference

3.1 In section 3.1.2 Outreach/Advocacy Role of the ToR several addendums have been made to more accurately reflect the work that is being undertaken by the

DRRCC. Changes include:

- a. Developing a community adaptation plan and community energy plan.
- b. Identifying and implementing community outreach and education program to educate residents about climate change and encourage them to increase climate adaptation measures.
- c. Encouraging residents, businesses and municipalities to improve their resilience to climate change.

4. Amendment to reflect the new committee system

- 4.1 The Joint Committee of Planning & Economic Development, Works, Health & Social Service has been revised to *Finance and Administration Committee* to reflect changes to the administrative system. Previously, the DRRCC reported to the Joint Committee of Planning & Economic Development, Works, Health & Social Service standing committee. It is recommended that DRRCC now report to the Finance and Administration Committee because the work of the DRRCC is being undertaken by the Office of the CAO.

5. Amendment to the frequency of DRRCC meetings

- 5.1 Dates for DRRCC meeting have been amended from monthly to bi-monthly to ensure efficient use of time and ensure that adequate time is allotted to provide DRRCC members with high-quality presentations and information to inform conversations about climate change and environmental sustainability.

6. Attachments

Attachment #1: Durham Region Roundtable on Climate Change Terms of Reference
- DRAFT (September 2018)

Attachment #2: Durham Region Roundtable on Climate Change Terms of Reference
- CLEAN DRAFT (September 2018)

Respectfully submitted,

Original Signed By

Angela Gibson
Director, Corporate Policy & Strategic
Initiatives

Recommended for Presentation to Committee

Original Signed By

Garry H. Cubitt, M.S.W.
Chief Administrative Officer

Durham Region Roundtable on Climate Change Terms of Reference - DRAFT

1. Goal

- 1.1. To assist the Region of Durham community to effectively address climate change and its impacts.

2. Mandate

- 2.1. The Durham Region Roundtable on Climate Change (DRRCC) is an ad hoc committee reporting to Regional Council through [the Finance and Administration Committee](#) ~~a Joint Committee of Planning & Economic Development, Works, Health & Social Services, and Finance & Administration.~~
- 2.2. The DRRCC champions and assists Durham Region community responses to climate change.
- 2.3. The DRRCC's mandate focuses on three areas:
 - Outreach: assist all stakeholders within the Region to address climate change in their respective practices and operations;
 - Advocacy: make recommendations with respect to policy positions that Regional Council could adopt and/or take forward to other levels of government and government agencies to address climate change; and
 - Education: continually improving knowledge and understanding of climate change.

3. Scope of Activities

- 3.1. The scope of the DRRCC activities may include activities, such as:
 - 3.1.1 Committee Education
 - Attending and arranging presentations and conferences to broaden their knowledge of the climate change phenomenon (including causes and implications) in the global and Regional context. Developing knowledge of

what municipalities and its citizens can do to contribute to the global efforts to deal with climate change is essential for the DRRCC to effectively discharge its mandate.

3.1.2 Outreach/Advocacy Role

- Investigate the Federation of Canadian Municipalities - Partners in Climate Protection Program and assess the advantages of this program in reducing greenhouse gas emissions.
- Provide recommendations to Regional Council regarding current and future activities and directions to be taken within the Region as a corporation and as a community service provider that address climate change mitigation and adaptation measures.
- Develop a Community Climate Change Action Plan, a Community Climate Adaptation Plan and a Community Energy Plan, which identifies measures to reduce greenhouse gas emissions and improve in Durham Region's resilience to climate change.
- Undertake outreach activities (e.g. surveys, open houses, focus groups, workshops) to identify the public's priorities in addressing climate change.
- Identify and implement community outreach/education programs to educate Durham Region residents about climate change issues and encourage residents to reduce their greenhouse gas emissions, and improve their resilience to climate change.
- Engage the area municipalities and encourage them to identify and undertake measures that reduce their emission of greenhouse gases and increase their climate adaptation measures. This may include facilitating information sharing between the eight area municipalities and assisting with the co-ordination of complimentary activities.
- Engage local industries, corporations, businesses and institutions and encourage them to identify and undertake measures that reduce their emission of greenhouse gases and improve their resilience to climate change.
- Identify and implement measures to encourage the development of

partnerships and information sharing between the various industries, corporations, businesses and institutions within Durham Region regarding climate change issues.

- Host workshops which would facilitate information sharing about best practices between various industries, corporations, businesses and institutions (providing real-world examples of how reducing greenhouse gases can be good business practice).
- Provide information that would assist Regional Council in lobbying the Provincial and Federal governments to undertake activities that address both climate change mitigation and adaptation measures and encourage international action.

4. Composition

4.1. The DRRCC will be composed of between 14 to 19 members as follows:

- Five Regional Councillors – the Regional Chair, ex-officio, and one Councillor representing each of the four Regional Standing Committees;
- Eight to thirteen citizen members including but not limited to large industry, small business, agriculture, energy, public institutions, education sector, youth and/or the general public; and
- The Chief Administrative Officer (CAO) of the Region.

4.2. Members of Parliament (MP) and Members of Provincial Parliament (MPP) representing Durham Region shall also be invited to participate in the DRRCC meetings as honorary members in a non-voting capacity.

4.3. The term of membership shall correspond with the term of Regional Council. If a member chooses to resign the Region will seek a replacement in accordance with Section 5. At the discretion of the DRRCC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

5. Membership Selection

5.1. For the selection of citizen members, the CAO's Office shall contact community and industry leaders and invite them to volunteer for the DRRCC. Interested individuals will be required to provide a brief statement of interest.

Regional staff will nominate the citizen members. All citizen members of the DRRCC will be appointed by [the Finance and Administration](#)~~Joint~~ Committee and Council.

- 5.2. In nominating citizen members to the DRRCC, regard shall be given to the aim of achieving a broad range of members representing local industries, corporations and institutions, as well as the general public. Regard shall also be given to previous community involvement, knowledge of climate change issues, residency within the Region and availability to attend meetings. It is anticipated that citizen members will come from the manufacturing, transportation, development, agriculture, communication, education, energy and/or health-care industries and have expertise/interest in one or more of the following areas: climate change, air quality, resource conservation and/or energy efficiency/conservation.
- 5.3. Regional Council shall appoint a representative and an alternate to the DRRCC from each of the four Regional Standing Committees.
- 5.4. Regional Council shall appoint the Chief Administrative Officer (CAO) and a Regional staff member as an alternate for the Chief Administrative Officer (CAO) to the DRRCC.
- 5.5. In the case of a citizen member vacancy, the approach described in Section 5.1 will generally be followed.

6. Officers

- 6.1. A chair and a vice-chair will be elected annually by the DRRCC ~~at the January meeting~~. The Region's CAO shall chair the inaugural DRRCC meeting.

7. Support Services

- 7.1. A staff liaison from the Office of the CAO shall be appointed to support the activities of the DRRCC. The staff liaison will provide administrative, procedural and technical support to the DRRCC. Day-to-day activities of the staff liaison will be supported by the [Office of the CAO](#) ~~Planning & Economic Development Department~~.
- 7.2. A Regional Staff Working Group, consisting of appropriate staff from all

Regional departments shall be established to develop a Corporate Climate Change Action Plan which would detail actions that the Region as a corporation and as a community service provider can take to address climate change mitigation and adaptation measures. The Regional Staff Working Group will also provide technical advice and expertise to the DRRCC and the staff liaison as needed.

- 7.3. The staff liaison shall keep the Region's Department Heads apprised of the activities of the DRRCC and the Regional Staff Working Group.
- 7.4. The Legislative Services Division of the Corporate Services Department will provide secretarial and other support services. Regional Council will provide a budget to cover the operational expenses of the DRRCC, and this budget will be administered by the Office of the CAO.
- 7.5. The DRRCC may invite individuals with specialized expertise to attend meetings on an as needed basis.

8. Meetings

- 8.1. The DRRCC will establish a meeting schedule at its inaugural meeting, taking into account the business needs and schedule of Regional Committees/Council. Special meetings may be held at the call of the Chair.
- 8.2. Unless otherwise determined, all meetings will be open to the public. As an ad hoc Committee, the DRRCC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.
- 8.3. A quorum for DRRCC meetings shall be five members.

9. Minutes and Agendas

- 9.1. The minutes of each DRRCC meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be [circulated to members of Council as part of the Council Information Package prepared by the Clerk](#) forwarded to the next regularly scheduled Regional Council meeting. When approved, any amendments will be forwarded to Regional Council. The DRRCC agendas will be prepared by the Staff Liaison and/or the [Legislative Services Division](#) ~~Clerks Department~~, along with the DRRCC Chair or Vice

Chair, with input from other DRRCC members.

10. Delegations and Presentations at Committee Meetings

- 10.1. Any person(s) wishing to appear before the DRRCC as a delegation must submit a request to the staff liaison, advising of the topic or item to which they wish to speak. All requests for delegations must be received at least one week prior to the meeting to ensure the inclusion in the agenda. Any person wishing to address the DRRCC as a delegate, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution. Five minutes is allotted for a delegation to speak.
- 10.2. When the DRRCC has requested a presentation on a particular topic, the time frame allotted will depend on the subject under discussion.

11. Committee Resolutions

- 11.1. The DRRCC will seek to achieve consensus on decisions. Recommendations are “carried” if supported by a majority. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the DRRCC.

12. Annual Workplan

- 12.1. An annual workplan with the estimate of resources necessary for the coming year shall be prepared by the DRRCC for consideration by [the Finance and Administration](#) ~~Joint~~ Committee and Council. The DRRCC shall identify the potential for alternate funding sources and partnerships when developing the workplan.

13. Meeting Schedule

- ~~12.1.~~13.1. DRRCC meetings will be held bi-monthly beginning in February. Meetings will not be held in July or August.

Formatted: Heading 2

Durham Region Roundtable on Climate Change Terms of Reference – DRAFT

1. Goal

- 1.1. To assist the Region of Durham community to effectively address climate change and its impacts.

2. Mandate

- 2.1. The Durham Region Roundtable on Climate Change (DRRCC) is an ad hoc committee reporting to Regional Council through the Finance and Administration Committee.
- 2.2. The DRRCC champions and assists Durham Region community responses to climate change.
- 2.3. The DRRCC's mandate focuses on three areas:
 - Outreach: assist all stakeholders within the Region to address climate change in their respective practices and operations;
 - Advocacy: make recommendations with respect to policy positions that Regional Council could adopt and/or take forward to other levels of government and government agencies to address climate change; and
 - Education: continually improving knowledge and understanding of climate change.

3. Scope of Activities

- 3.1. The scope of the DRRCC activities may include activities, such as:
 - 3.1.1 Committee Education
 - Attending and arranging presentations and conferences to broaden their knowledge of the climate change phenomenon (including causes and implications) in the global and Regional context. Developing knowledge of what municipalities and its citizens can do to contribute to the global efforts

to deal with climate change is essential for the DRRCC to effectively discharge its mandate.

3.1.2 Outreach/Advocacy Role

- Investigate the Federation of Canadian Municipalities - Partners in Climate Protection Program and assess the advantages of this program in reducing greenhouse gas emissions.
- Provide recommendations to Regional Council regarding current and future activities and directions to be taken within the Region as a corporation and as a community service provider that address climate change mitigation and adaptation measures.
- Develop a Community Climate Change Action Plan, a Community Climate Adaptation Plan and a Community Energy Plan, which identify measures to reduce greenhouse gas emissions and improve Durham Region's resilience to climate change.
- Undertake outreach activities (e.g. surveys, open houses, focus groups, workshops) to identify the public's priorities in addressing climate change.
- Identify and implement community outreach/education programs to educate Durham Region residents about climate change issues, encourage residents to reduce their greenhouse gas emissions, and improve their resilience to climate change.
- Engage the area municipalities and encourage them to identify and undertake measures that reduce their emission of greenhouse gases and increase their climate adaptation measures. This may include facilitating information sharing between the eight area municipalities and assisting with the co-ordination of complimentary activities.
- Engage local industries, corporations, businesses and institutions and encourage them to identify and undertake measures that reduce their emission of greenhouse gases and improve their resilience to climate change.
- Identify and implement measures to encourage the development of partnerships and information sharing between the various industries, corporations, businesses and institutions within Durham Region regarding

climate change issues.

- Host workshops which would facilitate information sharing about best practices between various industries, corporations, businesses and institutions (providing real-world examples of how reducing greenhouse gases can be good business practice).
- Provide information that would assist Regional Council in lobbying the Provincial and Federal governments to undertake activities that address both climate change mitigation and adaptation measures and encourage international action.

4. Composition

4.1. The DRRCC will be composed of between 14 to 19 members as follows:

- Five Regional Councillors – the Regional Chair, ex-officio, and one Councillor representing each of the four Regional Standing Committees;
- Eight to thirteen citizen members including but not limited to large industry, small business, agriculture, energy, public institutions, education sector, youth and/or the general public; and
- The Chief Administrative Officer (CAO) of the Region.

4.2. Members of Parliament (MP) and Members of Provincial Parliament (MPP) representing Durham Region shall also be invited to participate in the DRRCC meetings as honorary members in a non-voting capacity.

4.3. The term of membership shall correspond with the term of Regional Council. If a member chooses to resign the Region will seek a replacement in accordance with Section 5. At the discretion of the DRRCC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

5. Membership Selection

5.1. For the selection of citizen members, the CAO's Office shall contact community and industry leaders and invite them to volunteer for the DRRCC. Interested individuals will be required to provide a brief statement of interest. Regional staff will nominate the citizen members. All citizen members of the

DRRCC will be appointed by the Finance and Administration Committee and Council.

- 5.2. In nominating citizen members to the DRRCC, regard shall be given to the aim of achieving a broad range of members representing local industries, corporations and institutions, as well as the general public. Regard shall also be given to previous community involvement, knowledge of climate change issues, residency within the Region and availability to attend meetings. It is anticipated that citizen members will come from the manufacturing, transportation, development, agriculture, communication, education, energy and/or health-care industries and have expertise/interest in one or more of the following areas: climate change, air quality, resource conservation and/or energy efficiency/conservation.
- 5.3. Regional Council shall appoint a representative and an alternate to the DRRCC from each of the four Regional Standing Committees.
- 5.4. Regional Council shall appoint the Chief Administrative Officer (CAO) and a Regional staff member as an alternate for the Chief Administrative Officer (CAO) to the DRRCC.
- 5.5. In the case of a citizen member vacancy, the approach described in Section 5.1 will generally be followed.

6. Officers

- 6.1. A chair and a vice-chair will be elected annually by the DRRCC. The Region's CAO shall chair the inaugural DRRCC meeting.

7. Support Services

- 7.1. A staff liaison from the Office of the CAO shall be appointed to support the activities of the DRRCC. The staff liaison will provide administrative, procedural and technical support to the DRRCC. Day-to-day activities of the staff liaison will be supported by the Office of the CAO.
- 7.2. A Regional Staff Working Group, consisting of appropriate staff from all Regional departments shall be established to develop a Corporate Climate Change Action Plan which would detail actions that the Region as a

corporation and as a community service provider can take to address climate change mitigation and adaptation measures. The Regional Staff Working Group will also provide technical advice and expertise to the DRRCC and the staff liaison as needed.

- 7.3. The staff liaison shall keep the Region's Department Heads apprised of the activities of the DRRCC and the Regional Staff Working Group.
- 7.4. The Legislative Services Division of the Corporate Services Department will provide secretarial and other support services. Regional Council will provide a budget to cover the operational expenses of the DRRCC, and this budget will be administered by the Office of the CAO.
- 7.5. The DRRCC may invite individuals with specialized expertise to attend meetings on an as needed basis.

8. Meetings

- 8.1. The DRRCC will establish a meeting schedule at its inaugural meeting, taking into account the business needs and schedule of Regional Committees/Council. Special meetings may be held at the call of the Chair.
- 8.2. Unless otherwise determined, all meetings will be open to the public. As an ad hoc Committee, the DRRCC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.
- 8.3. A quorum for DRRCC meetings shall be five members.

9. Minutes and Agendas

- 9.1. The minutes of each DRRCC meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be circulated to members of Council as part of the Council Information Package prepared by the Clerk. When approved, any amendments will be forwarded to Regional Council. The DRRCC agendas will be prepared by the Staff Liaison and/or the Legislative Services Division, along with the DRRCC Chair or Vice Chair, with input from other DRRCC members.

10. Delegations and Presentations at Committee Meetings

10.1. Any person(s) wishing to appear before the DRRCC as a delegation must submit a request to the staff liaison, advising of the topic or item to which they wish to speak. All requests for delegations must be received at least one week prior to the meeting to ensure the inclusion in the agenda. Any person wishing to address the DRRCC as a delegate, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution. Five minutes is allotted for a delegation to speak.

10.2. When the DRRCC has requested a presentation on a particular topic, the time frame allotted will depend on the subject under discussion.

11. Committee Resolutions

11.1. The DRRCC will seek to achieve consensus on decisions. Recommendations are “carried” if supported by a majority. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the DRRCC.

12. Annual Workplan

12.1. An annual workplan with the estimate of resources necessary for the coming year shall be prepared by the DRRCC for consideration by the Finance and Administration Committee and Council. The DRRCC shall identify the potential for alternate funding sources and partnerships when developing the workplan.

13. Meeting Schedule

13.1. DRRCC meetings will be held bi-monthly beginning in February. Meetings will not be held in July or August.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: [#2018-COW-161](#)
Date: September 5, 2018

Subject:

Appointment of new members to the Durham Accessibility Advisory Committee (AAC)

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That the following people be appointed to the Durham Accessibility Advisory Committee:

Ms. Kristine Galloway – Community member; and

Ms. Doreen Hume – Agency member.

Report:

1. Purpose

1.1 The Accessibility Advisory Committee's (AAC) Terms of Reference allow for an eleven-member committee. The purpose of this report is to facilitate appointments for the positions of community member as well as appoint a new representative from Durham Mental Health Services.

2. Background

2.1 Under the Ontarians with Disabilities Act, 2001 (ODA), Durham Region was obligated to form an Accessibility Advisory Committee (AAC). A second piece of legislation, Accessibility for Ontarians with Disabilities Act, 2005 (AODA) was proclaimed in 2005. However, the first Act was not repealed, and therefore, Durham must comply with both pieces of legislation. The requirement to have an AAC is still in effect.

3. Appointment of new members

- 3.1 The application process for the current nominees was the same as that for the original committee. After completing an application form an interview was held with each one. The selection criteria used to determine suitability to serve on the committee are:
- a. Knowledge of disability issues
 - b. Experience with committees, volunteerism, community work
 - c. Excellent communication skills
 - d. Team building and collaboration skills
 - e. Demonstrated commitment to projects/teams
 - f. Ability to build trust and relationships.

- 3.2 Every effort is made to ensure that there is representation from a variety of disabilities and from different professional bodies.

The term of membership will correspond with the term of Regional Council and if a member resigns the Region will seek a replacement in accordance with the Terms of Reference.

Following Council's appointment of the membership, the first AAC meeting will be held on September 24, 2018.

4. Community Member Appointment

- 4.1 Ms. Kristine Galloway is a resident of Oshawa. Her education and professional experience has been in the Autism field with expertise in facilitating training for agencies, community groups and working to support the community services team. She has been involved in a number of committees and boards in the community where she shares her knowledge while advocating for the accessibility needs of persons with Autism Spectrum Disorder.
- 4.2 Ms. Galloway meets the eligibility criteria for membership in accordance with the AAC Terms of Reference.

5. Agency Member Appointment

- 5.1 Ms. Doreen Hume McKenna is a resident of Ajax. Her education and professional experience has been focused on planning, evaluation and quality coordination of community mental health services. She currently works for Durham Mental Health Services as their Regional Housing Coordinator. She works in partnership with the Region of Durham and other community agencies to focus on the housing needs of the vulnerable populations especially those who have mental health and addiction challenges. Her involvement as a volunteer at the local level on committees and boards has allowed her to share her knowledge, experience and expertise as an advocate for mental health and accessibility needs in our community.

5.2 Ms. Hume McKenna meets the eligibility criteria for membership in accordance with the AAC Terms of Reference.

6. Conclusion

6.1 It is recommended that Ms. Kristine Galloway be appointed as community member and Ms. Doreen Hume McKenna as agency member on the AAC.

Recommended for Presentation to Committee

Original signed by

Garry H. Cubitt, M.S.W.
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: [#2018-COW-162](#)
Date: September 5, 2018

Subject:

The Regional Municipality of Durham's 2017 Accessibility Report

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That the Regional Municipality of Durham's 2017 Accessibility report be adopted.

Report:

1. Purpose

1.1 The purpose of this report is to present the 2017 Accessibility Report to the Committee of the Whole.

2. Background

2.1 In June 2005, the Ontario Legislature passed the Accessibility for Ontarians with Disabilities Act, 2005, (AODA). The AODA builds on the previous Ontarians with Disabilities Act, 2001, and both acts are still in effect.

2.2 Provincial and municipal governments and key broader public-sector organizations are required to establish a multi-year accessibility plan which outlines the organization's strategy to prevent and remove barriers to people with disabilities. These plans are to be reviewed and updated at least once every five years. In addition, the organization must prepare an annual status report on the progress of measures taken to implement this strategy. All accessibility reports and plans must be made available to the public.

3. Process

3.1 The attached report reviews the progress made on actions indicated in the 2017 Accessibility Report and 2016-2021 multi-year plan. This progress includes

removal and prevention of barriers related to attitudes, technology, policies and procedures as well as those involving physical accessibility to buildings, services and transportation.

- 3.2 The Chief Administrative Officer's office led the report's development, with consultation among representatives from each Regional department and the Accessibility Advisory Committee. The staff working group has worked with internal departments to prepare updates for the annual report.

4. Next Steps

- 4.1 After Regional Council approves the 2017 Accessibility Report it will be made available to the public. The document was formatted with 14-point font size to enable persons with a visual impairment to read the information more easily. In addition, the Report will be available on our Regional web site. It should also be noted that the Report will be make available in accessible formats upon request.

5. Attachments

Attachment #1: Accessibility Report

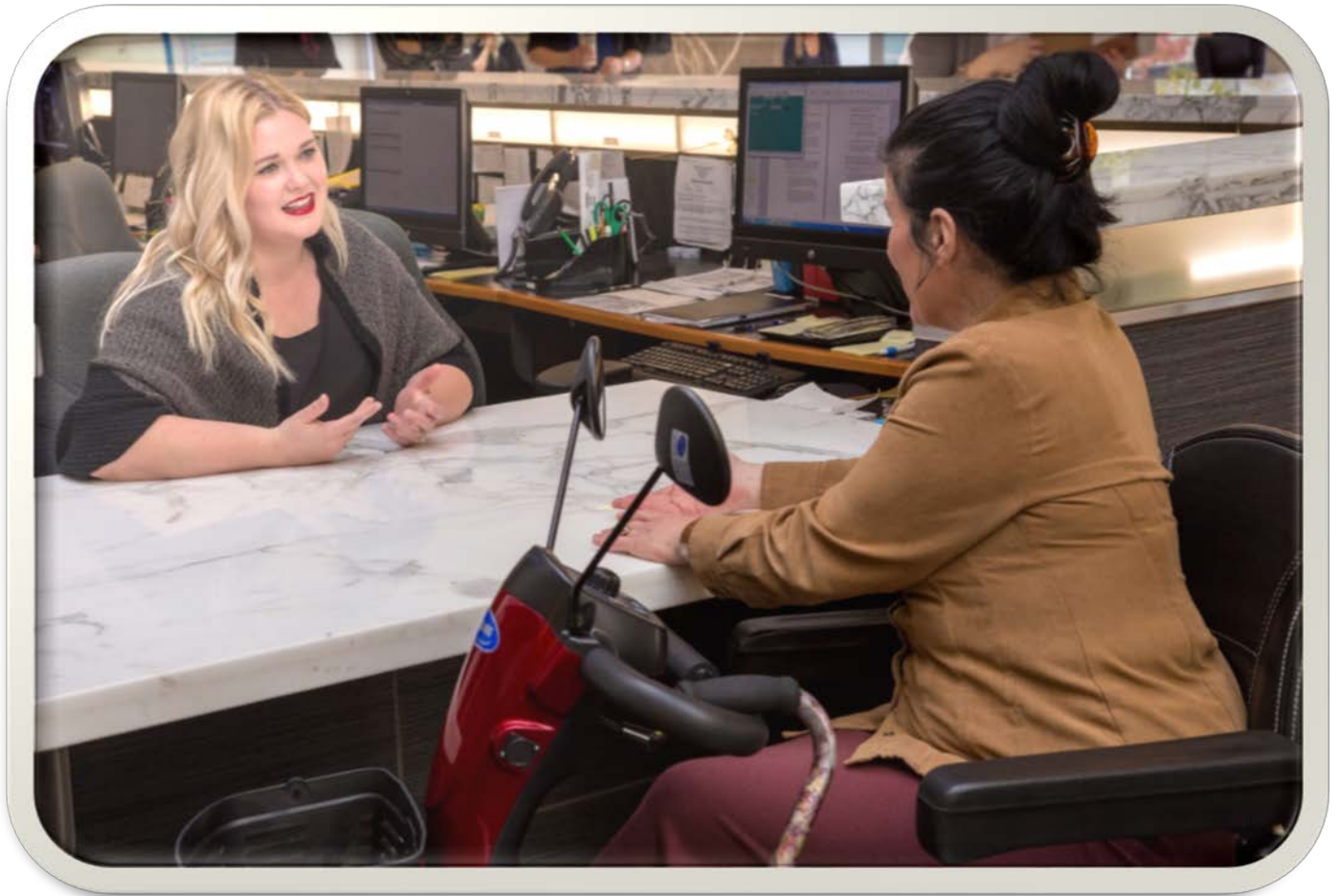
Recommended for Presentation to Committee

Original signed by

Garry H. Cubitt, M.S.W.
Chief Administrative Officer



The Regional Municipality of Durham 2017 Accessibility Report



Update to the 2016 Accessibility Report

If you require this information in an accessible format, please contact the Accessibility Coordinator at accessibility@durham.ca or 905-668-4113 ext.2009

Message from the Regional Chair and Chief Executive Officer

The Region of Durham strives to be an accessible and inclusive community, valuing the diversity of the residents we serve. Across the Region, we are experiencing impressive growth. Significant residential development is occurring across Durham, and new enterprises are thriving. We continue to invest in the infrastructure and community services that support our economy and quality of life.

Durham Region has embarked on several projects to prepare us for the future. Following the recent refresh of our website, we saw an immediate increase in the number of visits. With features including clear print, clear writing, and accessible design standards, users of all abilities and different kinds of devices now have easier access to information. We are using technology to streamline other aspects of our business. Our Housing division, for example, introduced an online system to match people applying for either rent-geared-to-income or accessible (modified) housing with suitable units—the first of its kind in Canada. The online process allows applicants to take a more active role in selecting the accommodation that is best for them and their families.

By planning for the aging of our population, we have an opportunity to address the overall accessibility of public spaces, buildings, and our local businesses. Through the development of the Age-Friendly Durham Strategy and Action Plan, we worked with individuals and community organizations to better support residents as they grow older. Our Affordable and Seniors Housing Task Force prepared an action plan to address the need for more affordable rental housing for low-and moderate-income households. Efforts to make housing options affordable and accessible by design ensures that our residents will have a greater choice available over time.



Meanwhile, the Durham Regional Transportation Master Plan (TMP) integrates all forms of transportation, including roads, accessible and affordable public transit, and the cycling and walking trail network. Improving the range of safe and accessible travel options supports social equity, public health, the environment and the livability of communities. Durham Region Transit is adding more routes to provide accessible connections between and within our communities. New tools such as “Where is my bus?” allow customers to use online, text and voice commands to access real-time bus arrival information to help make public transit stress-free.

Accessibility improvements are also underway at Regional Headquarters. Our Income Support reception and waiting area were renovated, while the Durham Regional Police Service is making new spaces more accessible.

Durham is preparing for complex challenges ahead. We are proud of our progress to date and look forward to further enhancements in the years to come. Whether they are new approaches or technologies, we each have a role to play in working together to develop solutions. Thank you for your interest in this report and for joining us on our accessibility journey.

Yours truly,

Gerri Lynn O'Connor

Gerri Lynn O'Connor
Regional Chair & CEO

Message from the Chair of the Accessibility Advisory Committee (AAC)

The Durham Region Accessibility Advisory Committee (AAC) provides information and insight; offering a glimpse of the world through an accessibility lens.

Since 2002, the AAC has worked towards an accessible and inclusive environment—one that understands different types of disabilities and the barriers that prevent full participation. We advise council, provide feedback, and suggest action items.

We face challenges and changes with diligence and dedication. As a result, our work has addressed barriers in the areas of physical environment, technology, employment, information and communication.

We take this responsibility seriously. Our partnership, with the Region, helps to ensure programs and services are delivered in a way that preserves dignity and independence for all individuals. This is important, because not all disabilities are obvious.

However, the AAC couldn't have reached this point without education. It is our mandate to review site plans and drawings; consider emergency management plans; look at transit policies and procedures; and accept other functions, as requested.

To better understand project needs, we attend presentations and meet with representatives from various agencies. This past year, we learned about several Regional projects: a bus stop signage redesign, accessibility in public housing, Age Friendly Strategy, and other important topics. We were also key advisors for the website redevelopment.

We are humbled that our wide variety of knowledge, expertise and experience is so highly respected. Internally, we shared our knowledge at several lunch-and-learn sessions; highlighting challenges for people with various disabilities. Plus, our National Access Awareness Week sub-committee hosted a mental illness interactive display in the main foyer at Regional Headquarters.

The Annual Joint Forum was a celebration of these successes. We shared this night with representatives of the lower-tier municipal AACs. It was an

idea exchange, a highlight reel, and offered some inspirational moments from our motivational speaker, Tracy Schmitt.

Looking back on all we have done this past year, I see the possibilities and promise in tomorrow. I also look forward to the year ahead. Imagine what we will accomplish together.

Warmest regards,

Mary Sutherland

Mary Sutherland

Chair of the Region of Durham Accessibility Advisory Committee



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Regional Municipality of Durham 2017 Accessibility Report

Building communities where every person has the opportunity to fully participate is important for ongoing planning. The Regional Municipality of Durham 2017 Accessibility Report is the annual update that identifies the actions taken to continue improving accessibility while following the Accessibility for Ontarians with Disabilities Act (AODA).

This report outlines an explanation of the legislation followed by the achievements of 2017. Regional Council has approved the strategies and actions in this report. We continue to identify, prevent and remove barriers for people with disabilities who access our goods, services, programs and facilities.

Legislation

Ontarians with Disabilities Act, 2001 (ODA)

In 2001, the Ontarians with Disabilities Act, (ODA) was enacted to improve opportunities for persons with disabilities. This Act applies to the public sector and led to the Region's accessibility planning process. Since this time, on an annual basis, our organization has been very successful in the identification, removal and prevention of accessibility barriers throughout our departments and services.

Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

The purpose of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) is to address discrimination against persons with disabilities in Ontario. The Act identifies accessibility standards that are to be implemented and enforced throughout public and private sectors. AODA specifies that accessibility will be addressed in the areas of goods, services, facilities, accommodation, employment, buildings, structures and premises by the year 2025.

Accessibility Standards

Integrated Accessibility Standards Regulations (IASR) ONTARIO REGULATION 191/11

- Part I General
- Part II Information and Communications
- Part III Employment
- Part IV Transportation
- Part IV.1 Design of Public Spaces
- Part IV.2 Customer Service

As of July 1, 2016, under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), five accessibility standards were combined into one regulation called the Integrated Accessibility Standards Regulation (IASR). The IASR involves accessibility standards for information and communications; employment; transportation; design of public spaces and customer service. This allows for a phased-in approach to accessibility implementation in these five areas. This is a much more streamlined approach for broader public organizations, such as the Region of Durham.

More information on AODA and accessibility standards can be found on the [Region's website](http://durham.ca) at durham.ca and the Ontario Ministry's website of the [Ministry of Economic Development, Job Creation and Trade](http://www.ontario.ca/accessON) at www.ontario.ca/accessON.

Proposed Federal Accessibility Legislation

The Government of Canada has announced its intention to develop accessibility legislation that would apply to organizations and sectors under federal jurisdiction. Opportunities to provide input online were available. In addition, in-person consultations across Canada began in the fall 2016 and continued until early 2017. The development process included reviewing existing accessibility legislation throughout various Canadian provinces and other jurisdictions. Although it is unlikely that the proposed federal legislation will impact Durham Region, employees will continue to monitor its development and report back to Regional Council as required.

Durham Region and Accessibility

Durham Region

Durham Region is the largest geographical region in the Greater Toronto Area, stretching from Lake Ontario in the south to Lake Simcoe in the north. Covering about 2,537 square kilometres (1,000 square miles), this region offers a mix of urban centres and unique rural settings. According to Statistics Canada, about 673,000 people reside in this community and an estimated 70,000 live with a disability.

The Regional Municipality of Durham is governed by a council, consisting of a Regional Chair and 28 elected members. The Regional Chair is the head of Regional Council and Chief Executive Officer (CEO) of the corporation. The Chief Administrative Officer (CAO) is the most senior employee in the Region of Durham and reports to Regional Council; working in close collaboration with the Regional Chair.

Durham Region is an upper-tier level of government that provides various programs and service to residents. There are eight lower-tier municipalities housed within our region (Brock, Ajax, Clarington, Oshawa, Pickering, Scugog, Uxbridge and Whitby). Each one has representation at Durham Regional Council.

The Region, through various departments, is responsible for the following services:

- Police services and 9-1-1 management.
- Durham Region Transit and Specialized Transit Services.
- Durham Regional Official Plan and implementation.
- Delegated authority for the approval of local municipal official plans and amendments.
- Water supply, treatment, distribution and billing.
- Sewage collection, treatment and billing.
- Main roads, traffic lights and controls.
- Emergency management.
- Borrowing of money for capital expenditures of upper-and lower-tier municipalities.
- Economic development and tourism.
- Public health.

- Emergency medical services.
- Social services, including children’s services; long-term care and services for seniors; family services; social housing; and Ontario Works programs.
- Provincial Offences court, prosecution services, administration and collection of fines.
- Solid waste management, diversion, recycling, promotion and education, waste collection, processing and disposal.
- Strategic land use planning, subdivision/condominium approvals and land division consent.
- Property taxation policy.

Accessibility Partnerships

Each of our local municipalities within Durham Region has an Accessibility Advisory Committee (AAC) that reports to its municipal council about accessibility matters. This means that for the entire area (consisting of eight local area municipalities and the Region), there are a total of nine AACs dedicated to improving accessibility in our communities.

The AODA Staff Working Group has representation from each of our departments. Members bring expertise in their respective areas, which adds to the collective knowledge of the organization as accessibility initiatives are implemented.

Co-ordinated by the Region, the nine AACs are brought together to share best practices and information related to accessibility. The Region hosts an annual AAC Joint Forum which is an opportunity for volunteers to network and collaborate on accessibility matters.

The Region’s Accessibility Coordinator also belongs to the Ontario Network of Accessibility Professionals (ONAP). This network is comprised of accessibility professionals within the broader public sector across Ontario. Its purpose is to share best practices and resources in accessibility.

Accessibility Planning

Since 2003, the Region of Durham reports on accessibility and the identification, removal and prevention of barriers throughout departments and services. This work is done by examining facilities, programs, services, policies and by-laws through the lens of accessibility. The Region is committed to ensuring that people of all ages and abilities enjoy the same opportunities as they live, work, play, visit and invest in our region.

With our continued commitment to meet the requirements outlined in the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the Region of Durham will, upon request, provide or arrange for the provision of accessible formats and communication supports as it relates to information about our regional goods, services or facilities.

This ongoing work has addressed many barriers in the areas of:

- Physical environment
- Technology
- Employment
- Information and communication
- Attitudes

Accessibility planning over the past 12 years is a valuable process for the Region. It allows departments and services to fully examine their environments to ensure accessibility for persons with disabilities. While reporting on accessibility barriers continues, the continuous implementation of accessibility involves all aspects of the way the Region does business. This will be done through meeting the requirements of AODA with the implementation of accessibility standards.

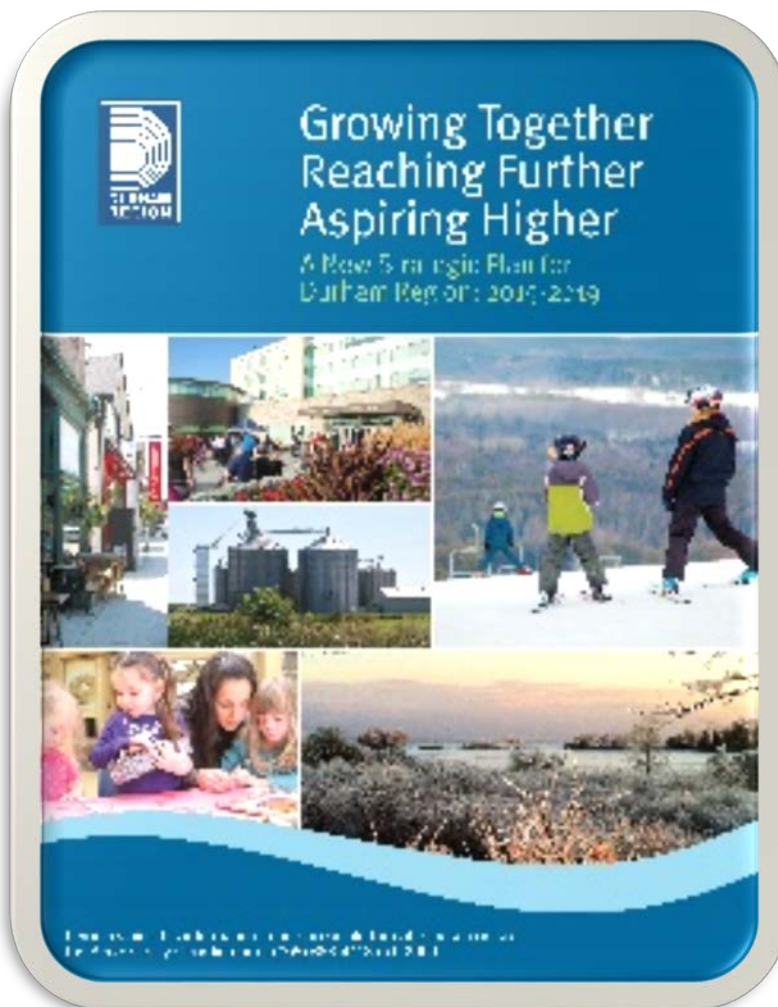
Under the Integrated Accessibility Standards Regulation (IASR), multi-year planning has been an essential requirement for our organization. Multi-year planning is not only addressing accessibility barriers but is also ensuring that the Region meets legislative requirements within the identified timelines.

Accessibility planning supports Durham Region's Strategic Plan

The Region uses strategic planning initiatives to create programs and deliver services that meet the needs of our growing population and an increasingly diverse community.

Accessibility planning in Durham includes the requirements of the AODA and supports the Region's strategic direction and long-term strategies. Creating a community that is inclusive and accessible for everyone links with the goals set out in the following Regional strategies and policies:

- The 2015-2019 Strategic Plan – Growing Together, Reaching Further, Aspiring Higher
- Accessibility Policy
- Regional Commitment to Accessibility



Awards in Accessibility

The Regional Municipality of Durham recognizes the importance of an accessible community. A key goal in the Durham Region Strategic Plan is to create a caring and fully inclusive environment. By identifying, removing and preventing barriers for individuals living with a disability, all residents have an opportunity to live independently and achieve their goals.

Accessibility awards allow the organization to celebrate the importance of accessibility, and to honour leadership in breaking down barriers.

Each year the Region of Durham honours individuals, services and/or businesses that have improved accessibility in their community.

Nominations for these awards are made by the Accessibility Advisory Committees of municipalities within Durham Region. Thanks to these committees and the various community partners who recommend and support the nominations.



2017 Award Recipients

Each of these 2017 award recipients has succeeded in removing or preventing barriers. Their efforts have helped to ensure that all citizens have access to meaningful involvement and full participation in their community.

Town of Ajax

Heather Steeves is an active member of the Ajax AAC and volunteers within her community. She especially enjoys talking to children at local schools, to help them acquire comfort and respect while interacting with a person with a visible disability.

Township of Brock

The Sunderland Lions Club believes in making their community better for all to enjoy. Their latest initiative was to have a new one-kilometre, four-seasons, paved walking trail in the heart of downtown Sunderland. This trail has allowed people of all ages and abilities to enjoy walking, running or jogging along this safe and accessible trail.

Municipality of Clarington

Walsh's SNUG restaurant is a family owned pub nestled in the heart of Newcastle. Upgrades to the restaurant included an accessible entrance and washroom. They plan to continue to incorporate accessibility in future upgrades.

City of Oshawa

Derek Giberson is a champion of accessibility in all that he is involved with. He volunteers in many initiatives throughout his community with accessibility and inclusiveness at the forefront. He is always looking at how to improve access to services for people with disabilities.

City of Pickering

For the past 10 years, the Pickering Soccer Club has been dedicated to increasing opportunities for children and youth with disabilities, to play soccer and/or becoming a coach or volunteer. This club has focused on developing capacity across Durham Region's soccer community to help create more opportunities for kids with disabilities to play.

Township of Scugog

The Port Perry Smokehouse took the initiative to have their restaurant menu printed in braille and larger print. They also continue to work on the accessibility of their website. These actions have made the customer experience more inclusive.

Township of Uxbridge

The health professionals at Axis Chiropractic are dedicated to helping people of all abilities achieve their health goals. The clinic moved to a more accessible location to ensure people living with a disability could access their services more easily.

Town of Whitby

Stephanie Smith, owner of Haircut Housecalls, provides haircutting services to people who are not able or have difficulty leaving their homes. Providing this service allows persons with disabilities and seniors to access personal services from the comfort and security of their home.

Region of Durham's 2017 report on accessibility

Initiatives throughout the organization



In 2017, The Regional Municipality of Durham completely redesigned and rebuilt its citizen-facing website, **durham.ca**, to meet Ontario's accessibility standards, streamline content and improve navigation. Every department was involved. To support and guide our staff in this effort, the **durham.ca** team developed new corporate education resources and training. One of the resources created is a Writing Style Guide to assist staff in writing for the web in accordance with the Region's accessibility standards for the new website.

At an Open Web Education Day, staff shared best practices and personal experiences in web design. At Writing for the Web training, more than 170 employees learned best practices for improving accessibility and readability of web content by using plain language and web page design principles.

Throughout the redesign process, we kept compliance with the AODA and Web Content Accessibility Guideline (WCAG) 2.0 Level AA as our key focus. The result is a new website that is citizen centric and mobile friendly.

To ensure that accessibility is maintained as new content is added to the website, staff assisted in developing an Accessible Web Publishing Policy to guide posting of new content to the website. The Region also amended its procurement policies to ensure that vendors contracted by the Region provide reports in an accessible format. Staff continue to work on improving the accessibility of Regional Council and Committee minutes that are posted to the Region's website.

Job applicants are now notified about accommodation for individuals with disabilities throughout the hiring process from submitting the application to the competition phase. In addition, the Region will make every reasonable attempt, to the point of undue hardship, to remove accessibility barriers for an employee with a disability.

When the Income Support Office moved to a new location at 200 John Street in Oshawa, the space was designed and built with accessibility in mind. At Regional Headquarters, the renovation of the Income Support waiting area also incorporated accessible design features. The Region continues to integrate accessibility improvements into the renovations of Durham Region Local Housing Corporation portfolio, investing more than \$600,000 in accessibility upgrades since 2013.

For all our new construction or renovation projects, the Region integrates accessibility at the project planning stage. Upgrades to signalized intersections are one example. To date, 90 traffic control signal locations have been equipped with Accessible Pedestrian Signals (APS). Eighteen traffic control signal locations were retrofitted in 2017, to include APS with sidewalk improvements, better crosswalk alignment and the installation of tactile plates. More information on the location of accessible crossings in Durham, check the [Region's website](https://www.durham.ca/en/living-here/accessible-pedestrian-crossings.aspx) at <https://www.durham.ca/en/living-here/accessible-pedestrian-crossings.aspx>.

2017 Transportation Requirements

Compliance Actions Completed

The following information highlights actions taken by Durham Region Transit (DRT) to comply with the Transportation requirements that became law on **January 1, 2017**.

Requirement:

Pre-Boarding announcements, Conventional transportation

Action: All DRT vehicles are equipped with an electronic pre-boarding announcement feature. This automated announcement is activated when the vehicle services a designated stop.

The announcement is consistent with the information displayed on the destination sign, which is located on the exterior of the bus.

Requirement:

On-Board announcements

Action: All DRT buses are equipped with on-board audio equipment. The system will automatically announce information about the next stop information, ahead of each one.

Requirement:

Categories of eligibility, specialized services

Action: As required, DRT has three categories of eligibility to qualify for specialized transit services:

1. **Unconditional Eligibility:** a person with a disability that prevents him or her from using conventional transportation services.
2. **Temporary Eligibility:** a person with a temporary disability that prevents him or her from using conventional transportation services.
3. **Conditional Eligibility:** where environmental or physical barriers limit an individual's ability to consistently use conventional transportation services.

Although DRT has met their legislated requirements, they continue to look for ways to improve and expand their services.

Summary of requirements in effect as of January 1, 2017

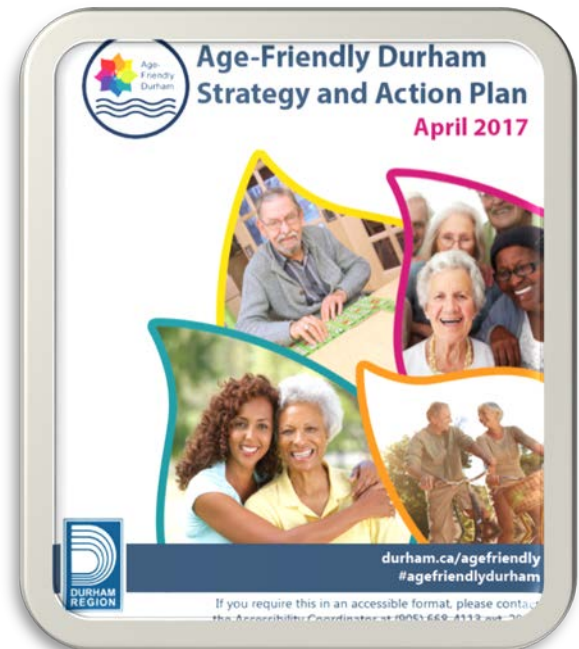
Requirement	Completed
Provide accessible customer service	✓
Provide accessible transportation services	✓
Provide emergency and public safety information in accessible formats	✓
Provide employees with accessible and customized emergency information	✓
Create accessibility policies and a multi-year plan	✓
Buy accessible goods, services or facilities	✓
Include accessibility features in kiosks	✓
Make new websites accessible	✓
Train employees on Ontario's accessibility laws	✓
Make it easy to provide feedback, when asked	✓
Make employment practices accessible	✓
Make public information accessible, when asked	✓
Make new or redeveloped public spaces accessible	✓

Age-Friendly Durham Strategy and Action Plan 2017

In April 2017, Regional Council endorsed the Age-Friendly Durham Strategy and Action Plan which sets out 69 recommendations to help make Durham a more accessible and inclusive community for residents of all ages and abilities. Based on the World Health Organization model of age-friendly communities, the plan aims to make improvements in eight priority areas that have an impact on quality of life, particularly as people grow older:

- Outdoor spaces and buildings
- Transportation
- Housing
- Social participation
- Respect and social inclusion
- Civic participation and employment
- Communication and information
- Community and health services

Becoming age-friendly is an ongoing process that requires coordinated planning and collaboration. To help achieve our ambitious goals, the Region has established the Durham Council on Aging. Members include representatives from all eight Durham municipalities, community health and social service organizations, public libraries, businesses, and older adult volunteers (who sit as Members-at-Large for a two-year term). An Age-Friendly Staff Working Group has also been established to focus on implementing these recommendations across Regional programs and services.” For more information, please visit [Age-Friendly Durham](http://www.durham.ca/en/living-here/age-friendly-durham.aspx) at <http://www.durham.ca/en/living-here/age-friendly-durham.aspx>.



Award for Accessibility

Durham Region received a Municipal Accessibility Award – for extraordinary leadership and exceptional contributions to the advancement of accessibility over the years – from the Ontario Municipal Social Services Association (OMSSA).



AODA Actions Continue

Durham Region continues to carry out the requirements of the AODA and the actions outlined in the Regional Municipality of Durham 2016-2021 Multi-Year Accessibility Plan. Compliance with the AODA does not end with the annual deadlines but is incorporated into all that is done at the Region of Durham.



Contact Information

We welcome your feedback. Please let us know what you think about the Regional Municipality of Durham 2017 Accessibility Report.

Janet Traer, Accessibility Coordinator

By mail:

The Regional Municipality of Durham
605 Rossland Road East, Post Office Box 623
Whitby, Ontario
L1N 6A3

By phone:

905-668-7711 extension 2009 or 1-800-372-1102

By email:

accessibility@durham.ca





The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: [#2018-COW-163](#)
Date: September 5, 2018

Subject:

Amendment to the Accessibility Advisory Committee (AAC) Terms of Reference

Recommendation:

That the Committee of the Whole recommends to Regional Council:

That the Durham AAC Terms of Reference be amended

Report:

1. Purpose

1.1 The purpose of this report is to change the meeting schedule outlined in Section 8.1 of the Accessibility Advisory Committee Terms of Reference from eight to six times per year effective January 1, 2019.

2. Background

2.1 As outlined in the Ontarians with Disabilities Act, 2001 (ODA), AAC's are required for municipalities with a population of over 10,000. The Durham Region AAC was established in December 2002 and is comprised of up to eleven volunteer members. Regional Council appoints a member of Council to serve on the AAC. Regional Councillor Joe Drumm has served on the AAC since 2002. Most members shall be persons with a disability.

2.2 The work of the AAC is to advise council about the preparation and implementation of its accessibility plan, provide accessibility advice on regional buildings, review site plans and drawings in accordance to Section 41 of the Planning Act regarding persons with disabilities accessing regional goods and services.

2.3 The AAC has provided valuable feedback to staff in such areas as the redevelopment of the new durham.ca website, reviewing site plans for new

buildings such as the Clarington Police Complex or major renovations for the South Oshawa Income Support office as well as recommending more automatic door openers at Regional Headquarters for doorways and washrooms.

- 2.4 The AAC currently meets eight times per year with additional meetings dedicated to the work of subcommittees which include Education, Communication, Site Plan Review and National Access Awareness week planning. AAC meetings are currently held monthly except for the months of July, August and December, in accordance with the AAC Terms of Reference.
- 2.5 A review of best practices of AAC's was completed to determine the frequency of meetings. There is no consistent approach to the meeting frequency of AACs. There are some municipalities that meet quarterly such as the City of Ottawa and some that meet monthly like the Region of Waterloo. York Region meets five times a year.
- 2.6 The recommendation from the AAC is to meet six times to ensure that members have enough time to serve on the subcommittees.

Recommended for Presentation to Committee

Original signed by

Garry H. Cubitt, M.S.W.
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: [#2018-COW-176](#)
Date: September 5, 2018

Subject:

Federation of Canadian Municipalities Special Advocacy Fund

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the Region of Durham support the Federation of Canadian Municipalities Special Advocacy Fund;
 - B) That the Year 1 contribution of \$21,600, plus HST, be paid in 2018, funded at the discretion of the Commissioner of Finance; and
 - C) That the Year 2 contribution of \$21,600, plus HST, be included for consideration in the 2019 Regional Business Plans and Budgets.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek direction with respect to the Federation of Canadian Municipalities (FCM) Special Advocacy Fund.

2. Discussion

- 2.1 As the preeminent advocacy group for Canadian municipalities at the national level, the FCM has a long history of actively advocating to have the needs of municipalities – and their citizens – reflected in federal policies and programs.
- 2.2 Most recently, FCM's work and influence around the 2015 Federal Election has significantly shaped gains for local governments, including, among others, the Investing in Canada Infrastructure Plan and Canada's first-ever national housing strategy.
- 2.3 In March 2018, the FCM Board of Directors approved a 2-year Special Advocacy Fund, to be supported on a voluntary basis by FCM members.

- 2.4 The purpose of the fund is to drive an intensive, multi-faceted campaign, to keep municipal priorities at the forefront of the national consciousness heading into the 2019 Federal Election, as well as in the crucial first few months of a new government.
- 2.5 The FCM strategy would integrate polling, detailed platform development, sustained outreach, and an innovative communications and media plan in an effort to reach out to every federal party.
- 2.6 FCM's requested amount from the Region of Durham is \$43,200, plus HST. FCM has provided the option of either paying the full two year amount immediately, or an option to pay half immediately, with the balance to be paid by April 1, 2019.
- 2.7 In 2018, the Region of Durham has paid about \$96,000 for its current annual FCM membership fee, plus an additional optional legal defense fund contribution of approximately \$14,800. These fees are based on population and were included in the 2018 Regional Business Plans and Budgets; however, there was no provision for the FCM Special Advocacy Fund contribution.
- 2.8 The FCM Special Advocacy Fund was discussed amongst attendees at a recent Regional and Single Tier Chief Administrative Officers (RSTCAO) meeting. While some municipalities are not willing to contribute to the fund (e.g. Region of York), others have already paid or approved the contribution (e.g., City of Toronto, Region of Halton, and Region of Peel) or have either not formally decided whether to contribute, or whether to pay in full immediately, in two partial payments, or all in 2019.
- 2.9 Should Regional Council approve the FCM request for the Special Advocacy Fund contribution, it is recommended that the option to pay in instalments be taken, with the Year 1 contribution of \$21,600, plus HST, being paid in 2018 and funded at the discretion of the Commissioner of Finance, and the Year 2 contribution of \$21,600, plus HST, being included for consideration in the 2019 Regional Business Plans and Budgets.

3. Attachments

Attachment #1: FCM Special Advocacy Fund web page

Respectfully submitted,

Original Signed By

Garry H. Cubitt, MSW
Chief Administrative Officer

[Skip to main content](#)

FCM Special Advocacy Fund



Election 2019 is a vital opportunity to propel local governments to new heights. Seizing this moment will take our biggest effort ever. To help make that happen, FCM's Board of Directors has approved a Special Advocacy Fund.

This 2-year Special Advocacy Fund will drive an intensive, multi-faceted campaign to keep municipal priorities front-and-centre heading into Election 2019, as well as in the crucial first months of a new government. It will be FCM's largest and most ambitious campaign, reaching out to every federal party. The fund is supported by FCM members on a voluntary basis.

FCM has delivered unprecedented gains for municipalities, starting with Election 2015. We can't risk seeing federal parties move on from local priorities. Election 2019 is our vital opportunity to build on our historic gains and to make municipal progress "the new normal" for years to come.

For more information on the FCM Special Advocacy Fund, see our questions and answers below or email membership@fcm.ca.

Questions and Answers

Q: What is the Special Advocacy Fund?

The last federal election was a turning point that propelled municipal priorities onto the national agenda like never before. The next election is a vital opportunity to build on those gains. To ensure we have the right tools to seize this moment, FCM's Board of Directors has approved a 2-year Special Advocacy Fund. This fund is supported by FCM members, using a fee structure similar to how membership fees are determined.

Q: What will the fund be used for?

The Special Advocacy Fund will drive FCM's largest and most ambitious campaign ever, reaching out to every federal party. It means an intensive, multi-faceted strategy that integrates polling, detailed platform development, sustained

outreach, and an innovative communications and media plan. It means an extended campaign that keeps municipal priorities front-and-centre heading into Election 2019, as well as in the crucial first months of a new government.

Q: Why is this fund important?

FCM has delivered [unprecedented gains](#) for municipalities, starting with the last federal election. Now more than ever, all federal parties understand that local solutions tackle national challenges. Our Election 2015 breakthrough has created new opportunities, and new expectations.

To seize this moment - and to build on our historic gains- we need the right tools. We can't risk seeing federal parties move on from local priorities. Election 2019 is our vital opportunity to make municipal progress "the new normal," and to keep our priorities front-and-centre for years to come.

Q: How much are municipalities being asked to pay?

FCM staff has worked out a fair and reasonable fee structure, similar to how membership fees are structured. In general, FCM's largest members will pay larger contributions, while the majority of members will pay from under \$100 to \$1,000 per year, for two years. Members have the option of paying in one lump sum, or over two years.

Q: Is the fund mandatory?

The Special Advocacy Fund is voluntary, and not tied to FCM membership. However, it's a vital opportunity for municipalities to take our historic progress to new heights and to continue to deliver for Canadians the same way we always have — together.

What municipal leaders are saying about FCM's Special Advocacy Fund:

“Our choice in the next federal election is simple: either we continue to move forward as local governments, or we fall back. If we get this right, we'll see federal parties competing to support municipal priorities. We'll see a federal government that understands why full partnership with municipalities is the only way forward. Election 2019 is our opportunity to make that happen. We can't leave anything to chance.”

— **Don Iveson**

Mayor, Edmonton, AB

“FCM has proven that it can deliver for communities of all sizes. We saw this in the last election, when our work put local issues on the federal map. We've seen it since then through the unprecedented federal investments that FCM has helped secure. Now we need to take this advocacy to the next level, to build our local priorities into the heart of the next government's mandate.”

— **Ray Orb**

Reeve, Rural Municipality of Cupar No. 218, SK

FCM delivers for municipalities

Starting with our Election 2015 breakthrough, FCM's hard work and influence has significantly shaped historic gains for local governments, including:

- The **Investing in Canada infrastructure plan** - a 12-year, \$180 billion federal investment in local infrastructure, from public transit to wastewater system upgrades.
- Canada's first-ever **national housing strategy**, including key commitments to repair and build affordable housing across the country.
- A strengthened **seat at the table**, including through unprecedented engagement with federal, provincial and territorial ministers, as well as with opposition leaders and the Prime Minister.
- A **predictable federal allocation model** for transit expansions that put municipalities in the driver's seat.
- A \$2 billion **rural and northern infrastructure fund** - the biggest investment of its kind in a generation.
- Better access to **high-speed broadband** through the federal Connect to Innovate program and the CRTC decision to mandate universal broadband access
- New **capacity-building programs** on asset management and climate change -led by FCM - as well as a new \$125 million capital investment in FCM's Green Municipal Fund.

Page Updated: 10/07/2018

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