

## SECTION 1

### The Regional Municipality of Durham

#### MINUTES

#### COMMITTEE OF THE WHOLE

**Wednesday, September 5, 2018**

A meeting of the Committee of the Whole was held on Wednesday, September 5, 2018 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:02 AM.

Regional Chair O'Connor assumed the Chair.

Present: Morning Session 9:02 AM to 12:28 PM

All members of the Committee of the Whole were present with the exception of Councillors Drew, McQuaid-England and Mitchell

Councillor Drew attended the meeting at 10:43 AM

Councillor Drumm left the meeting at 12:28 PM

Councillor Grant left the meeting at 12:26 PM due to municipal business

Councillor Mitchell attended the meeting at 9:30 AM

Councillor Parish left the meeting at 12:28 PM

Afternoon Session 1:15 PM to 3:02 PM

All members of the Committee of the Whole were present with the exception of Councillors Drumm, Grant, McQuaid-England, Parish and Woo

Councillor Carter left the meeting at 2:48 PM

Councillor Woo attended the meeting at 1:47 PM

Staff

Present: G. Anello, C. Bandel, G.H. Cubitt, D. Beaton, B. Bridgeman, J. Demanuele, H. Drouin, L. Fortuna, A. Gibson, C. Goodchild, J. Hunt, R. Inacio, R. Jagannathan, R.J. Kyle, W. Leonard, G. Muller, S. Munns, V. Patterson, S. Penak, N. Prasad, J. Presta, K. Ryan, M. Simpson, S. Siopis, N. Taylor, C. Tennisco, S. Tsenis, R. Walton, and K. Weiss

#### 1. **Declarations of Interest**

Councillor Carter made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 8.2 F) Report #2018-COW-172, 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. He indicated that he is a Business Improvement Area (BIA) member and owns property in the area.

## 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)
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The Chair advised that this portion of the Committee of the Whole meeting constitutes the Statutory Public Information meeting under the Planning Act for a proposed amendment to the Durham Region Official Plan. She noted that the purpose of the public meeting is to provide the public with information about the proposed amendment and to hear any submissions.

### A) Presentation

1. K. Kilbourne, Project Planner, Planning Division

K. Kilbourne, Project Planner, provided a presentation outlining the details of Report #2018-COW-156 of the Commissioner of Planning and Economic Development. She advised that an application has been 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. 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. She provided an overview of the application and land use policy considerations. She also advised that to date no inquiries have been received related to the Notice of Complete Application and Public Meeting.

The Chair asked if there were any persons in attendance who wished to make a submission or ask any questions.

### B) Public Input

There were no persons in attendance who requested to make a submission.

### C) Report

Moved by Councillor Aker, Seconded by Councillor Henry,

- A) That Public Meeting Report #2018-COW-156 be received for information; and

- B) That all submissions received be referred to the Planning Division for consideration.

CARRIED

### 3. Delegations

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

Mayor Comiskey, Town of Ingersoll, provided a PowerPoint presentation with regards to the "Demand the Right" campaign. A copy of the PowerPoint was provided as a handout.

Mayor Comiskey stated that businesses are generating far more waste than they should. Of that waste, 5 per cent is recycled and 6.7 million tonnes are sent to landfill sites each year. He stated that municipalities are demanding the right to approve any proposed landfill sites within or adjacent to their communities and to date, over 60 municipalities have passed motions to Demand the Right.

Moved by Councillor Pidwerbecki, Seconded by Councillor Drumm,  
That T. Comiskey be granted a one-time 2-minute extension in order to finish his delegation.

CARRIED

Mayor Comiskey stated that the Provincial Government needs to recognize that municipalities should have the right to decide their own future.

Moved by Councillor Pidwerbecki, Seconded by Councillor Rowett,  
That the agenda be altered in order to consider Item 7.1 A),  
Correspondence from the Town of Ingersoll, re: "Demand the Right" Campaign next.

CARRIED

### 7. Works

#### Waste

- 7.1 Communications

- A) Correspondence from the Town of Ingersoll, re: "Demand the Right" Campaign
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Moved by Councillor Parish, Seconded by Councillor Collier,  
That we recommend to Council:

That the following resolution as contained in the correspondence dated July 20, 2018 from the Town of Ingersoll regarding the Demand the Right Campaign be endorsed:

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 Regional Municipality of Durham 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 Regional Municipality of Durham encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

CARRIED UNANIMOUSLY ON THE  
FOLLOWING RECORDED VOTE:

Yes

No

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter  
Councillor Collier  
Councillor Drumm  
Councillor Foster  
Councillor Gleed  
Councillor Grant  
Councillor Henry  
Councillor Jordan  
Councillor Kolodzie  
Councillor McLean  
Councillor Mitchell  
Councillor Molloy  
Councillor Joe Neal  
Councillor John Neal  
Councillor Parish  
Councillor Pickles  
Councillor Pidwerbecki  
Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Sanders  
Councillor Smith  
Councillor Woo

Regional Chair O'Connor

Members Absent: Councillor Drew  
Councillor McQuaid-England

Declarations of Interest: None

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

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Moved by Councillor Parish, Seconded by Councillor Jordan,  
That the Rules of Procedure be suspended in order to hear Ana Marple as a delegation.

CARRIED on a 2/3rds Vote

A. Marple appeared before the Committee on behalf of the residents in the Ontoro Boulevard/Range Road area, in the Town of Ajax, regarding the on-going water issues and recent developments.

A. Marple advised that on August 16, 2018, the Region of Durham held an information session to explain the petition process and the costs involved which raised questions as to why residents are expected to bear the full cost of water services now that a health issue has been declared.

A. Marple asked whether a health issue declaration provides for financial assistance from the province, region or municipality; why their cost differs from the Region of Durham's 2018 water user rates; and since the expansion of services to their area requires connecting to an existing infrastructure (700 metres to her door), if this would have an impact their costs?

A. Marple stated that the petition process requires approval from 67% of property owners representing a total of 50% property value of the benefiting lands. She stated she is not confident that the owners of vacant lots will bear the cost of services they will not use and questioned if the owners of these vacant lands could defer their portion until their vacant properties are developed.

A. Marple asked that in the event the petition process is unsuccessful, what are the next steps?

A. Marple responded to questions of the Committee.

3.3 Marysia Colvin, Ajax Resident, re: Water Issues and Municipal Services in the Ontoro Blvd./Range Road area

M. Colvin appeared before the Committee in regards to the water servicing for Ontoro Boulevard and Range Road, in the Town of Ajax. She requested that the Committee reconsider Council's direction to seek full cost recovery for this project from the property owners; and, encourage staff to explore all potential grants and financing options available for the project.

M. Colvin provided an overview of the resident's concerns regarding the quality of their well water since 2001. She further asked that the Committee consider whether it is appropriate to seek any cost recovery from the property owners in light of their water quality being declared a health issue.

As it relates to the costs, M. Colvin asked the following:

- why the Region is charging \$555.00 per metre for watermain frontage charges when according to the 2018 water user rates, the current standard frontage charge is \$340.00/\$344.00 per metre;
- clarification that residential frontage charges are to be assessed on the basis of a standard 150 mm or 6" diameter watermain at \$296 per metre;
- why the Region is charging for water service connection charges of either \$7,000 for 19 mm or 3/4" pipe, or \$12,000 for 25 mm or 1" pipe, compared to the 2018 water user rates of between \$3,344 to \$4,383 for 19 mm or 3/4" pipe, and \$3,901 or \$5,032 for 25 mm or 1" pipe;

As it relates to recent Ontario Municipal Board (OMB) decisions, M. Colvin asked the Committee to consider whether the proposed costs are fair in this circumstance, particularly due to the difference between the 2018 costs and the 2005 costs had the matter been dealt with at that time; and if this is a situation that would warrant a deviation from the Region's local improvement policy.

M. Colvin requested that staff investigate all potential grants and financing options for the project, including determining if funds could be made available through the Asset Management Reserve Fund; and, in light of the upcoming Federal Election, if future infrastructure grants may be available.

M. Colvin asked that the Committee direct staff to revisit the issue again to determine whether there is any other way to resolve the issue, aside from what has been proposed.

M. Colvin responded to questions of the Committee.

3.4 Bruce Jenkins, Ajax Resident, re: Water Issues and Municipal Services in the Ontoro Blvd./Range Road area

B. Jenkins appeared before the Committee with regards to the water issues and municipal services in the Ontoro Boulevard/Range Road area in the Town of Ajax. He advised that the situation regarding the quality of the water in this community has been on-going for over 10 years.

B. Jenkins reiterated the concerns discussed earlier in the meeting and questioned why, in a Town like Ajax in Canada, residents are forced to use water that is dirty and that has been declared a health issue. He stated they are a community of 44 homes and are looking for the Region's help with this issue.

B. Jenkins also questioned why the costs the Region is charging for the water service connection to this community varies from the Region of Durham 2018 water user rates. He asked the Committee and staff to consider various financing options so that property owners can afford to have clean water.

B. Jenkins responded to questions from the Committee.

Staff responded to questions from the Committee regarding the costs being charged to residents and the petition process. Staff advised they would review the legislation as it relates to Local Improvement Plans and provide additional information at the September 12, 2018 Council meeting.

Councillor Joe Neal questioned what the residents on Tooley Road in Courtice were requested to pay to connect to municipal services. S. Siopis advised she would look into that and provide any information to Councillor Joe Neal directly.

Moved by Councillor McLean, Seconded by Councillor Joe Neal,  
That the Committee recess for 10 minutes.

CARRIED

The Committee recessed at 10:53 AM and reconvened at 11:08 AM.

**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)]

M. Simpson, Director, Financial Planning and Purchasing, provided a PowerPoint presentation on the 2018 Regional Municipality of Durham Asset Management Plan. A copy of the presentation was provided as a handout.



Highlights of the presentation included: Purpose of Asset Management; Foundation; Compliance Requirements; Asset Management Within Business Planning; Regional Asset Condition Rating (2017); Asset Condition Rating: Water & Sewer; Asset Condition Rating: Transportation & Regionally Owned Facilities; Strategies; Next Steps: 2019 Business Planning Cycle.

S. Siopis responded to questions regarding the utilization costs and life-cycle management for specialized equipment; and the status of the Region's Road Rationalization plan.

V. Patterson responded to questions with respect to the annual review of a bus by bus analysis and maintenance schedules; and capacity versus usage. Councillor Joe Neal requested information on the average utilization of a bus. V. Patterson advised he will follow up with Councillor Joe Neal directly.

M. Simpson responded to questions regarding the required investments for Road Rehabilitation. Councillor Foster requested that the chart outlining the overall rating of the condition of the Region's assets, as shown in Figure 5: Regional Asset Condition Rating Overall (2017 replacement value), on page 7 of Report #2018-COW-171, be provided as a 5 to 10 year trend.

Discussion ensued regarding the value of commercial property ownership versus leasing; and the potential for the local municipalities to share in the use of Regional salt domes.

## 5. Health & Social Services

Councillor Pickles assumed the chair for the Health & Social Services section of the Committee of the Whole.

### 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
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Moved by Councillor Parish, Seconded by Councillor Ballinger,  
That we recommend to Council:

- A) That the correspondence from the Halton Regional Chair regarding a provincially-funded oral health program for low-income adults and older adults be endorsed; and
- B) That 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  
be so advised.

CARRIED

## 5.2 Reports

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

Discussion ensued regarding the recent reports of blue-green algae being detected at local Durham Regional beaches; if the presence of blue-green algae would cause a beach to be posted as unsafe; and concerns regarding the potential health implications of blue-green algae on the public and animals.

Questions were raised with respect to the recent article regarding the death of a dog after allegedly drinking lake water with blue-green algae in it, and if there are any protocols in place to identify this as a cause. Dr. Kyle advised he would follow-up with the appropriate agencies and investigate further into the implications of blue-green algae.

Staff responded to questions from the Committee regarding the types of inspections that would be done at recreational camps; and, potential health implications of Toronto's sanitary sewers overflowing during a rain storm and flowing into Lake Ontario. Dr. Kyle advised he would follow up with the Toronto Board of Health on this matter.

Moved by Councillor Aker, Seconded by Councillor Pidwerbecki,  
That we recommend to Council:

- A) That the attached new Durham Notice of Inspection Disclosure By-law in the form appended to Report #2018-COW-174 (Attachment #1) of the Commissioner & Medical Officer of Health 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) be adopted; and
- 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.

CARRIED

Social Services

5.3 Communications

There were no communications to consider.

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)
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Moved by Councillor Parish, Seconded by Councillor Carter,  
That we recommend to 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.

CARRIED

Other Business – Health

- A) Dioxins and Furans Exceedance at the Courtice Water Pollution Control Plant (WPCP)
- 

Dr. Kyle responded to questions regarding the exceedance at the Courtice Water Pollution Control Plant that occurred in May 2018 including other possible emitters of dioxins and furans, and whether there were any safe levels of dioxins and furans. Councillor Foster questioned whether the appropriate guidelines should be updated if the science is out of date. Dr. Kyle advised he would follow-up with Councillor Foster directly on this matter.

**6. Planning & Economic Development**

Councillor Ryan assumed the chair for the Planning & Economic Development section of the Committee of the Whole.

Planning

6.1 Communications

- A) Town of Aurora re: Resolution passed at their Council meeting held on June 12, 2018, regarding Greenbelt Protection

Detailed discussion ensued regarding Town of Aurora's resolution that was passed at their Council meeting held on June 12, 2018 regarding Greenbelt Protection. Staff responded to questions including maintaining and growing the Greenbelt while protecting appropriate Whitebelt lands; concerns over the word "appropriate" in the resolution being too broad; if there was specific criteria to determine what is "appropriate"; and, waiting until the Carruthers's Creek Watershed Plan and the Official Plan Review is complete before making any decisions on this matter.

Moved by Councillor Aker, Seconded by Councillor Ashe,  
That the correspondence from the Town of Aurora regarding the resolution passed at their Council meeting held on June 12, 2018 regarding Greenbelt Protection be received for information.

CARRIED LATER IN THE MEETING ON A  
RECORDED VOTE  
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor McLean,  
That the question be now put.  
CARRIED on a 2/3rds Vote

The foregoing motion of Councillor Aker and Councillor Ashe was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter  
Councillor Gleed  
Councillor Grant  
Councillor Henry  
Councillor Kolodzie  
Councillor McLean  
Councillor Molloy  
Councillor Pickles  
Councillor Pidwerbecki

No

Councillor Collier  
Councillor Drew  
Councillor Drumm  
Councillor Foster  
Councillor Jordan  
Councillor Mitchell  
Councillor Joe Neal  
Councillor John Neal  
Councillor Parish  
Councillor Woo

Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Sanders  
Councillor Smith  
Regional Chair O'Connor

Members Absent: Councillor McQuaid-England

Declarations of Interest: None

## 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](#))
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Moved by Councillor Parish, Seconded by Councillor Ashe,  
That we recommend to 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 Report #2018-COW-153 of the Commissioner of Planning and Economic Development; 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.

CARRIED

- B) Durham Trail Coordinating Committee (DTCC) Membership Appointment ([2018-COW-157](#))
- 

Moved by Councillor Parish, Seconded by Councillor Ashe,  
That we recommend to 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 of the Commissioner of Planning and Economic Development be

forwarded to the Municipality of Clarington and Durham Trail Coordinating Committee.

CARRIED

- 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)
- 

Moved by Councillor Parish, Seconded by Councillor Ashe,  
That we recommend to Council:

- A) That the revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, as outlined in Attachment 1 to Report #2018-COW-159 of the Commissioner of Planning and Economic Development, 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;
- C) That the revisions to the Terms of Reference for the Durham Environmental Advisory Committee, as outlined in Attachment 3 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018; and
- 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.

CARRIED

### Economic Development

#### 6.3 Communications

There were no communications to consider.

#### 6.4 Reports

There were no Economic Development reports to consider.

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
That the Committee of the Whole recess for 45 minutes.

CARRIED

The Committee recessed at 12:28 PM and reconvened at 1:15 PM.

## 7. Works

Councillor Pidwerbecki assumed the chair for the Works section of the Committee of the Whole.

### Waste

#### 7.1 Communications

- D) Correspondence from the Town of Ingersoll, re: "Demand the Right" Campaign

This matter was considered earlier in the meeting. Refer to Item 3.1 on pages 3-6 of these minutes.

#### 7.2 Reports

There were 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

Discussion ensued regarding the effectiveness of automated speed enforcement; communications being sent out from the schools to parents regarding safety and whether Durham Region is involved; and whether municipalities should be able to mandate photo radar themselves.

Staff advised that the Region of Durham would be a resource regarding photo radar in municipalities and would not be the ones to run it.

Moved by Councillor Jordan, Seconded by Councillor Gleed,  
That we recommend to Council:

That the correspondence from the Town of Ajax regarding the resolution passed at their Council meeting held on May 22, 2018 regarding Automated Speed Enforcement be endorsed.

CARRIED UNANIMOUSLY ON THE  
FOLLOWING RECORDED VOTE:

Yes

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter  
Councillor Collier  
Councillor Drew  
Councillor Foster  
Councillor Gleed  
Councillor Henry  
Councillor Jordan  
Councillor Kolodzie  
Councillor McLean  
Councillor Mitchell  
Councillor Molloy  
Councillor Joe Neal  
Councillor John Neal  
Councillor Pickles  
Councillor Pidwerbecki  
Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Sanders  
Councillor Smith  
Regional Chair O'Connor

No

Members Absent: Councillor Drumm  
Councillor Grant  
Councillor McQuaid-England  
Councillor Parish  
Councillor Woo

Declarations of Interest: None



Moved by Councillor Jordan, Seconded by Councillor Gleed,  
That we recommend to Council:

That Regional staff be authorized to undertake a feasibility study in consultation with Durham Regional Police Service for the implementation of Automated Speed Enforcement (fixed and/or mobile camera installations) in designated Community Safety Zones and School Zones on Regional Roads, as permitted by the Safer School Zones Act, with a view to understanding costs and benefits and establishing potential test sites for 2019 implementation.

CARRIED UNANIMOUSLY ON THE  
FOLLOWING RECORDED VOTE:

Yes

No

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter  
Councillor Collier  
Councillor Drew  
Councillor Foster  
Councillor Gleed  
Councillor Henry  
Councillor Jordan  
Councillor Kolodzie  
Councillor McLean  
Councillor Mitchell  
Councillor Molloy  
Councillor Joe Neal  
Councillor John Neal  
Councillor Pickles  
Councillor Pidwerbecki  
Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Sanders  
Councillor Smith  
Regional Chair O'Connor

Members Absent: Councillor Drumm  
Councillor Grant  
Councillor McQuaid-England  
Councillor Parish  
Councillor Woo

Declarations of Interest: None

- B) Town of Ajax re: Resolution passed at their Council meeting held on May 22, 2018, regarding Red Light Cameras

Moved by Councillor Collier, Seconded by Councillor Joe Neal,  
That the correspondence from the Town of Ajax regarding the resolution passed at their Council meeting held on May 22, 2018 regarding Red Light Cameras be referred to Works staff for a report.

CARRIED

#### 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)

Moved by Councillor Henry, Seconded by Councillor McLean,  
That we recommend to 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.

CARRIED

- B) Agreement with the Canadian Pacific Railway for the Rehabilitation of the Regional Road 57 Burketon CP Overpass (2018-COW-155)

Moved by Councillor Henry, Seconded by Councillor McLean,  
That we recommend to 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.

CARRIED

- 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)

Staff responded to questions from the Committee regarding the annual base rent amount and market rate for 343 Bay Street, Beaverton.

Moved by Councillor Henry, Seconded by Councillor McLean,  
That we recommend to 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) That the Regional Chair and Clerk be authorized to execute all documents associated with the Extension of Lease Agreement.  
(\*before applicable taxes)

CARRIED

- 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](#))
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Moved by Councillor Henry, Seconded by Councillor McLean,  
That we recommend to 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.  
(\*before applicable taxes)

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter

No

Councillor Joe Neal  
Councillor John Neal

Councillor Collier  
Councillor Drew  
Councillor Foster  
Councillor Gleed  
Councillor Henry  
Councillor Jordan  
Councillor Kolodzie  
Councillor McLean  
Councillor Mitchell  
Councillor Molloy  
Councillor Pickles  
Councillor Pidwerbecki  
Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Sanders  
Councillor Smith  
Councillor Woo  
Regional Chair O'Connor

Members Absent: Councillor Drumm  
Councillor Grant  
Councillor McQuaid-England  
Councillor Parish

Declarations of Interest: None

Other Business – Works

A) Dioxins and Furans Exceedance at the Courtice Water Pollution Control Plant (WPCP)

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Staff responded to questions regarding whether the consultants gave an opinion as to what they think the source of the exceedance was; and how they concluded that it was most likely not the incinerator.

S. Siopis advised a memorandum on this matter was submitted to Regional staff by the consultants. Councillor Joe Neal requested a copy of the memorandum and S. Siopis advised she would forward the consultants' memo to Councillor Joe Neal directly.

B) Update on Bloor Street/Harmony Road Intersection, City of Oshawa

Staff advised that a meeting has been set up with the Ministry of Transportation (MTO) later in September to address the Bloor Street/Harmony Road intersection and associated concerns.

C) Metering of Bulk Water Services in Durham Region

Staff responded to questions regarding the possible contamination of the Region's water sources by the contents contained in the tanks of the water trucks as they are connecting to the hydrants; at what point certain hydrants are taken out of operation; and the possibility of placing monitors and meters on certain hydrants that are getting high usage.

D) Outstanding Issues regarding Highway 407, and Highway 401 On-Ramps

Councillor John Neal questioned if there were any outstanding issues or deficiencies with respect to the construction of Hwy. 407 at Harmony Road in the City of Oshawa. R. Jagannathan advised that most Regional road deficiencies have been addressed and that he would share the updated list with Councillor John Neal directly.

**8. Finance & Administration**

Councillor Collier assumed the chair for the Finance & Administration section of the Committee of the Whole.

Finance

8.1 Communications

There were no communications to consider.

8.2 Reports

A) Treatment of Hotels in the Region of York's Development Charge By-law (2018-COW-167)

Discussion ensued regarding the development charges applied to hotels in neighbouring municipalities compared to Durham; whether development charges are an impediment to potential hotel developers; and whether the growth in the popularity of Airbnb's is a concern.

Councillor Collier questioned how many requests for hotels in Durham Region there are currently. B. Bridgeman advised he will look into that and follow-up with Councillor Collier directly. B. Bridgeman also advised that an update report can be provided from an economic perspective on this matters.

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That Report #2018-COW-167 of the Acting Commissioner of Finance  
be received for information.

CARRIED

B) Regional Development Charges Deferral Agreement Policy for Lands  
not yet Serviced (2018-COW-168)

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

- A) That the development charge deferral agreement policy as provided in Attachment #1 to Report #2018-COW-169 of the Acting Commissioner of Finance 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.

CARRIED

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)

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to 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.

CARRIED

- 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](#))

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

- A) 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 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) That 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) That 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).

CARRIED



- E) The 2018 Regional Municipality of Durham Asset Management Plan (2018-COW-171)
- 

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the best business practice of allocating funds to address priority rehabilitation and replacement needs of Regional infrastructure systems as identified in Report #2018-COW-171 of the Acting Commissioner of Finance and Commissioner of Works, through the Region's asset management planning process continue as part of the Region of Durham's 2019 Business Planning and Budget deliberations.

CARRIED

- 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)
- 

Staff responded to questions from the Committee regarding why 80 Bond Street East is being registered as a condominium development when the developer plans on renting out the units.

M. Simpson advised that the developer followed the same business model that was used for first development on this site at 100 Bond Street, which has been quite successful and is now almost totally occupied.

Councillor Joe Neal questioned if any of the condo units at 100 Bond Street have been sold. M. Simpson advised she would follow up and have that information available for the September 12 Council meeting.

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to 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.

CARRIED

G) Social Housing Projects in Difficulty as at July 31, 2018 (2018-COW-173)

Moved by Councillor Aker, Seconded by Councillor McLean,  
That Report #2018-COW-173 of the Acting Commissioner of  
Finance and Commissioner of Social Services, be received  
for information.

CARRIED

Other Business – Finance

A) Reserve Funds

Councillor Kolodzie requested the amount the reserve funds are presently at, and what shape the tax rate stabilization fund and the reserve funds are in. N. Taylor advised that she would provide Councillor Kolodzie with that information directly.

B) Sound Equipment in Council Chambers

Concerns were raised regarding the poor quality of the microphone system in the Council Chambers. Staff advised that a review is currently being done of the sound equipment in the Council Chambers and updates are expected to be completed by December.

Administration

8.3 Communications

There were no communications to consider.

8.4 Reports

A) Procedural By-law Update (2018-COW-158)

Detailed discussion ensued with regards to the proposed changes to the Procedural By-law including clarification regarding delegations appearing before a Committee and Council; and the calling of a special meeting.

Further discussion ensued with respect to the proposed wording of new Section 15.10 (b) and it was requested that staff prepare revised wording for the September 12, 2018 Regional Council meeting.

Staff provided clarification that Section 4.1 (f) of the report relates to an amendment to Section 9.1 of the procedures for a delegated hearing or meeting to reflect the Standing Committee governance

structure. It was requested that staff provide revised wording for this section for the September 12 Council meeting.

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the 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 Report #2018-COW-158

CARRIED AS AMENDED LATER IN THE  
MEETING  
(See Following Motions)

Moved by Regional Chair O'Connor, Seconded by Councillor Mitchell,  
That Section 7.8 of Attachment #1 to Report #2018-COW-158 be amended so that the appointment of members to Standing Committees be for a two year term, beginning with the first meeting after the Inaugural Council meeting and ending after the last Standing Committee meeting in December of the second year of the four year term, at which time new appointments be made; and that the Regional Clerk take the necessary action to give effect thereto.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
That Section 26.5 (b) of Attachment #1 to Report 2018-COW-158 be amended by deleting the word "with", and replacing it with the word "without" so that it now reads as follows: A motion may be introduced orally and without a seconder.

MOTION DEFEATED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
That Section 19.12 of Attachment #1 to Report 2018-COW-158, be amended by adding the following as a new part h):

- h) The motion "that the question be now put" cannot be taken out of order and cannot be moved until after all first time speakers.

MOTION DEFEATED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Collier  
Councillor Jordan  
Councillor Molloy  
Councillor Joe Neal

No

Councillor Aker  
Councillor Ashe  
Councillor Ballinger  
Councillor Carter

Councillor John Neal  
Councillor Sanders  
Councillor Smith  
Regional Chair O'Connor

Councillor Drew  
Councillor Foster  
Councillor Glead  
Councillor Henry  
Councillor Kolodzie  
Councillor McLean  
Councillor Mitchell  
Councillor Pickles  
Councillor Pidwerbecki  
Councillor Rowett  
Councillor Roy  
Councillor Ryan  
Councillor Woo

Members Absent: Councillor Drumm  
Councillor Grant  
Councillor McQuaid-England  
Councillor Parish

Declarations of Interest: None

Moved by Councillor McLean, Seconded by Councillor Kolodzie,  
That the question be now put.  
CARRIED on a 2/3rds Vote

The main motion of Councillor Aker and Councillor McLean was then put to a vote and CARRIED AS AMENDED.

B) Proposed Revisions to the Durham Region Roundtable on Climate Change (DRRCC) Terms of Reference (2018-COW-160)

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the revised DRRCC Terms of Reference (ToR), as detailed in Attachment #2 to Report #2018-COW-160 of the Chief Administrative Officer, be adopted.

CARRIED

C) Appointment of new members to the Durham Accessibility Advisory Committee (AAC) (2018-COW-161)

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the following people be appointed to the Durham Accessibility Advisory Committee:

Ms. Kristine Galloway – Community member; and

Ms. Doreen Hume – Agency member.

CARRIED

- D) The Regional Municipality of Durham's 2017 Accessibility Report (2018-COW-162)
- 

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the Regional Municipality of Durham's 2017 Accessibility report be adopted.

CARRIED

- E) Amendment to the Accessibility Advisory Committee (AAC) Terms of Reference (2018-COW-163)
- 

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to Council:

That the Durham Accessibility Advisory Committee Terms of Reference as amended, be adopted.

CARRIED

- F) Federation of Canadian Municipalities Special Advocacy Fund (2018-COW-176)
- 

Moved by Councillor Aker, Seconded by Councillor McLean,  
That we recommend to 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.

CARRIED

## 9. Other Business

There were no items of Other Business.

**10. Confidential Matters**

10.1 Reports

- A) Confidential Report of the Commissioner of Works – Proposed or pending acquisition or disposition of land for Regional Corporation purposes as it relates to land located in Bowmanville, Municipality of Clarington (2018-COW-165)
- 

Moved by Councillor Aker, Seconded by Councillor Foster,  
That we recommend to Council:

That Confidential Report #2018-COW-165 of the Commissioner of Works be received for information.

CARRIED

**11. Date of Next Meeting**

The next regularly scheduled Committee of the Whole meeting will be held on Wednesday, October 3, 2018 at 9:00 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**12. Adjournment**

Moved by Councillor Henry, Seconded by Councillor Sanders,  
That the meeting be adjourned.

CARRIED

The meeting adjourned at 3:02 PM

Respectfully submitted,

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Gerri-Lynn O'Connor, Regional Chair and CEO

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D. Pickles, Chair, Health & Social Services

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D. Ryan, Chair, Planning & Economic Development

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N. Pidwerbecki, Chair, Works

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S. Collier, Chair, Finance & Administration

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Committee Clerk