



The Regional Municipality of Durham

Committee of the Whole Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, April 13, 2022

9:30 AM

1. Roll Call

2. Declarations of Interest

3. Statutory Public Meetings

There are no statutory public meetings

4. Delegations

There are no delegations

5. Presentations

- 5.1 Greg Pereira, Manager Transportation Planning, and Danielle Culp, Planning Analyst, re: Regional Electric Kick Scooter By-law (2022-COW-9) [Item 7. A]

6. Correspondence

7. Reports

- | | |
|--|---------|
| A) Regional Electric Kick Scooter By-law (2022-COW-9) | 3 - 24 |
| B) Advisory Committee Recruitment and Selection Policy (2022-COW-10) | 25 - 84 |

8. Confidential Matters

There are no confidential matters to be considered

9. Other Business

10. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development, Acting
Commissioner of Works and Regional Solicitor
Report: [#2022-COW-9](#)
Date: April 13, 2022

Subject:

Regional Electric Kick Scooter By-law

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the Electric Kick Scooter By-law, provided as Attachment #1 to this report be adopted.
-

Report:

1. Purpose

- 1.1 On May 4, 2021, the Planning and Economic Development Committee considered report [#2021-P-12](#) introducing a draft E-Mobility By-law and recommended that it be released for public and agency comment.
- 1.2 The draft By-law originally addressed electric kick-scooters (e-scooters) and electric power-assisted bicycles (e-bicycles); however, based on stakeholder feedback, the E-Mobility By-law has since been scoped solely to e-scooters due to their novelty, unique safety concerns and operator considerations for these devices. In addition, a by-law specific to e-scooters provides the Region with flexibility to repeal the By-law if the Ministry of Transportation does not extend their 5-year pilot program.

- 1.3 Electric power-assisted bicycles (e-bicycles), which operate similar to manual bicycles, will be addressed through an amendment to the Regional Traffic and Parking By-law 44-2006 by including a definition of an e-bicycle and updating existing definitions of bicycle and cyclist to include power-assisted bicycles.
- 1.4 The purpose of this report is to recommend a Regional Electric Kick Scooter By-law to regulate their safe operation on Regional roads and properties within Durham. This report also provides information regarding the forthcoming changes to the Regional Traffic and Parking By-law.

2. Background

- 2.1 There is a need to establish clear regulations that enable the safe operation of e-mobility devices and ensure that measures are in place to enforce their safe operation consistently across the Region.
- 2.2 A Regional Electric Kick Scooter By-law and amendments to the Regional Traffic & Parking By-law are necessary to:
 - a) Reduce conflicts between road, sidewalk and trail users by clearly identifying areas where E-mobility devices may be permitted to operate;
 - b) Establish clear requirements on speed, age, equipment, fines and infractions; and
 - c) Ensure consistent enforcement and management across municipal boundaries.
- 2.3 On January 1, 2020 the Ministry of Transportation of Ontario (MTO) introduced a new [5-year pilot to permit Electric Kick Scooters \(e-scooters\)](#) on Ontario's roads. Under the pilot, MTO has given municipalities the ability to prohibit where E-mobility devices may travel on roads, paths, trails and other property under their jurisdiction.
- 2.4 The Regional Electric Kick Scooter By-law permits the use of electric kick-scooters under specific conditions within Durham. The By-law specifies where and how e-scooters can be used on Regional roads and properties, where devices are prohibited, and what activities are not permitted, safe operation requirements, enforcement and offences of e-scooters. Additional details and information are provided in Attachment #1.
- 2.5 The amendment of the Regional Traffic and Parking By-law 44-2006 will include a definition of an e-bicycle that would bring the By-law in conformity with the Highway Traffic Act, which already defines what an e-bicycle is and where they may operate.

Attachment #2 summarizes the e-bicycle amendments to be made to By-law 44-2006. Notably, through the delegated authority to the Commissioner of Works, the said by-law will be updated as part of the next steps.

3. Stakeholder and Public Engagement

- 3.1 Following the May 4, 2021 meeting of Planning and Economic Development Committee, Regional Transportation Planning and Legal Services staff met with area municipal staff and agency stakeholders to provide an overview of the draft Regional Electric Kick Scooter By-law. The draft By-law was circulated to stakeholders for comment following the meeting.
- 3.2 On December 13, 2021, an updated draft By-law was released for a 60-day public comment period. Over 1,200 people, with 1,080 views on the Region's website, 217 downloads of the draft By-law, and 84 comments were received over the comment period.
- 3.3 The feedback from both area municipalities and members of the public has been positive. Attachment #3: Summary of Stakeholder Feedback summarizes the feedback received and how the Regional Electric Kick Scooter By-law has been updated to reflect the feedback provided.
- 3.4 From the public's comments, three common themes emerged: i) licensing and insurance for E-scooter users; ii) enforcement; and iii) safe operating speeds and locations of where devices can be used. The Regional staff's response to each of these themes is provided below.

Licensing and insurance for E-scooter Users:

- Respondents inquired about whether or not e-scooter users would be required to obtain insurance or a license to operate an e-scooter device, with many comments indicating support for a licensing and insurance requirement.

Durham Region response:

- a) E-scooters do not require specific licensing or insurance by individual users, and that same laws that apply to cyclists in the case of accident would apply to e-scooter users. The province's 'no fault' insurance scheme applies to both motorists and cyclists when there is a collision, which means regardless of who is at fault, injuries are covered by one's own insurance company. However, cyclists and e-scooter users are not required to be insured, so coverage will depend on individual circumstances.

- b) In the of case accident claims against the Region or area municipalities involving pedestrians, cyclists or e-mobility devices, the Durham Insurance Pool would adjudicate claims if they arise.

Enforcement of proper use of devices:

- Questions were raised regarding who and how the Regional Electric Kick Scooter By-law would be enforced within the Region.

Durham Region response:

- a) The Regional Electric Kick Scooter By-law and Traffic and Parking By-law 44-2006 are both enforceable by Durham Region police officers; any person appointed for this purpose by a By-law of the Region; all employees of the Region whose duties include the enforcement of this By-law; or any authorized person or employee of a local municipality within the Region of Durham.
- b) The Electric Kick Scooter By-law also specifies that anyone who contravenes any of the provisions of the By-law is guilty of an offence and liable to a fine as identified under the Provincial Offences Act.

Safe operating speeds and locations of where devices can be used:

- Questions related to concerns about the speed of e-scooter devices when passing other more vulnerable road users, such as pedestrians and whether or not e-scooters should be permitted on trails and multi-use pathways or on sidewalks.

Durham Region response:

- a) This Electric Kick Scooter By-law only applies to Regionally owned property and roads and does not apply to sidewalks or pathways which are under the jurisdiction of area municipalities. It will be up to each individual area municipality in the Region, if they choose to allow e-scooters to operate, and where they will be permitted on roads and property under their jurisdiction. Regional staff can assist or further coordinate with area municipalities, if requested.
- b) The Electric Kick Scooter By-law requires a safe distance of at least one meter from pedestrians and other users of the roadway, shoulder, sidewalk, trail, path, walkway, park, or multi-use pathway trail at all times. The By-law also states that users are to give way to a pedestrian or bicycle by requiring that e-scooters slow or stop, as necessary, where there is insufficient space.

- c) The Electric Kick Scooter By-law specifies that e-scooters may not exceed operating speeds greater than 24 km/h, which is consistent with [Ontario Regulation 389/19](#) of the Highway Traffic Act that defines the legal parameters for e-scooters. Notably, the maximum speed of 32 km/h is permitted for e-bicycles as per the Highway Traffic Act.
- d) Regional staff will continue to monitor Durham residents' feedback on specifications that are required as part of the pilot through O. Reg. 389/19 and share this information with MTO to help inform the pilot and specific regulations that should be explored or re-examined further based on feedback received.

4. Supplementary Materials and Promotion

- 4.1 Given that e-scooters and e-bikes are novel forms of transportation, Regional staff have developed a series of promotional and educational materials to help generate awareness and educate the public on where and how to use e-scooters and e-bicycles within the Region. This guidance will help support and promote the safe use of these devices. A preliminary draft of the materials is included in Attachment #4.
- 4.2 A regional education and etiquette campaign will be planned for spring of 2022 that will include promotional posters, an E-Mobility website and social media messaging.

5. Previous Reports and Decisions

- 5.1 On May 4, 2021, the Planning and Economic Development Committee received Report [#2021-P-12](#) which summarized the draft Regional E-Mobility By-law and received authorization to release the draft By-law for public and agency comment.

6. Relationship to Strategic Plan

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

Environmental Sustainability:

- E-scooter and e-bicycles are clean-energy solutions to sustainable transportation that use a combination of human-power and electric-power. The Electric Kick Scooter By-law supports the use and safe operation of sustainable transportation options, which can help reduce traffic congestion, pollution, energy consumption.

Community Vitality:

- The Electric Kick Scooter By-law supports a range of mobility options that would support well-connected and complete communities. E-scooters and e-bicycles also help address the challenge of first-mile and last-mile trips.

Economic Prosperity:

- E-scooters and e-bicycles are cost-effective and efficient modes of travel. Permitting e-mobility devices can help attract new businesses to the Region that could enable new employment and partnership opportunities specific to this technology.

7. Conclusion

- 7.1 The Electric Kick Scooter By-law will help to achieve the Region's strategic goals of expanding sustainable transportation options, reducing community greenhouse emissions, responding to the need to provide for more local non-auto trips, and addressing community needs for improving safety, coordination, and commitment to sustainable modes of transportation.
- 7.2 Should Council approve the Electric Kick Scooter By-law, the document will be posted to the Region's website, and circulated to the Region's area municipalities, the Region's Active Transportation Committee (DATC), and other relevant stakeholders.
- 7.3 The Commissioner of Works will update the Regional Traffic and Parking By-law 44-2006 to include a definition of a power-assisted bicycle (e-bicycle) and update the definitions of 'bicycle' and 'cyclist' to include power-assisted bicycles to conform with the Highway Traffic Act.

8. Attachments

Attachment #1: Regional E-Scooter By-law

Attachment #2: Draft E-bicycle Amendments to Traffic and Parking By-law 44-2006

Attachment #3: Summary of Stakeholder Feedback

Attachment #4: E-Mobility Educational and Promotional Materials

Respectfully submitted,

Original signed by

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

Original signed by

Jason Hunt, LLB
Regional Solicitor and Director of Legal
Services

Original signed by

Jenni Demanuele, CPA, CMA
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

By-law Number *-2022**
of The Regional Municipality of Durham

Being a by-law to regulate the operation and use of electric kick-scooters, including electric kick-scooters in The Regional Municipality of Durham.

The Council of The Regional Municipality of Durham hereby enacts as follows:

1. Short Title

1.1 This By-law may be cited as the “Electric Kick Scooter By-law”.

2. Definitions

In this By-law:

- 2.1 “authorized sign” means any sign placed upon a highway or on municipal property under the authority of this by-law;
- 2.2 “cargo” means goods carried on an electric kick-scooter by putting them on a platform, basket or container for carrying parcels or goods. Purses, backpacks or bags that are safely and securely attached to the operator are not considered cargo.
- 2.3 “Chief of Police” means the Chief of Police of the Durham Regional Police Service or an authorized representative;
- 2.4 “electric kick-scooter” means a vehicle that has,
- (a) two wheels placed along the same longitudinal axis, one placed at the front of the kick-scooter and one at the rear,
 - (b) a platform for standing between the two wheels,
 - (c) a steering handlebar that acts directly on the steerable wheel,
 - (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour, and
 - (e) a maximum weight of 45 kilograms (kg) and wheels with a diameter of more than 430 millimetres.
- 2.5 “electric kick-scooter parking facilities” include ring and post racks, ring racks, charging stations, corrals that support electric kick-scooters in an upright position or enable the frame to be secured, or an area designated by pavement marking or official or authorized sign for parking of electric kick-scooters, and which facilities are predominantly located within the right-of-way or within a municipal parking lot and may be located in select designated and delineated on-street parking spaces or sidewalks, but do not include light standards, utility poles, sign posts, fences, street furniture, or similar infrastructure within the right-of-way;
- 2.6 “furniture zone” means the portion of a sidewalk that buffers pedestrians from the adjacent highway or roadway and where elements such as trees, streetlights, hydrants, parking meters, or street furniture are typically located;
- 2.7 “highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended

for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

- 2.8 “Highway Traffic Act” means the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended;
- 2.9 “multi-use pathway” means an in-boulevard path physically separated from motor vehicle traffic for use by cyclists, pedestrians and other non-motorized users;
- 2.10 “official sign” means a sign on the highway approved by the Ministry of Transportation of Ontario;
- 2.11 “pedestrian” means,
- (a) a person on foot;
 - (b) a person in a wheelchair; or
 - (c) a child in a carriage, stroller or play vehicle;
- 2.12 “Region” or “Regional” means the municipal corporation of The Regional Municipality of Durham or the geographic area as the context requires;
- 2.13 “reserved bicycle lane” means those parts of the highway set aside by the Region for the use of cyclists and designated by an official or authorized sign or by pavement markings
- 2.14 “roadway” means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all of the roadways collectively;
- 2.15 “shared services” means electric kick-scooters that are made available by a third-party for use by the public, for a fee.
- 2.16 “shoulder” means that part of the highway immediately adjacent to the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel;
- 2.17 “sidewalk” means those parts of a highway set aside by the Region for the use of pedestrians;
- 2.18 “vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, roadbuilding machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle.

3. Application and Interpretation

3.1 This By-law applies to all highways, sidewalks, trails, paths, walkways, parks, multi-use pathways or any other property under the jurisdiction of the Region.

3.2 This By-law is subject to the provisions of the Highway Traffic Act.

4. Prohibition

4.1 No person shall operate, or cause to be operated, or use an electric kick-scooter on a highway, sidewalk, trail, path, walkway, park, multi-use pathway or any other property under the jurisdiction of the Region unless:

- (a) permitted by and in accordance with the provisions of the Highway Traffic Act and Ontario Regulation 389/19, as amended;
- (b) permitted by and in accordance with any applicable traffic by-laws; and

(c) permitted by and in accordance with the provisions of this By-law.

4.2 No person shall operate, or cause to be operated, or use an electric kick-scooter on a highway with a legal speed limit greater than 60 kilometres per hour, unless within a reserved bicycle lane.

4.3 No person shall operate, or cause to be operated, or use an electric kick-scooter on a sidewalk, unless permitted by an official or authorized sign.

4.4 No person shall operate, or cause to be operated, or use an electric kick-scooter where cycling, skateboarding or rollerblading is prohibited.

5. General Regulations

5.1 The Chief of Police and Commissioner of Works are authorized to erect, place and maintain such official and authorized signs as are required to give effect to the provisions of this By-law.

5.2 No person under the age of 16 years shall operate an electric kick-scooter.

5.3 No person under the age of 18 years old shall fail to wear a helmet that complies with the Highway Traffic Act when operating an electric kick-scooter.

5.4 No person operating an electric kick-scooter shall carry any other person thereon.

5.5 No person operating an electric kick-scooter shall tow another person, vehicle or device.

5.6 No person operating an electric kick-scooter shall attach himself or herself to another electric kick-scooter, vehicle or device for the purpose of being drawn or towed.

5.7 No person operating an electric kick-scooter shall operate it in any position other than while standing at all times.

5.8 No cargo may be carried on an electric kick-scooter.

5.9 No person shall park, stop or leave an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped on a highway, roadway, sidewalk or trail, path, walkway, park, or multi-use pathway, except where electric kick-scooter parking facilities are provided.

5.10 No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped within a furniture zone, unless authorized by the Region.

5.11 No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped on a highway, roadway, sidewalk or trail, path, walkway, park, exhibition ground or multi-use pathway in such a manner that obstructs the flow of pedestrian, vehicular or cyclist traffic.

6. Safe Operation

6.1 The operator of an electric kick-scooter shall keep a safe distance of at least one metre from pedestrians and other users of the roadway, shoulder, sidewalk, trail, path, walkway, park, or multi-use pathway at all times and shall give way to a pedestrian or bicycle by slowing or stopping where there is insufficient space for the pedestrian or bicycle and the electric kick-scooter to pass.

6.2 Where reserved bicycle lanes are provided on a highway, an electric kick-scooter shall only be operated in the reserved bicycle lane.

6.3 Where no reserved bicycle lanes exist on a highway where electric kick-scooter are permitted to operate, the operator of an electric kick-scooter shall ride as

close as practicable to the right-hand curb or edge of the roadway or on the paved shoulder.

6.4 No person shall operate an electric kick-scooter within a crosswalk or pedestrian crossover, as those terms are defined in the Highway Traffic Act.

6.5 Every electric kick-scooter shall be equipped with a bell or horn which shall be kept in good working order and sounded to notify cyclists, pedestrians or others of its approach.

6.6 When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every electric kick-scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear. The lamps may be attached to the electric kick-scooter or may be carried or worn by the operator on his or her person.

6.7 No person shall operate or use an electric kick-scooter in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.

7. Enforcement

7.1 The provisions of this by-law may be enforced by:

- (a) a police officer pursuant to subsection 42(1)(h) of the Police Services Act, R.S.O. 1990, c. P.15;
- (b) any person appointed for the purpose by a by-law of the Region; and/or
- (c) all employees of the Region whose duties include the enforcement of this by-law; and/or
- (d) any authorized person or employee of a local municipality within the Region of Durham.

8. Offences and Fines

8.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence.

8.2 Every person who is convicted of an offence is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

9. Electric Kick-Scooter Shared Services

9.1 Where shared services are allowed to operate in a municipality, the following rules shall apply to the operation or use of the shared services electric kick-scooters:

- (a) No person shall park, stop or leave an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped on a highway, roadway sidewalk, or trail, path, walkway, park or multi-use pathway, except where electric kick-scooter parking facilities are provided.
- (b) No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped within a furniture zone, unless authorized by the Region.
- (c) No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped on a highway, roadway

sidewalk, or trail, path, walkway, park, exhibition ground or multi-use pathway in such a manner that obstructs the flow of pedestrian, vehicular or cyclist traffic.

10. Effective Date

10.1 This By-law shall come into force on April 29, 2022 and shall be repealed on the earlier of:

(a) the revocation of Ontario Regulation 389/19: Pilot Project – Electric Kick-Scooters and

(b) November 27, 2024.

This By-law Read and Passed on the ----th day of -----, 2022.

J. Henry, Regional Chair and CEO

C. Bandel, Acting Regional Clerk

Attachment 2: Draft E-bicycle Amendments to Regional Traffic and Parking By-law

The following summarizes the draft amendments that will be made to the Regional Traffic and Parking By-law 44-2006 to reflect electric power-assisted bicycles (e-bicycles).

Definitions and Interpretation

- **“bicycle”** includes a tricycle, a unicycle and a power-assisted bicycle but does not include a motor assisted bicycle; (“bicyclette”)
- **“cyclist”** means a person who operates a muscular powered, power assisted bicycle, tricycle or unicycle;
- **“power-assisted bicycle”** means,
 - (a) a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that does not resemble a motor scooter or motorcycle and that,
 - (i) has two or three wheels,
 - (ii) is fitted at all times with pedals that are always operable to propel the bicycle,
 - (iii) is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals,
 - (iv) has steering handlebars,
 - (v) has wheels that have a width of not less than 35 millimetres and a diameter of not less than 350 millimetres,
 - (vi) has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts and that is incapable of providing propulsion assistance when the bicycle attains a speed of 32 kilometres per hour or more, and
 - (vii) weighs not more than 55 kilograms
 - (b) a vehicle that has the appearance of a motor scooter, with a seat and an open frame that may be stepped through and a platform on which the rider’s feet may rest and that,
 - (i) meets the description in subclauses (a) (i) to (vi), and
 - (ii) weighs not more than 120 kilograms,
 - (c) a vehicle that has the appearance of a motorcycle, with a saddle designed to be straddled and a footrest, pedals or pegs where the rider’s feet may remain secure, and that meets the description in subclauses (b) (i) and (ii); (“bicyclette assistée”)

Attachment 3: Summary of Stakeholder Feedback

Table 1: Summary of Area Municipal Stakeholder Feedback

Theme	Feedback	How feedback is addressed
Education and Etiquette	<p>Area municipal staff expressed support for an educational campaign and suggested that the approach of an educational and promotional campaign should focus on etiquette rather than enforcement, as some sections are more challenging to enforce than others (such as age, lights, bell, speeding).</p>	<p>The Region is developing an educational campaign that will focus more on the look and feel of devices permitted through the by-law, general equipment needed to use an e-scooter (helmet, working bell/horn etc.) and where and how to use these devices safely in the region.</p>
Jurisdiction	<p>Clarification was requested regarding whether or not by-law will permit devices on MUPs on Regional roads and trails and expectations of lower-tier municipalities.</p>	<p>The by-law has been updated to only include mention of property and cycling facilities under the Region's jurisdiction.</p> <p>It will be up to lower-tier municipalities to determine whether they wish to adopt a by-law at the area municipal level and determine where devices would be permitted under property and facilities within their jurisdiction.</p>
Consistency and Definitions	<p>Indicated that Article 6.5 conflicts with Article 4.1.</p> <p>Requested that the definition "region or regional" should be separated from the definition of highway under Article 2.7.</p> <p>Requested that reference to "region" and "regional" definition should be its own definition and that "reserved bicycle lane" be separate from Article 2.11.</p> <p>Suggested that multi-use trail (Article 2.9) be renamed to multi-use pathway to be consistent with local and regional policies and other provincial guidelines.</p> <p>Requested that designated e-scooter parking be developed and is preferred to avoid obstructions.</p>	<p>The by-law has been updated to remove article 6.5 to avoid any confusion or perceived conflicts.</p> <p>The definitions section of the by-law has been updated to separate reserved bicycle lane (see Article 2.13) from Article 2.7 and that regional and region be its own definition (see Article 2.12).</p> <p>Article 2.9 Multi-Use Trail was renamed to "Multi-Use Pathway".</p>

Attachment 3: Summary of Stakeholder Feedback

Theme	Feedback	How feedback is addressed
Parking		<p>Article 9.1 specifies that no person shall park, stop or leave an electric kick-scooter on a highway, roadway, sidewalk, path, trail, walkway, park, or multi-use pathway or within a furniture zone unless authorized by the Region or where electric kick-scooter parking facilities are provided. It further specifies that electric kick-scooters may not be parked or stopped in a manner that obstructs the flow of pedestrian, vehicular or cyclist traffic.</p> <p>The Region will be working with staff to identify and establish parking areas for electric kick-scooters on Regional property.</p> <p>The issue of scooters being abandoned on sidewalks and other regional property is primarily applicable to shared services operated by a third-party vendor, which is not permitted through the proposed by-law, at this time.</p>
Enforcement	<p>Area Municipal staff indicated that it may be harder to enforce this by-law at the local level as some municipal law enforcement officers have advised that they do not have the capacity to enforce the standards and would rely on other enforcement partners to ensure compliance.</p> <p>Inquiries focussed on whether police are only enforcing the Highway Traffic Act (HTA) as it relates to highway infractions and whether the Region has by-law officers specific to Regional sidewalks or if it is expected that area municipalities would undertake this enforcement.</p>	<p>The by-law specifies enforcement and offences and that the by-law may be enforced by a police officer pursuant to subsection 42(1)(h) of the Police Services Act, R.S.O. 1990, c. P.15; any person appointed for the purpose by a by-law of the Region; and/or; all employees of the Region whose duties include the enforcement of this by-law; and/or any authorized person or employee of a local municipality within the Region of Durham.</p> <p>The Region will enforce regional roads and property under its jurisdiction which excludes sidewalks and MUPs as these are under the jurisdiction of area municipalities.</p>
Safe Operation	<p>Requested that the words “reasonably necessary” included in Article 6.6 be removed as it is hard to prove and determine.</p> <p>Requested that Article 6.3 be reworded to avoid confusion of what the “right side” of the highway is to further clarify where e-scooter operators should ride when no reserved bicycle lane exists.</p>	<p>The by-law has been updated to remove the words “reasonably necessary” from Article 6.6.</p> <p>Article 6.3 has been reworded to “as close as practicable to the right-hand curb or edge of the roadway” to help clarify where e-scooters should operate when a reserved bicycle lane does not exist.</p>

Attachment 3: Summary of Stakeholder Feedback

Table 2: Summary of Public Stakeholder Feedback

Theme	Feedback	How feedback is addressed
Location of operation and Jurisdiction	Comments focussed on preferences to not permit the use of e-scooters on sidewalks, parks, trails or multi-use pathways and that e-scooters should only be permitted on roadways.	The by-law only permits devices on Regionally owned property and roads and does not apply to sidewalks or pathways, which are under jurisdiction of local municipalities. It will be up to each individual municipality in the Region if they choose to allow e-scooters to operate and where they will be permitted on roads and property under their jurisdiction.
Licensing & Insurance	There were multiple comments indicating that e-scooter operators should be licensed and inquired whether e-scooter users or e-bike users would be required to obtain insurance or a license to operate these devices, in case of accidents with other road users such as motor vehicles.	No insurance or licensing is required to operate e-scooters at this time. The same laws that apply to cyclists in case of accident would apply to e-scooter users. Both drivers and cyclists are covered under the province's 'No fault' insurance scheme when there is collision, which means regardless of who's at fault, injuries are covered by one's own insurance company. Although cyclists are not required to have insurance, home /property insurance policies or their own auto insurance policy may apply in these scenarios, however this varies based on an individual's policy.
Enforcement & Offences	Feedback focussed on additional clarity regarding who can enforce the by-law, how the by-law will be enforced, the desire for police to enforce incorrect use of e-scooters and e-bikes and desire for fines for incorrect or impaired use of devices.	The by-law specifies enforcement and offences and that the by-law may be enforced by a police officer pursuant to subsection 42(1)(h) of the Police Services Act, R.S.O. 1990, c. P.15; any person appointed for the purpose by a by-law of the Region; and/or; all employees of the Region whose duties include the enforcement of this by-law; and/or any authorized person or employee of a local municipality within the Region of Durham. Regarding offences, Section 8 of the by-law specifies that anyone who contravenes any of the provisions of the by-law is guilty of an offence and liable to a fine as identified in the Provincial Offences Act.
Safe Operation	There were concerns expressed about the speed of devices when passing other more vulnerable road users such as pedestrians and whether or not devices should be permitted on trails and multi-use pathways or sidewalk. There was also concern about e-scooters being silent devices and are hard to hear when approaching other road users.	The E-Scooter By-law and Traffic By-law only apply to Regionally owned property and roads and does not apply to sidewalks or pathways, which are under the jurisdiction of area municipalities. It will be up to each individual municipality in the Region, if they choose to allow e-scooters and e-bikes to operate, and where they will be permitted on roads and property under their jurisdiction.

Attachment 3: Summary of Stakeholder Feedback

Theme	Feedback	How feedback is addressed
		<p>The E-Scooter By-law indicates that e-scooters must keep a safe distance of at least one metre from pedestrians and other users of the road at all times and shall give way to a pedestrian or bicycle by slowing or stopping where there is insufficient space for the pedestrian or bicycle and the electric kick-scooter device.</p> <p>The E-Scooter By-law also specifies that devices may not exceed operating speeds greater than 24 km/h, which is consistent with what is regulated through the O. Reg. 389/19. A maximum speed of 32 km/h is permitted for E-bikes as per the Highway Traffic Act.</p> <p>Regarding the silent nature of the device, the E-scooter By-law specifies that all e-scooters must have a working bell/horn affixed to the device and sounded to notify cyclists, pedestrians or others of its approach.</p> <p>Regional staff will be sharing any feedback from the public on specifications that are required as part of the pilot through O.Reg 389/19 with the Ministry of Transportation (MTO) directly to help inform the pilot and specific regulations that should be explored or re-examined further based on feedback received.</p>
Education and Etiquette	<p>Requests for beginner operator courses or training be provided and that educational materials and resources be developed to clarify where and how to use these devices safely across the Region.</p> <p>It was also requested that presenting the details of the by-law including where and how to operate these devices, equipment needed, and which devices are allowed in a manner that is easily understood by the public and eliminates legal terminology be provided.</p>	<p>The Region will be developing a public awareness and education campaign on where and how to safely operate devices, the equipment needed and rules of the road, who can operate an e-scooter, what is considered an e-scooter under the by-law, and general FAQs.</p>

Attachment 3: Summary of Stakeholder Feedback

Theme	Feedback	How feedback is addressed
<p>Device Specifications & Equipment</p>	<p>There is a desire for the weight restrictions of 500W for e-scooters to be increased to 1000W since 500W is considered low and may limit who can use these devices and speeds they can travel.</p> <p>It was also requested that age restrictions of 16 years and older be modified to allow those 14 years and older to use e-scooters, and that helmets be required for all riders.</p> <p>There was desire for clarification of the classes of e-scooters and which are permitted and whether devices with more than 2 wheels would be permitted through this by-law.</p> <p>There was also desire for seats to be permitted on e-scooters.</p>	<p>The the number of watts permitted is 500W and is consistent with O. Reg. 389/19: Pilot Project – Pilot Project - Electric Kick-Scooters through the electric kick-scooter pilot program.</p> <p>The by-law requires that anyone under the age of 18 to wear a helmet while operating an e-scooter and only those 16 years and older may operate an e-scooter. The age restrictions of 16 years of age and helmet requirements of 18 years of age and younger, are consistent with O. Reg. 389/19: Pilot Project – Pilot Project - Electric Kick-Scooters through the electric kick-scooter pilot program.</p> <p>Regarding the silent nature of the device, the E-scooter By-law specifies that all e-scooters must have a working bell/horn affixed to the device and sounded to notify cyclists, pedestrians or others of its approach.</p> <p>In accordance with O. Reg. 389/19: Pilot Project – Pilot Project - Electric Kick-Scooters through the electric kick-scooter pilot program, the by-law does not permit seats on e-scooter devices and does not permit devices to have more than two wheels.</p> <p>While we are unable to change any of the requirements identified in O.Reg 389/19 at this time, as it is beyond our jurisdiction, we will be sharing any feedback from the public with the Ministry of Transportation (MTO) directly to help inform the pilot and specific regulations that should be explored or re-examined further based on feedback received.</p>
<p>Cargo</p>	<p>There was desire for e-scooters to be allowed to carry cargo for certain purposes like transporting personal groceries or personal goods using a purse or a backpack.</p>	<p>The cargo restrictions are in accordance with the MTO requirements for the e-scooter pilot "No cargo may be carried". The current definition in the by-law clarifies that purses, backpacks or bags affixed to the user operating the device is permitted and not considered cargo under this definition and that attaching trailers or other devices to pull or carry cargo is not permitted as it conflicts with existing provincial requirements and restrictions.</p>

Ready,

Set,

Ride!



The Dos and Don'ts of operating an E-bike and E-scooter in Durham Region.

What is an e-scooter and e-bike?

Battery-powered; equipped with: hand brake, lights, bell, kick-stand, two-wheels.



Riding Safety

Must 16 years + to operate; operate in a standing position; always wear a helmet under age of 18; limit speed to 24 km/h

Stay Alert

Keep your eyes on the road and be aware of surrounding traffic and other road users and be sure to yield to pedestrians and use your bell or horn to let others know you are approaching/passing.

Parking

Park devices in an upright position, out of the way from others, like by a bike rack, and do not block entrances or pathways)

Passengers

Do not carry passengers, or tow, push or pull other objects. Purses and backpacks may be carried.

Stay Safe

Obey all traffic signals and dismount when crossing intersections and crosswalks. Be prepared to stop or slow down when passing pedestrians or other users.

Where to ride:

▶ Regional roads

▶ Bike lanes

▶ Paved shoulders or the right side of the road

For more information, visit durham.ca/e-scooter-bylaw.

Ready, Set, Ride!



The Dos and Don'ts of operating an E-bike and E-scooter in Durham Region.

What is an e-scooter and e-bike?

Battery-powered; equipped with: hand brake, lights, bell, kick-stand, two-wheels.

Riding Safety

Must 16 years + to operate; operate in a standing position; always wear a helmet under age of 18; limit speed to 24 km/h



Parking

Park devices in an upright position, out of the way from others, like by a bike rack, and do not block entrances or pathways)



Passengers

Do not carry passengers, or tow, push or pull other objects. Purses and backpacks may be carried.



Stay Alert

Keep your eyes on the road and be aware of surrounding traffic and other road users and be sure to yield to pedestrians and use your bell or horn to let others know you are approaching/passing.



Stay Safe

Obey all traffic signals and dismount when crossing intersections and crosswalks. Be prepared to stop or slow down when passing pedestrians or other users.

Where to ride:

- Regional roads
- Bike lanes
- Paved shoulders or the right side of the road



Ready Set Ride!



The Dos and Don'ts of operating an E-bike and E-scooter in Durham Region.

What is an e-scooter and e-bike?

Battery-powered; equipped with: hand brake, lights, bell, kick-stand, two-wheels.

General Rules:



- Parking (park devices in an upright position, out of the way from others, like by a bike rack, and do not block entrances or pathways)



- Do not carry passengers, or tow, push or pull other objects. Purses and backpacks may be carried.



- Stay Alert – keep your eyes on the road and be aware of surrounding traffic and other road users and be sure to yield to pedestrians and use your bell or horn to let others know you are approaching/passing.



- Stay Safe – obey all traffic signals and dismount when crossing intersections and crosswalks. Be prepared to stop or slow down when passing pedestrians or other users.

Where to ride:

- Regional roads
- Bike lanes
- Paved shoulders or the right side of the road

For more information, visit durham.ca/E-scooter-Bylaw.



Ready Set Ride!



The Dos and Don'ts of operating an E-bike and E-scooter in Durham Region.

What is an e-scooter and e-bike?

Battery-powered; equipped with: hand brake, lights, bell, kick-stand, two-wheels.

General Rules:



- Parking (park devices in an upright position, out of the way from others, like by a bike rack, and do not block entrances or pathways)



- Do not carry passengers, or tow, push or pull other objects. Purses and backpacks may be carried.



- Stay Alert – keep your eyes on the road and be aware of surrounding traffic and other road users and be sure to yield to pedestrians and use your bell or horn to let others know you are approaching/passing.



- Stay Safe – obey all traffic signals and dismount when crossing intersections and crosswalks. Be prepared to stop or slow down when passing pedestrians or other users.

Where to ride:

- Regional roads
- Bike lanes
- Paved shoulders or the right side of the road

For more information, visit durham.ca/E-scooter-Bylaw.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Corporate Services
Report: #2022-COW-10
Date: April 13, 2022

Subject:

Advisory Committee Recruitment and Selection Policy

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the proposed Advisory Committee Recruitment and Selection Policy included as Attachment #1 be approved.
- B) That the revised terms of reference for the following advisory committees be approved:
 - i) Accessibility Advisory Committee (Attachment #2)
 - ii) Durham Active Transportation Committee (Attachment #3)
 - iii) Durham Agricultural Advisory Committee (Attachment #4)
 - iv) Durham Environmental Advisory Committee (Attachment #5)
 - v) Durham Region Anti-Racism Taskforce (Attachment #6)
 - vi) Durham Region Roundtable on Climate Change (Attachment #7); and
 - vii) Energy from Waste – Waste Management Advisory Committee (Attachment #8)
- C) That a copy of Report #2022-COW-10 be forwarded to the area municipalities for information.

Report:**1. Purpose**

- 1.1 The purpose of this report is to establish a policy for the recruitment and selection of community members to Regional advisory committees and to amend the applicable advisory committee terms of reference to reflect the new Advisory Committee Recruitment and Selection Policy to provide greater openness, accountability, and transparency.

2. Background

- 2.1 The Region of Durham currently has seven advisory committees of Regional Council and one advisory committee of the Durham Region Transit Commission. Citizen members are appointed to the advisory committees by Regional Council or the Durham Region Transit Executive Committee.
- 2.2 Each advisory committee has its own terms of reference which currently provide for recruiting and selecting members for appointment to the advisory committee.

3. Previous Reports and Decisions

- 3.1 The following reports have been presented previously for approval of each advisory committee's terms of reference:
- a. On September 12, 2018, Regional Council approved changes to the Accessibility Advisory Committee Terms of Reference through Report [#2018-COW-163](#) of the Chief Administrative Officer.
 - b. On February 24, 2021, Regional Council approved changes to the Durham Active Transportation Committee Terms of Reference through Report [#2021-P-4](#) of the Commissioner of Planning and Economic Development.
 - c. On March 25, 2020, Regional Council approved changes to the Durham Agricultural Advisory Committee Terms of Reference through Report [#2020-P-5](#) of the Commissioner of Planning and Economic Development.
 - d. On February 24, 2021, Regional Council approved changes to the Durham Environmental Advisory Committee Terms of Reference through Report [#2021-P-3](#) of the Commissioner of Planning and Economic Development.
 - e. On May 26, 2021, Regional Council approved the Durham Region Anti-Racism Taskforce Terms of Reference through Report [#2021-A-8](#) of the Chief Administrative Officer.
 - f. On March 25, 2020, Regional Council approved changes to the Durham Region Roundtable on Climate Change Terms of Reference through Report [#2020-A-9](#) of the Chief Administrative Officer.

- g. On April 24, 2013, Regional Council approved changes to the Energy from Waste – Waste Management Advisory Committee Terms of Reference through Report [#2013-WR-5](#) of the Commissioner of Works.

4. Proposed Advisory Committee Recruitment and Selection Policy

4.1 Establishing an Advisory Committee Recruitment and Selection Policy would:

- a. Provide transparent and clear information about the Region’s processes for citizen members who are interested in applying to advisory committees.
- b. Provide a guide for Council Members and Regional staff to ensure that the public appointments process is principle-based, is implemented in a consistent manner, and is administered with integrity.
- c. Provide greater transparency and openness in the appointment process, while ensuring compliance with privacy legislation; and
- d. Create a single point of contact for the public and members of Regional Council.

4.2 It is proposed that the Advisory Committee Recruitment and Selection Policy, included as Attachment #1 to this report, apply to the following advisory committees:

- a. Accessibility Advisory Committee (AAC)
- b. Durham Active Transportation Committee (DATC)
- c. Durham Agricultural Advisory Committee (DAAC)
- d. Durham Environmental Advisory Committee (DEAC)
- e. Durham Region Anti-Racism Taskforce (DRART)
- f. Durham Region Roundtable on Climate Change (DRRCC)
- g. Energy from Waste – Waste Management Advisory Committee (EFW-WMAC); and
- h. Durham Region Transit Advisory Committee (TAC)

4.3 The following eligibility requirements have been included in the proposed Policy and additional eligibility requirements specific to each advisory committee have been added to the applicable terms of reference:

- a. Individuals must be a resident of the Regional Municipality of Durham, the owner of property in the Regional Municipality of Durham, or an employee of a business operating in the Regional Municipality of Durham. Persons selected for appointment must maintain this status for the duration of their term of appointment.
- b. No citizen shall serve concurrently on more than one advisory committee, except when the terms of reference of an advisory committee provides for the appointment of a member from another advisory committee.
- c. Regional staff are not eligible for appointment to an advisory committee, unless provided for in a committee’s terms of reference on an ex officio basis (by virtue of their position), in a voting or non-voting capacity.

- d. Citizens selected for appointment shall not hold elected office (municipal, provincial, or federal). Citizen members who run for any elected office or seek an appointment to such an office to fill a vacancy, shall take a leave of absence from the advisory committee while doing so.
- 4.4 The proposed recruitment and selection process for citizen members for each new term includes:
- a. The Regional Clerk placing an advertisement within each area municipality and on the Regional website seeking individuals interested in volunteering for appointment to advisory committees of Regional Council prior to the beginning of each term.
 - b. The Regional Clerk preparing a standard application form to be completed by individuals interested in serving on an advisory committee.
 - c. Submission of application forms to the Regional Clerk.
 - d. Legislative Services preparing a list of all applications received and forwarding applications to the appropriate department for review; and
 - e. Selection of members in accordance with the process specified in the terms of reference for each advisory committee.
- 4.5 When vacancies occur during the term of Council, it is proposed that the Regional Clerk forward any applications on file from the date of the last advertisement to the appropriate department for review. As necessary, the Regional Clerk will place an advertisement on the Regional website seeking individuals interested in filling vacancies on applicable advisory committees.
- 4.6 Following the selection of members, the appropriate department will present a report recommending the appointment of members to the applicable Standing Committee and Regional Council for approval. All appointments shall be made by resolution of Regional Council.
- 4.7 The names of individuals recommended for appointment will be submitted to the applicable Standing Committee and Regional Council publicly. If Regional Council wishes to discuss confidential personal information about recommended nominees, it shall do so in closed session in accordance with the closed meeting provisions of the Municipal Act.
- 4.8 Following appointments made by Council, the Regional Clerk will advise the appointed individual and the appropriate department will forward a letter to all other applicants informing them that the positions have been filled and thanking them for their interest.
- 4.9 Legislative Services will maintain a registry of appointments and will update committee membership information on the Regional website.
- 4.10 In 2021, a similar recruitment and selection process was used successfully for the Durham Region Anti-Racism Taskforce. Positive feedback has been received in relation to the use of a standard application process and form.

5. Advisory Committee Terms of Reference

- 5.1 Revised terms of reference for the Accessibility Advisory Committee, Durham Active Transportation Committee, Durham Agricultural Advisory Committee, Durham Environmental Advisory Committee, Durham Region Anti-Racism Taskforce, Durham Region Roundtable on Climate Change, and Energy from Waste – Waste Management Advisory Committee are included as Attachments #2 to #8 of this report.
- 5.2 The terms of reference for each advisory committee have been amended to reflect the new Advisory Committee Recruitment and Selection Policy. The changes include the Region placing an advertisement seeking individuals interested in volunteering for appointment and interested individuals submitting an application form to the Regional Clerk.
- 5.3 The terms of reference have also been reviewed and updated to ensure consistency in the terminology used and formatting for accessibility. Amendments have been made where necessary to reflect the current process of minutes being circulated to members of Council as part of the Council Information Package.
- 5.4 The revised terms of reference for each advisory committee will be posted on the Region's [Committees webpage](#) and will also be available from the Legislative Services Division upon request.
- 5.5 Following Council's approval of the proposed Advisory Committee Recruitment and Selection Policy, a report will be presented to the Transit Executive Committee recommending revisions to the Durham Region Transit Advisory Committee (TAC) terms of reference to reflect the new recruitment and selection process.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
 - a. Goal 2: Community Vitality. Objective: To foster an exceptional quality of life with services that contribute to strong neighbourhoods, vibrant and diverse communities, and influence our safety and well-being.
 - 2.5 Build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging

- b. Goal 5: Service Excellence. Objective: To provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable service delivery.
- 5.1 Optimize resources and partnerships to deliver exceptional quality services and value
 - 5.2 Collaborate for a seamless service experience
 - 5.3 Demonstrate commitment to continuous quality improvement and communicating results

7. Conclusion

- 7.1 It is recommended that the proposed Advisory Committee Recruitment and Selection Policy included as Attachment #1 to this report be approved.
- 7.2 It is also recommended that the revised terms of reference for the Accessibility Advisory Committee, Durham Active Transportation Committee, Durham Agricultural Advisory Committee, Durham Environmental Advisory Committee, Durham Region Anti-Racism Taskforce, Durham Region Roundtable on Climate Change, and Energy from Waste – Waste Management Advisory Committee, be approved.
- 7.3 The proposed Advisory Committee Recruitment and Selection Policy has been prepared by Corporate Services – Legislative Services in consultation with staff in the Office of the CAO, Planning Division, Works Department, Corporate Services – Legal Services, and Durham Region Transit.
- 7.4 For additional information, contact: Cheryl Bandel, Acting Regional Clerk/Director of Legislative Services, at 905-668-7711, extension 2005.

8. Attachments

- Attachment #1: Proposed Advisory Committee Recruitment and Selection Policy
- Attachment #2: Revised Accessibility Advisory Committee Terms of Reference
- Attachment #3: Revised Durham Active Transportation Committee Terms of Reference
- Attachment #4: Revised Durham Agricultural Advisory Committee Terms of Reference
- Attachment #5: Revised Durham Environmental Advisory Committee Terms of Reference
- Attachment #6: Revised Durham Region Anti-Racism Taskforce Terms of Reference
- Attachment #7: Revised Durham Region Roundtable on Climate Change Terms of Reference
- Attachment #8: Revised Energy from Waste – Waste Management Advisory Committee Terms of Reference

Respectfully submitted,

Original signed by

Don Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



Advisory Committee Recruitment and Selection Policy and Procedure

March 2022

1. Introduction

- 1.1 Community engagement, participation and service is considered key to the Region of Durham's future. Part of that commitment is fulfilled by recruiting and selecting citizens who will provide high calibre advice as members of advisory committees.
- 1.2 The appointment of citizen members to serve on advisory committees is important to the Region in order to:
 - meet the business needs of Regional Council and staff;
 - provide a variety of perspectives and interests, reflecting the diversity of the community;
 - represent stakeholder groups;
 - bring specific skills and expertise that contribute to good governance; and
 - represent specific groups of service users.

2. Purpose

- 2.1 This Policy provides:
 - information about the Region's processes for citizen members who are interested in applying to advisory committees; and
 - a guide for Council Members and Regional staff to ensure that the public appointments process is principle-based, is implemented in a consistent manner, and is administered with integrity.

3. Policy Statement

- 3.1 The Region is committed to the values of openness, impartiality, competition and equity in the appointments process to encourage broad participation of citizen members in the democratic functioning of the Region. All individuals involved in the appointments process must understand these concepts and advance them in the recruitment and selection of citizen candidates for appointment by the Region.

4. Application

4.1 This policy applies to the following advisory committees of Regional Council:

- Accessibility Advisory Committee (AAC)
- Durham Active Transportation Committee (DATC)
- Durham Agricultural Advisory Committee (DAAC)
- Durham Environmental Advisory Committee (DEAC)
- Durham Region Anti-Racism Taskforce (DRART)
- Durham Region Roundtable on Climate Change (DRRCC)
- Energy from Waste – Waste Management Advisory Committee (EFW-WMAC)

4.2 This policy also applies to the Durham Region Transit Advisory Committee (TAC), with modifications where necessary to reflect the Durham Region Transit Commission and Durham Region Transit Executive Committee.

4.3 This policy applies to new advisory committees established by Regional Council that meet the following criteria:

- a) have a terms of reference approved by Regional Council in accordance with Section 6.3 of this Policy;
- b) whose composition includes citizen members to be appointed by Regional Council; and
- c) are supported by the Corporate Services Department – Legislative Services Division.

5. Review of Advisory Committees

5.1 Prior to the end of each term of Regional Council, Corporate Services – Legislative Services in consultation with the relevant departments shall review the current advisory committees of Regional Council.

5.2 Corporate Services – Legislative Services will:

- Prepare a list of all advisory committees
- Review the terms of reference and membership composition for each advisory committee

- Establish a proposed 4-year meeting schedule based on the current schedule of each advisory committee and taking into account the business needs and schedule of Regional Council and Standing Committees
- Provide a report to Council with any proposed changes to existing advisory committees and their terms of reference or membership

6. Eligibility Requirements

- 6.1 Citizens who apply for appointment as a member of an advisory committee must satisfy eligibility requirements in order to be selected for an appointment.
- 6.2 Individuals selected for appointment to an advisory committee must be a resident of the Regional Municipality of Durham, the owner of property in the Regional Municipality of Durham, or an employee of a business operating in the Regional Municipality of Durham. Persons selected for appointment must maintain this status for the duration of their term of appointment.
- 6.3 Regional Council shall approve terms of reference for each advisory committee that:
- set out the required functions and purpose of the advisory committee;
 - set out a membership composition;
 - set out the recruitment and selection processes to be followed;
 - set out the term of appointment of citizen members; and
 - identify specific eligibility requirements and qualifications relevant to the functions and purpose of the committee, including required skills, expertise, stakeholder interest or perspectives.
- 6.4 To encourage the broadest degree of citizen involvement, no citizen shall serve concurrently on more than one advisory committee, except when the terms of reference of an advisory committee provides for the appointment of a member from another advisory committee.
- 6.5 Regional staff are not eligible for appointment by the Region to an advisory committee, unless provided for in a committee's terms of reference on an ex officio basis (by virtue of their position), in a voting or non-voting capacity.
- 6.6 Citizens selected for appointment shall not hold elected office (municipal, provincial or federal). Citizen members who run for any elected office or seek an appointment to such an office to fill a vacancy, shall take a leave of absence from the advisory

committee while doing so. The leave must begin on the day the member is nominated for election or applies for the appointment.

7. Recruitment and Selection Process

7.1 Process for citizen member appointments for each new term of Regional Council:

- 7.1.1 Prior to the start of each new term of Regional Council, the Regional Clerk will place an advertisement within each area municipality and on the Regional website seeking individuals interested in volunteering for appointment to advisory committees of Regional Council.
- 7.1.2 The Regional Clerk will prepare an application form to be completed by individuals interested in serving on an advisory committee.
- 7.1.3 Interested individuals will be required to complete and submit an application form to the Regional Clerk. Incumbents who are eligible and wish to seek reappointment must reapply in the same manner as other applicants. Applicants applying for more than one advisory committee must submit a separate application form for each advisory committee.
- 7.1.4 Corporate Services – Legislative Services will prepare a list of applications received for each advisory committee and applications will be forwarded to the appropriate department for review.
- 7.1.5 Regional departments shall consider only applications received in the prescribed form.
- 7.1.6 Qualified and eligible applicants will be selected in accordance with the process specified in the terms of reference for each advisory committee.

7.2 Process for citizen member vacancies during the term of Regional Council:

- 7.2.1 The Regional Clerk will forward any applications that are on file from the date of the last advertisement to the appropriate department for review. Qualified and eligible applicants will be selected in accordance with the process specified in the terms of reference for each advisory committee.
- 7.2.2 As necessary, the Regional Clerk will place an advertisement on the Regional website seeking individuals interested in filling vacancies on applicable advisory committees.

-
- 7.2.3 Interested individuals will be required to complete and submit an application form to the Regional Clerk.
 - 7.2.4 Corporate Services – Legislative Services will prepare a list of applications received and applications will be forwarded to the appropriate department for review.
 - 7.2.5 Regional departments shall consider only applications received in the prescribed form.
 - 7.2.6 Qualified and eligible applicants will be selected in accordance with the process specified in the terms of reference for each advisory committee.
 - 7.2.7 If a vacancy occurs with less than six months remaining in the term of Regional Council, a decision on whether to proceed with recruitment and selection of a new member will be at the discretion of the Regional Clerk, in consultation with the relevant department.

7.3 Process for stakeholder and agency appointments:

- 7.3.1 Prior to the start of each new term of Regional Council, the appropriate department shall contact the stakeholder or agency and ask that they nominate a new member.
- 7.3.2 When a stakeholder or agency vacancy occurs, the appropriate department shall contact the stakeholder or agency and ask that they nominate a replacement member.
- 7.3.3 All stakeholder and agency appointments must be approved by Regional Council. A recommendation to appoint the member must be presented to the applicable Standing Committee and Regional Council for approval.

8. Council Appointment Process

- 8.1 All appointments shall be made by resolution of Regional Council. Appointments shall be made by Regional Council at the beginning of each term of Regional Council and as needed to fill vacancies.
- 8.2 The names of individuals recommended for appointment shall be submitted to the applicable Standing Committee and Regional Council publicly. If Regional Council wishes to discuss confidential personal information about recommended nominees, it shall do so in closed session in accordance with the closed meeting provisions of the Municipal Act.

8.3 Following appointments made by Regional Council:

- The Regional Clerk shall forward a letter to the appointed individual, with a copy to the appropriate department and respective area municipality or stakeholder, as applicable, informing them of Council's decision
- The appropriate department shall ensure that all new advisory committee members are provided with the advisory committee meeting schedule and appropriate orientation materials
- The appropriate department shall forward a letter to all other applicants informing them that the position(s) have been filled and thanking them for their interest
- Corporate Services – Legislative Services shall update the committee membership information on the Regional website and maintain a registry of appointments

9. Resignation Process

- 9.1 Resignations from citizen members and stakeholders shall be provided in writing to the Regional Clerk with a copy to the appropriate department. Resignations shall be effective on the date written notice is received by the Regional Clerk.
- 9.2 The appropriate department shall provide an update at the next advisory committee meeting advising of the resignation.
- 9.3 Corporate Services – Legislative Services shall update the committee membership information on the Regional website.

10. Standards of Conduct

- 10.1 Members of the public who are appointed to an advisory committee shall serve and be seen to serve in a conscientious and diligent manner, and in a manner that accommodates access to services by the Region's diverse communities.
- 10.2 Members are expected to perform their duties in a transparent manner that promotes public confidence and will bear close public scrutiny.
- 10.3 No member of an advisory committee shall use the influence of the office to which he or she is appointed for any purpose other than for the exercise of official duties.

- 10.4 Members shall strive to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature and Regional Council, including the Code of Conduct.



Durham Region Accessibility Advisory Committee Terms of Reference

~~September 2018~~ **March 2022**

~~The contents of this initial Terms of Reference may be modified due to Regulations released by the Province pursuant to the *Ontarians with Disabilities Act 2001*. In addition, the Accessibility Advisory Committee will review the Terms of Reference and may seek Council approval for modifications.~~

1. Goal

- 1.1 To provide advice to Regional Council on the preparation, implementation and review of its annual accessibility plan and other accessibility related issues within the Region.

2. Mandate

- 2.1 The Durham Region Accessibility Advisory Committee (AAC) is a volunteer Advisory Committee established by Regional Council in accordance with the *Ontarians with Disabilities Act, 2001 (ODA 2001)* and these Terms of Reference.
- 2.2 The Terms of Reference provide for the AAC to advise and assist the Region in the development of an annual accessibility plan(s) and an allowance for the AAC to be proactive and advise on matters identified on its own initiative, provided it satisfies the requirements under the ODA 2001.
- 2.3 Issues and concerns (barriers) faced by persons with disabilities may be referred to the AAC from Regional Council. The AAC will report to Regional Council through the Finance and Administration Committee, under the purview of the Chief Administrative Officer, on substantive matters as determined by the requirements of the ODA 2001, and the *Accessibility for Ontarians with Disabilities Act, 2005*.

3. Scope of activities

- 3.1 The scope of the AAC will include the following activities:
- a) participating in the annual development of the Region's Accessibility Plan(s) which is intended to improve the quality of life for all Regional citizens, including persons with disabilities;
 - b) advising the Region on the implementation and effectiveness of its annual Accessibility Plan(s) to ensure that it addresses the identification, removal

and prevention of barriers to persons with disabilities in the Regional by-laws, and all its policies, programs, practices and services;

- c) selecting and reviewing in a timely manner the site plans and drawings for new development, described in section 41 of *The Planning Act*;
- d) reviewing and monitoring existing and proposed procurement policies of the Region for the purpose of providing advice with respect to the accessibility for persons with disabilities to the goods or services being procured; **and**
- e) reviewing access for persons with disabilities to buildings, structures and premises (or parts thereof) that the Region purchases, constructs, significantly renovates, leases or funds.

4. Composition

4.1 The AAC will comprise up to eleven voting members in total. The majority of members shall be persons with a disability as defined by the ODA 2001. An eleven person committee may typically be comprised as follows:

- a) Six members shall be persons with disabilities. These Committee members shall be representative of gender, ethnicity and different types of visible and invisible disabilities noted in the ODA 2001;
- b) Five members shall be persons who may not have a disability. These members shall be comprised of:
 - one member of Regional Council,
 - two citizen members of which one member shall be a family member of a disabled person, and
 - two members who are professionals from the stakeholder community.
- c) ~~A staff support group will be provided as required by the AAC. The initial support group shall be comprised of the following, noting that the lead is a member of the CAO's office; Clerk's, Finance, Corporate Services, Human Resources and Information Technology, Works, Planning & Economic Development, Legal, Social Services, Police, Durham Emergency Management, and Corporate Communications Departments.~~

4.2 Membership shall be a 4-year term corresponding 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.~~ However, citizen members shall continue to serve until their replacements are appointed by Regional Council. 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.~~

- 4.3 At the discretion of the AAC, non-attendance at three consecutive meetings will be sufficient grounds for replacement.
- 4.4 The AAC shall strive to maintain a high level of relevant technical expertise and competence in disability issues within its membership.
- 4.5 The AAC may establish Project Teams and/or Working Groups as deemed necessary to address specific issues; noting that secretariat services will not be provided to these teams/groups. These Project Teams/Working Groups shall draw upon members from the AAC as well as staff support/outside resources as deemed necessary. The Chair of a project team/working group shall be a voting member of the AAC.

5. Membership selection

- 5.1 ~~The CAO's office will use methods of advertising tailored to the specific needs of this Committee.~~ Durham Region will place an advertisement seeking individuals interested in volunteering for appointment to the AAC. Interested individuals will be required to submit an application form to the Regional Clerk outlining their interest and qualifications.
- 5.2 The CAO's office shall contact appropriate agencies and community organizations and invite individuals to volunteer for the AAC. Interested individuals will be required to submit an application form to the Regional Clerk and provide a brief resume outlining their interest and qualifications.
- 5.3 The CAO's office will review the ~~resumes~~ applications received and recommend ~~through the Finance and Administration Committee to Regional Council~~ individuals for appointment to the AAC ~~the selected candidates, after an interview process has been completed.~~ Members shall be chosen for their special expertise, experience, dedication and commitment to the mandate of the Committee.
- 5.4 All ~~voting~~ members of the AAC ~~will~~ shall be appointed by the Finance and Administration Committee and Regional Council.
- 5.5 Regional Council shall appoint a representative to the AAC from the members of the Finance and Administration Committee.
- 5.6 In the case of a vacancy, the approach described in Sections ~~5.1 and 5.2~~ will generally be followed.

6. Officers

- 6.1 A chair and a vice-chair will be elected annually by the membership of the AAC. The **Corporate Services – Legislative Services Division** ~~Clerk's Department~~ representative will chair the inaugural AAC meeting for the voting process.

7. Support services

- 7.1 The Chief Administrative Officer (CAO) or designate shall serve as staff liaison to the AAC. The staff liaison will provide administrative, procedural and technical support to the AAC and will utilize the staff support group noted in Section **7.24.1** as deemed necessary.
- 7.2 A staff support group will be provided as required by the AAC. The initial support group shall be comprised of the following, noting that the lead is a member of the CAO's office; Clerk's **Legislative Services**, Finance, Corporate Services - Human Resources and Information Technology, Works, Planning & Economic Development, Legal, Social Services, Police, Durham Emergency Management, and Corporate Communications Departments.
- 7.3 The staff liaison will co-ordinate all requests for advice from the AAC, through meeting agendas ~~and addenda to meeting agendas~~. AAC responses to such requests shall be co-ordinated by the staff liaison through the Finance and Administration Committee to Regional Council.
- 7.4 The Region will provide secretarial and other support services. Regional Council will provide a budget to cover the operational expenses of the AAC and this budget will be administered by the CAO's office.

8. Meetings

- 8.1 The AAC will meet six times per year (January, March, May, June, September and November) in a designated Regional meeting room. The AAC will establish a meeting schedule at its inaugural meeting, taking into account the business needs and the schedule of Regional Committees/Council. Special meetings may be held at the call of the Chair.
- 8.2 Quorum for AAC meetings shall ~~consist of~~ be a majority of the sitting AAC members.
- 8.3 All meetings will be open to the public. As a formal Advisory Committee to the Region, the AAC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.

9. Delegations at committee meetings

- 9.1 Any person(s) wishing to appear before the AAC as a delegate must submit a request to the staff liaison in the CAO's office, 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 in the agenda. Any person wishing to address the AAC 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 AAC 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 Regional Clerk.** ~~forwarded to the next regularly scheduled Finance and Administration Committee meeting. When approved, any amendments will be forwarded to the Finance and Administration Committee.~~
- 10.2 The AAC agendas will be prepared by the staff liaison and/or the **Legislative Services Division** ~~Clerk's Department~~, with input from the AAC chair or vice-chair, and other AAC members. Agendas will be distributed the week prior to upcoming meetings.

11. Committee resolutions

- 11.1 The AAC 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 AAC.

12. Annual reports and workplan

- 12.1 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 AAC for consideration and approval by **the Finance and Administration Committee and** Regional Council. To avoid duplication, the AAC shall ensure that the workplan is co-ordinated with other disability initiatives in the Region.
- 12.2 An annual review of the AAC by the Chief Administrative Officer, on behalf of Regional Council, will be completed to examine the effectiveness of the Committee and to ensure continued improvements.



Durham Active Transportation Committee Terms of Reference

~~Revised February 2021~~ **March 2022**

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. Mandate

~~3.1~~ The Durham Active Transportation Committee (DATC) is an **volunteer** advisory committee of Regional Council and is guided by these Terms of Reference.

~~3.13.2~~ -The DATC shall report directly to the Planning and Economic Development Committee and/or Regional Planning and Economic Development Department, as appropriate.

4. Guiding Principles

- 4.1 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.

5. Scope of Activities

- 5.1 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, which includes first and last mile 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);
- 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, Smart Commute Durham, and Public Health; and
- Provide advice to Regional Council on legislative matters, programming and policies from all levels of government related to active transportation.

6. ~~Composition and Membership Selection~~

6.1 ~~The Durham Active Transportation Committee (DATC) is an advisory committee of Regional Council and is guided by these Terms of Reference. The DATC shall report directly to the Planning and Economic Development Committee.~~

6.2 The DATC will be comprised of nine ~~voting~~ members in total, **as follows:**

- Eight (8) ~~of which shall be~~ citizen **members, which shall be representatives from each_ nominated for appointment by the area municipality municipalities**, and
- One (1) member ~~will be a representative~~ of the Planning and Economic Development Committee.

6.3 ~~Regional Council shall appoint a representative and an alternate to the DATC from the members of the Planning and Economic Development Committee.~~

6.4 ~~Each area municipality shall appoint one citizen member of the public to sit on the DATC.~~

6.5 Membership for ~~regular~~ **citizen** members shall correspond with the term of Regional Council. **If a member chooses to resign, the Region will seek a replacement in accordance with Section 7.**

6.6 The DATC may invite stakeholders and/or individuals with specialized expertise to attend meetings on an as-needed basis in a non-voting capacity.

6.7 At the discretion of the DATC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

7. **Membership Selection**

7.1 **Durham Region will place an advertisement seeking individuals interested in volunteering for appointment to the DATC. Interested individuals will be required to submit an application form to the Regional Clerk outlining their interest and qualifications.**

7.2 **The Regional Planning and Economic Development Department will review the applications received. Applications from qualified applicants will be forwarded to the respective area municipality with a request that the local Council nominate one representative for appointment.**

7.3 **In nominating members to the DATC, regard shall be given to the relevance of their interests to the mandate of DATC. Regard shall also be given to residency within the Region and availability to attend meetings.**

7.4 **All members of the DATC shall be appointed by the Regional Planning and Economic Development Committee and Regional Council.**

7.5 Regional Council shall appoint a representative and an alternate to the DATC from the members of the Planning and Economic Development Committee.

7.6 **In the case of a vacancy, the approach described in Section 7 will generally be followed.**

8. **Officers**

8.1 A chair and a vice-chair will be elected by the DATC ~~membership~~ **at the beginning of each term of Council**. The Commissioner of the Planning and Economic Development Department or his designate will chair the inaugural DATC meeting.

9. Support Services

- 9.1 The Commissioner of Planning and Economic Development shall appoint a staff liaison to support the activities of DATC. The **staff** liaison will provide administrative, procedural and technical support to the DATC and will utilize the Technical Support Group noted in Section ~~7.39.3~~ as deemed necessary.
- 9.2 ~~Regional~~The Legislative Services Division **of the Corporate Services Department** 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.
- 9.3 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.~~
- 9.4 The **staff** liaison from the Regional Planning and Economic Development Department shall contact participating area municipalities and other agencies to establish the Technical Support Group.

10. Meetings

- 10.1 The DATC will establish a meeting schedule at its inaugural meeting, taking into account the business needs, and the schedule of the Planning and Economic Development Committee and **Regional** Council. Special meetings may be held at the call of the Chair.
- 10.2 Unless otherwise determined, all meetings will be open to the public. As an ~~ad-hoc~~**Advisory** Committee ~~of to the~~ **Regional Council**, the DATC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.
- 10.3 A quorum for ~~a~~DATC meetings shall ~~consist of~~**be** a majority of the sitting members.

11. Delegations at Committee Meetings

- 11.1 Any person(s) wishing to appear before the DATC as a delegate must submit a request to delegations@durham.ca advising of the topic or item to which they wish to speak, which will then be forwarded to the staff liaison in the Regional Planning and Economic Development Department. 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.

12. Minutes and Agenda

- 12.1 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 the Council Information Package (CIP) prepared by the Regional Clerk**~~forwarded to the Regional Clerk for inclusion in the Council Information Package (CIP) for information. When approved, any amendments will be forwarded to the Legislative Services Division.~~
- 12.2 The DATC agendas will be prepared by the staff liaison, along with the DATC chair or vice-chair, with input from other DATC members.

13. Committee Resolutions

- 13.1 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.

14. Annual Reports and Workplan

- 14.1 An annual report summarizing the activities completed in the previous year shall be prepared by the DATC. The annual report shall be forwarded to the Planning and Economic Development Committee.
- 14.2 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 the Planning and Economic Development Committee and **Regional Council**.
- 14.3 An annual review of the DATC by 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 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.



Durham Agricultural Advisory Committee

Terms of Reference

~~Revised March 2020~~ **March 2022**

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 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, or Regional Council. The DAAC may report directly to the Regional Planning and Economic Development Committee on substantive matters as determined by the Planning and Economic Development Committee. 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, **as follows:**

- Fourteen (**14**) 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~~ **fourteen** members, ~~twelve~~ **eleven** 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.
- **One (1)** ~~An additional member will representing~~ the Durham Region Federation of Agriculture **who is a bona fide farmer directly involved in the agricultural industry.**
- ~~The final~~ **One (1)** member ~~will be a representative~~ of the Planning and Economic Development Committee whose role is to act as liaison.

4.2 Membership ~~for regular members~~ shall correspond with the term of Regional Council. However, members shall continue to serve until their replacements are appointed by 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, **the Region will seek** a replacement ~~will be sought~~ in accordance with Section 5. ~~However, members shall continue to serve until their replacements are appointed by Regional Council.~~

4.3 At the discretion of the DAAC, non-attendance of three consecutive meetings will be sufficient grounds ~~to recommend~~ **for** replacement.

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.

5. Membership Selection

5.1 For regular members, ~~the Regional Planning and Economic Development Department~~ Durham Region will place an ~~newspaper~~ advertisement **seeking and/or issue a public service announcement to media within each area municipality requesting expressions of interest from individuals interested in willing to volunteering** for appointment to the DAAC. Interested individuals will be required to **submit an application form to the Regional Clerk provide a brief resume outlining their interest and qualifications and statement of interest.**

5.15.2 The Regional Planning and Economic Development Department will review the applications received. ~~Responses from the advertisement~~ Applications from qualified applicants will be forwarded to ~~each the~~ 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~~ applications 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.

5.25.3 In nominating members to the DAAC, excluding the representative of the Planning and Economic Development Committee, 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. Regard shall also be given to residency within the Region and availability. Availability to attend meetings will also be considered. All residents of Durham Region are eligible for membership. An elaboration of the selection criteria is provided in Appendix 1 of the Terms of Reference.

5.35.4 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.

5.45.5 All members of the DAAC shall be appointed by the ~~The~~ Regional Planning and Economic Development Committee **and will recommend individuals for appointment to the DAAC by** Regional Council.

5.55.6 Regional Council shall appoint a representative and an alternate to the DAAC from the members of the Planning and Economic Development Committee.

² ~~Note: Same note as above~~ Where an interested bona fide farmer cannot be found, as an exception a non-farm rural resident may be substituted.

~~5.65.7 In nominating members to the DAAC, excluding the representative of the Planning and Economic Development Committee, 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.~~

~~5.75.8 In the case of a **regular member** vacancy, the approach described in Sections **5.1, 5.2 and 5.3** will generally be followed.~~

~~5.85.9 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 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 **staff** liaison will provide administrative, procedural and technical support to the DAAC.

7.2 The **staff** 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 **staff** 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 taking into account the business needs and the schedule of **Regional Council** and the Planning and Economic Development Committee. ~~The Planning and Economic Development Committee will be provided with a schedule of DAAC meetings each December for the following year.~~ Special meetings may be held at the call of the Chair. ~~The Planning and Economic Development Committee 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.

8.3 Quorum **for DAAC meetings** shall ~~consist of~~**be** a majority of the sitting members.

9. Delegations of Committee Meetings

9.1 Any person(s) wishing to appear before the DAAC as a delegate must submit a request to delegations@durham.ca, advising of the topic or item to which they wish to speak, which will then be forwarded to the staff liaison in the Regional Planning and Economic Development Department. 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 DAAC 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 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 **Regional** Clerk. ~~When approved, any amendments will be forwarded to the Planning and Economic Development Committee.~~

10.2 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.

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

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

- 1.1 Members should reside in Durham Region³. **Where a person who resides in Durham cannot be found, a farmer who owns land in Durham Region may be substituted.**

2. Agricultural Expertise and Knowledge

- 2.1 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

- 3.1 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

- 4.1 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.

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



Durham Environmental Advisory Committee Terms of Reference

~~Revised February~~ **March 2022**

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 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. DEAC shall report directly to the Regional Planning and Economic Development Committee 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, 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 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, **as follows:**

- ~~Thirteen (13) 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. 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 not represent their respective employers or advocacy group in their capacity as a DEAC member.~~
- ~~one~~ **One (1)** ~~of which will be a~~ Post-Secondary Student member.
- ~~two~~ **Two (2)** ~~of which will be~~ youth members.

- ~~plus one~~ **One (1)** member of the Planning and Economic Development Committee.

4.2 All members are regarded as private citizens and do not represent their respective employers or advocacy group in their capacity as a DEAC member.

4.3 Membership for citizen members shall correspond with the term of Regional Council. However, citizen members shall continue to serve until their replacements are appointed by 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.~~

4.4 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.

4.5 Membership for youth members shall be up to a 3-year term, generally corresponding with the school year.

4.6 At the discretion of the DEAC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

4.7 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~~ **Durham Region will** place an **newspaper** advertisement ~~within each area municipality requesting expressions of interest from~~ **seeking** individuals ~~willing to~~ **interested in** volunteering for appointment to the DEAC. **For post-secondary student and youth members, the Region shall also contact colleges, universities, and secondary schools in Durham Region to request that students be notified about the opportunity to volunteer with DEAC.** Interested individuals will be required to **submit an application form to the Regional Clerk** ~~provide a brief resume~~ **outlining their interest and qualifications** ~~and statement of interest.~~

- 5.2 **The Regional Planning and Economic Development Department will review the applications received. Responses-Applications** from qualified **candidates applicants** will be forwarded to the respective area municipality with a request that the local Council nominate one representative. **The** Regional Planning and Economic Development **staffDepartment**, from the remaining **resumes applications** received, will nominate a sufficient number of **citizen** 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.~~**The Regional Planning and Economic Development Department will also nominate one Post- Secondary Student member and two youth members from the applications received.**
- 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 selectingnominating a Post-Secondary Student members, members must be enrolled full- time in a College or University program and express an interest in environmental matters.**consideration**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 member must be enrolled full-time in a college or university program and express an interest in environmental matters. 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.
- 5.5 In selectingnominating 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.
- 5.6 All members of the DEAC shall-will be appointed by the Regional Planning and Economic Development Committee and Regional Council.
- 5.7 Regional Council shall appoint a representative and an alternate to **the** DEAC from the members of the Planning and Economic Development Committee.

- 5.8 ~~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.~~
- 5.9 In the case of a **citizen member** vacancy, the approach described in Sections **5.1 and 5.2** will generally be followed.
- 5.10 ~~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 and Council.~~
- 5.11 ~~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.~~
- 5.12 ~~In the case of a Post-Secondary Student member vacancy, the approach described in Section 5.5 and 5.6 will generally be followed.~~
- 5.13 ~~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 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 and Council.~~

5.14 ~~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.~~

5.15 ~~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 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 **staff** liaison will provide administrative, procedural and technical support to the DEAC.

7.2 The **staff** 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 **staff** liaison to the Planning and Economic Development Department ~~or the Planning and Economic Development Committee~~.

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~~ **Department**.

8. Meetings

8.1 Regularly scheduled meetings of DEAC will be held at the Durham Regional Headquarters. The DEAC, will establish a meeting schedule taking into account the business needs and the schedule of **Regional** Council and the Planning and Economic Development Committee. ~~The Planning and Economic Development Committee will be provided with a schedule of DEAC meetings each December for the following year.~~ Special meetings may be held at the call of the Chair. ~~The Planning and Economic Development Committee 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 meetings shall ~~consist of~~**be** 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 delegations@durham.ca, advising of the topic or item to which they wish to speak, which will then be forwarded to the staff liaison in the Regional Planning and Economic Development Department. 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 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 **Regional** Clerk.

10.2 The DEAC agendas will be prepared by the staff liaison and the DEAC chair or vice-chair with input from other DEAC members. ~~As the first item of business~~
at**At the beginning of** 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.

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 and **Regional** 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 will be completed to examine the effectiveness of the Committee and to ensure continued improvements.

Appendix 1: Membership Eligibility Criteria

1. Citizen Membership Eligibility Criteria

1.1 To facilitate the nomination and appointment of new citizen members to the DEAC, the following criteria will be considered:

A) Residency

Members should reside in Durham Region.

B) 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.

C) 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.

D) 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.

1.2 The aim is to achieve a diverse committee with a combination of technical experts and community representatives.

2. Post-Secondary Student Membership Eligibility Criteria

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

A) Residency

Members should reside in Durham Region for the school year.

B) Education

Members must be accepted into, or enrolled in a full-time 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.

C) 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.

3. Youth Membership Eligibility Criteria

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

A) Residency

Youth members should reside in Durham Region.

B) Education

Youth members must be enrolled in Grade 10, 11, or 12 and express an interest in environmental matters.

C) 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.

D) 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.



Durham Region Anti-Racism Taskforce Terms of Reference

~~May 2021~~ March 2022

1. Context and Introduction

- 1.1 In Canada, the disparities that exist in racialized communities are well documented. Systemic barriers based on race have been created over our long and storied shared Canadian history.
- 1.2 For Black Canadians, anti-Black racism is present across all areas of daily life and has detrimental impacts on life and work. The Ontario Human Rights Commission has conducted several reports to interrogate both the oppression of racialized people in Canada, and more specifically Ontario. The most recent report on the experiences of Black communities and the police was released in a 2020 [report](#).
- 1.3 In 2020, Durham Regional Council endorsed its first Anti-Black Racism Town Hall and Diversity, Equity and Inclusion Follow-Up report. The Region has committed to the development and implementation of an Anti-Racism Framework to ensure we have a healthy workplace, and to address racism within the communities we serve. Establishment of the Durham Region Anti-Racism Taskforce as a Committee of Council, with a formalized structure similar to other advisory committees, will ensure a consistent approach to addressing systemic racism. This taskforce will adopt a 'hub and spoke' model where working groups will be identified to address disparity in racialized (Indigenous, Black, Asian, etc.) communities. Anti-Black racism will be the initial focus for this taskforce. Precedence will be given to the lived experiences and concerns of all racialized groups in the Region.
- 1.4 The Durham Region Anti-Racism Taskforce connects with the following goals of the Region of Durham Strategic Plan (2020-2024):
 - a) Goal 2: Community Vitality: To foster an exceptional quality of life with services that contribute to strong neighborhoods, vibrant and diverse communities, and influence our safety and well-being.
 - b) Goal 4: Social Investment: To ensure a range of programs, services and supports are available and accessible to those in need, so that no individual is left behind.

2. Goal

- 2.1 To work with community stakeholders, Regional staff, and other relevant partners to ensure that Durham Region successfully implements its anti-racism framework in a manner consistent with the principles of the Ontario Human Rights Code and Durham’s aim to demonstrate leadership in addressing systemic racism. Furthermore, to ensure that implementation plans are built on the lived experienced of racialized communities and centers the voices of these stakeholders.

3. Mandate

- 3.1 The Durham Region Anti-Racism Taskforce (DRART) will act in an advisory role to Regional Council through the Finance and Administration Committee on issues related to racism – structural, systemic, and interpersonal.
- 3.2 The DRART 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.

4. Scope of Activities

- 4.1 The scope of activities that the DRART may undertake include, but are not limited to:
- providing advice, feedback and guidance to Regional staff and Council on implementation of Durham Region’s Anti-Racism Framework;
 - supporting and enabling successful implementation of Durham Region’s anti-racism plans by engaging and influencing relevant stakeholders and networks;
 - providing accurate and transparent reports to Regional Council on progress with implementation of Durham Region’s anti-racism plans; and
 - providing a forum for residents to learn more about what the Region and its partners are doing to address racism.

5. Composition

- 5.1 The DRART will be composed of between 15 to 18 members as follows:
- a) One member of Regional Council;
 - b) The Chief Administrative Officer (CAO) of the Region;

- c) Ten (10) Racialized Community members with lived experience, specialized expertise, including those with intersectional social locations;
- d) Three (3) to six (6) representatives from industry, association, and public institutions such as:
 - Academia with a focus on anti-racism or critical race theory (e.g. Ontario Tech University, Durham College, Trent Durham University, and/or local school boards)
 - Professional Associations (e.g. Durham Black Business and Professional Association, ByBlacks, Canadian Black Chamber of Commerce – Durham Region, etc.)
 - Community and socially focused organizations (e.g. DurhamOne, Bawaajigewin Aboriginal Community Circle Durham Black Educators Network, BAACO, Women’s Multicultural Resource and Counselling Centre, Durham Chinese Cultural Centre, Durham Tamil Association, Indo-Canadian Association, Congress of Black Women, etc.)

5.2 Up to three (3) Regional staff who are directly connected to community DEI initiatives and activities may be invited to attend DRART meetings as Ex-officio members in a non-voting capacity.

5.3 Members of Parliament (MP) and Members of Provincial Parliament (MPP) representing Durham Region may be invited to attend DRART meetings on an as needed basis and as Ex-officio members in a non-voting capacity.

5.4 The DRART may invite individuals with specialized expertise to attend meetings on an as needed basis in a non-voting capacity.

5.5 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 6.

5.6 At the discretion of the DRART, non-attendance of three consecutive meetings will be sufficient grounds for replacement

6. Membership Selection

6.1 For the selection of members representing community, academia or professional associations, **Durham Region will place an advertisement seeking individuals interested in volunteering for appointment to the DRART**~~a call for interest will be facilitated through the Region’s website, social media, and other communications channels~~. Interested individuals will be required to **submit an application form to the Regional Clerk**~~complete an application form and provide a brief resume~~ outlining their interest and qualifications.

- 6.2 The CAO's Office shall contact community, academic and professional leaders and invite them to volunteer for the DRART. **Interested individuals will be required to submit an application form to the Regional Clerk and provide a brief resume outlining their interest and qualifications.**
- 6.3 **The CAO's office will review the applications received and recommend individuals for appointment to the DRART.** In nominating members to the DRART, regard shall be given to the aim of achieving a diversity in intersecting social identities. Regard shall also be given to previous extensive community and/or professional involvement, knowledge of race and related issues, lived experience, residency within the Region and availability to attend meetings.
- 6.4 All members of the DRART ~~will~~**shall** be appointed by the Finance and Administration Committee and Regional Council.
- 6.5 Regional Council shall appoint a representative and an alternate to the DRART.
- 6.6 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 DRART.
- 6.7 In the case of a ~~citizen member~~ vacancy, the approach described in Section 6-1 will generally be followed.

7. Officers

- 7.1 A chair and a vice-chair will be elected by the DRART at the beginning of each term of Council. The Region's Director, Diversity, Equity and Inclusion shall chair the inaugural DRART meeting of each term.

8. Support Services

- 8.1 A staff liaison from the Office of the CAO shall be appointed to support the activities of the DRART. The staff liaison will provide administrative, procedural, and technical support to the DRART. Day-to-day activities of the staff liaison will be supported by the Office of the CAO.
- 8.2 A Regional Staff Working Group, consisting of appropriate staff from all Regional departments shall be established to develop an Anti-Racism Framework which would detail actions that the Region as a corporation and as a community service provider can take to address systemic racism. The Regional Staff Working Group will also provide advice and expertise to the DRART and the staff liaison as needed.
- 8.3 The staff liaison shall keep the Region's Department Heads apprised of the activities of the DRART and the Regional Staff Working Group.

8.4 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 DRART, and this budget will be administered by the Office of the CAO.

9. Meetings

9.1 The DRART 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.

9.2 Unless otherwise determined, all meetings will be open to the public. As an Advisory Committee to the Region, the DRART is subject to the Regional Procedural By-law, unless otherwise specified in these Terms of Reference.

9.3 A quorum for DRART meetings shall be a majority of the sitting members.

10. Minutes and Agenda

10.1 The minutes of each DRART meeting will be 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 Regional Clerk.

10.2 The DRART agendas will be prepared by the Staff Liaison, along with the DRART Chair or Vice Chair, with input from other DRART members.

11. Delegations and Presentations

11.1 Any person(s) wishing to appear before the DRART as a delegation must submit a request to delegations@durham.ca, advising of the topic or item to which they wish to speak, which will then be forwarded to the staff liaison in the Office of the CAO. 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 DRART as a delegate, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution.

11.2 When the DRART has requested a presentation on a particular topic, the time frame allotted will depend on the subject under discussion.

12. Committee Resolutions

12.1 The DRART 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 DRART.

13. Annual Reports and Workplan

- 13.1 An annual report summarizing the activities completed in the previous year shall be prepared by the DRART. The annual report shall be forwarded to the Finance and Administration Committee.
- 13.2 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 DRART for consideration and approval by the Finance and Administration Committee and Regional Council.



Durham Region Roundtable on Climate Change Terms of Reference

~~March 2020~~ **March 2022**

1. Context and Introduction

- 1.1 In 2009, the Regional Council of Durham established the Durham Region Roundtable on Climate Change (DRRCC) to lead the development of the Region's first ever climate change plan, released in 2012 and titled 'From Vision to Action: Region of Durham Community Climate Change Local Action Plan', and to position the Region of Durham as a leader in addressing climate change issues.
- 1.2 In 2016, the Paris Agreement on climate change, which was signed by 195 countries including Canada, sets out that all Governments, citizens, businesses and other organizations will work together to limit global average temperature increases to 'well below 2°C', aiming for 1.5°C, relative to pre-industrial temperatures.
- 1.3 DRRCC has since overseen the development of a Community Climate Adaptation Plan (Towards Resilience, 2016) and a Community Energy Plan (Seizing the Opportunity, 2019) to more clearly articulate how Durham Region and its local area municipal partners will collaborate on the transition to a low carbon, climate resilient Region. The latter plan is based upon a low carbon pathway, which charts a trajectory towards achieving an 80 per cent reduction in greenhouse gas emissions by 2050.

2. Goal

- 2.1 To work with Regional staff, and other relevant partners to ensure that Durham Region successfully implements its climate change plans in a manner consistent with the Paris agreement and Durham's aim to demonstrate leadership in addressing climate change. Furthermore, to ensure that implementation plans are built on the views of Regional stakeholders and citizens and reflect the latest science.

3. Mandate

- 3.1 The Durham Region Roundtable on Climate Change (DRRCC) will act in an advisory role to Regional Council through the Finance and Administration Committee on issues related to climate change.
- 3.2 **The DRRCC is a volunteer Advisory Committee established by Regional Council in accordance with these Terms of Reference.**

4. Scope of Activities

- 4.1 The scope of activities that the DRRCC may undertake include, but are not limited to:
- provide advice, feedback and guidance to Regional staff and Council on implementation of Durham's community-facing climate change plans, including the Durham Community Climate Adaptation Plan and the Durham Community Energy Plan;
 - support and enable successful implementation of Durham Region's climate change plans by engaging and influencing relevant stakeholders and networks;
 - provide accurate and transparent reports to Regional Council on progress with implementation of Durham Region's climate change plans; and
 - provide a forum for residents to learn more about what the Region and its partners are doing to address climate change.

5. Composition

- 5.1 The DRRCC will be composed of between 15 to 20 members as follows:
- Five Regional Councillors – the Regional Chair, ex-officio, and one Councillor representing each of the four Regional Standing Committees;
 - Eight to ten representatives from industry, association and public institutions such as:
 - Public agencies focused on energy, housing, transportation and conservation (e.g. local electricity distribution companies, Durham Region Non-Profit Housing Corp, and/or Conservation Authorities)
 - Academia (e.g. Ontario Tech University, Durham College, Trent Durham University, and/or local school boards)
 - Professional and Industry Associations (e.g. Durham Labour Council, BILD Durham Chapter, etc.)
 - Community and socially-focused organizations (e.g. Durham Community Foundation, Community Development Council Durham, etc.)
 - 1 to 6 citizen at-large representatives with specialized expertise, including youth representatives (aged 16-25); and
 - The Chief Administrative Officer (CAO) of the Region.

- 5.2 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~~ **Ex-officio** members in a non-voting capacity.
- 5.3 The DRRCC may invite individuals with specialized expertise to attend meetings on an as needed basis in a non-voting capacity.
- 5.4 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 ~~56~~.
- 5.5 At the discretion of the DRRCC, non-attendance of three consecutive meetings will be sufficient grounds for replacement.

6. Membership Selection

- 6.1 ~~For the selection of members representing industry, association and/or public institutions, 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 members. All members of the DRRCC will be appointed by the Finance and Administration Committee and Council.~~
- 6.2 **Durham Region will place an advertisement seeking individuals interest in volunteering for appointment to the DRRCC.** ~~For the selection of citizen at large members, nominations will be solicited through the Region's website, social media, and other communications channels.~~ Interested individuals will be required to **submit an application form to the Regional Clerk outlining their interest and qualifications.** ~~provide a brief resume and statement of interest. Regional staff will nominate a sufficient number of citizen at large members in order fill DRRCC membership. All members of the DRRCC will be appointed by the Finance and Administration Committee and Council.~~
- 6.3 The CAO's Office shall contact community, **academic** and industry leaders and invite them to volunteer for the DRRCC. Interested individuals will be required to ~~provide a brief statement of interest~~ **submit an application form to the Regional Clerk and provide a brief resume outlining their interest and qualifications.**
- 6.4 **The CAO's office will review the applications received and recommend individuals for appointment to the DRRCC.** In nominating ~~citizen~~ members to the DRRCC, regard shall be given to the aim of achieving a diversity in age, gender and ethnicity. ~~Regard shall also be given to previous community and/or professional involvement, knowledge of climate change issues, residency within the Region and availability to attend meetings.~~

- 6.5 All members of the DRRCC ~~shall~~ will be appointed by the Finance and Administration Committee and **Regional** Council.
- 6.6 Regional Council shall appoint a representative and an alternate to the DRRCC from each of the four Regional Standing Committees.
- 6.7 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.
- 6.8 In the case of a ~~citizen member~~ vacancy, the approach described in Section ~~65.1~~ will generally be followed.

7. **Officers**

- 7.1 A chair and a vice-chair will be elected by the DRRCC at the beginning of each term of Council. The Region's CAO shall chair the inaugural DRRCC meeting of each term.

8. **Support Services**

- 8.1 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.
- 8.2 A Regional Staff Working Group, consisting of appropriate staff from all Regional departments shall be established to develop a Corporate Climate Change Master 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.
- 8.3 The staff liaison shall keep the Region's Department Heads apprised of the activities of the DRRCC and the Regional Staff Working Group.
- 8.4 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.
- 8.5 ~~The DRRCC may invite individuals with specialized expertise to attend meetings on an as needed basis.~~

9. Meetings

- 9.1 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.
- 9.2 Unless otherwise determined, all meetings will be open to the public. As an ~~ad hoc~~ **Advisory Committee to the Region**, the DRRCC is subject to the Regional Procedural By-law, unless otherwise specified in the Terms of Reference.
- 9.3 A quorum for DRRCC meetings shall be a majority of sitting members.

10. Minutes and Agendas

- 10.1 The minutes of each DRRCC meeting will be 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 **Regional** Clerk.
- 10.2 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.

11. Delegations and Presentations at Committee Meetings

- 11.1 Any person(s) wishing to appear before the DRRCC as a delegation must submit a request to delegations@durham.ca, advising of the topic or item to which they wish to speak, which will then be forwarded to the staff liaison **in the Office of the CAO**. 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.
- 11.2 When the DRRCC has requested a presentation on a particular topic, the time frame allotted will depend on the subject under discussion.

12. Committee Resolutions

- 12.1 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.



Energy from Waste – Waste Management Advisory Committee (EFW-WMAC)

Terms of Reference

March 2022

1. Purpose

- 1.1 The Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) is established to provide a forum for public and other stakeholders to monitor, review and liaise with the Regional Municipality of Durham (Durham) on the EFW facility including how the waste is being sorted prior to arriving on-site. The success of the EFW facility will depend on the diversion measures and waste separation (waste management) that happens at the transfer stations and curb-side collection. The EFW-WMAC (Committee) is being established to satisfy the Host Community Agreement (HCA) with the Municipality of Clarington (Clarington) and the Commissioner & Medical Officer of Health's Report 2009-COW-01 obligations.

2. Mandate

- 2.1 The EFW-WMAC will act in an advisory role to the Durham Works Committee on issues or concerns which arise with waste diversion, waste management, environmental performance and monitoring of the EFW facility, including the construction and operational phases.
- 2.2 The EFW-WMAC will be comprised of volunteers from Durham appointed by Durham Regional Council and Clarington Council in accordance with these Terms of Reference.

3. Scope of Activities

- 3.1 The scope of activities that the EFW-WMAC may undertake include, but are not limited to:
- a) Review, discuss and improve understanding of waste diversion and management that occurs before the waste arrives at the EFW facility.
 - b) Review, discuss, summarize and/or provide opinions about available information, environmental surveillance programs, independent environmental testing, public reporting of environmental surveillance data, environmental performance for the EFW facility (as outlined in the Commissioner & Medical Officer of Health's Report 2009-COW-01).

- c) Identify, assess and study specific issues/concerns which may be related to or associated with the EFW facility or feeder waste management system, including issues referred to the EFW-WMAC by the public, local governments, health professionals, etc., or that otherwise come to the EFW-WMAC's attention and to relay findings to Durham's Works Committee
- d) Advise on the development and implementation of community outreach activities which support the growth and environmental awareness and appreciation in Durham in co-operation with other organizations where appropriate. This may include public information sessions, educational workshops and participating in some community events.
- e) Review and discuss matters of public interest regarding the EFW facility and its processes, policies and operation. Advise on emerging issues that may be associated with environmental and human health.
- f) Facilitate communication between stakeholders.
- g) Provide a forum for the residents to bring their concerns/questions or suggestions pertaining to the EFW facility.

4. Composition

- 4.1 The EFW-WMAC will be comprised of volunteers selected at large from Durham in accordance with these Terms of Reference.
- 4.2 The EFW-WMAC will be comprised of nine members. Members shall not hold an elected office (municipal, provincial or federal).
- 4.3 All members are regarded as individuals and do not represent their respective employers or advocacy group in their capacity as an EFW-WMAC member.
- 4.4 Members will be appointed for a two year term to a maximum of three consecutive terms. Appointments will be staggered to provide continuity for the committee.

5. Membership Selection

- 5.1 Membership shall consist of nine residents from Durham.
- 5.2 Five residents will be appointed by Durham Regional Council.
- 5.3 Four residents will be appointed by Clarington Council.

- 5.4 The EFW-WMAC will notify Durham’s Works Committee or Clarington Council, as the case may be, of the need to seek replacement members. Members will be replaced in accordance with the membership selection process outlined in Sections 5 and 6 of these Terms of Reference. Members shall continue to serve until their replacements are appointed.
- 5.5 Non-attendance for three consecutive meetings will be considered grounds for replacement.
- 5.6 Invitations to attend EFW-WMAC meetings will be provided to the following non-voting members:
- Staff representative from Durham’s Works Department.
 - Staff representative from Durham’s Health Department.
 - Staff representative from The Regional Municipality of York.
 - Staff representative from Clarington.
 - Staff representative from the Ministry of the Environment, **Conservation and Parks**.
 - Senior staff representative of the facility’s design, build, operate (DBO) contractor and operator.
 - Ward 1 Local and Regional members of Clarington Council.

6. Call for Membership

- 6.1 Durham will **place an advertisement seeking individuals interested in volunteering for appointment to** ~~the opportunity to participate in~~ the EFW-WMAC ~~using local newspaper(s)~~ within the **geographic** boundary of Durham **Region**. Responses will be evaluated by Durham’s Senior Waste Management staff **using the criteria outlined in Section 7 of these Terms of Reference** and **five members will be** recommended for appointment by Durham’s Works Committee and Durham Regional Council ~~for five members~~.
- 6.2 Clarington will advertise the opportunity to participate in the EFW-WMAC as a representative of Clarington, using Clarington’s process for committee appointments for four members.

7. Eligibility Criteria/Evaluation

- 7.1 Interested ~~residents~~ individuals from Durham **will be required to submit an application form to the Regional Clerk** ~~must provide a detailed resume with a covering letter~~ outlining their interest and ~~their~~ qualifications in being appointed to ~~this Committee~~ **the EFW-WMAC**. The submission of additional information on why they should be selected for membership, detailing their knowledge of the EFW facility and the Environmental Assessment process and project will be considered.
- 7.2 Previous participation or experience with committees/working groups will be considered an asset.
- 7.3 Every potential appointee must disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties as part of the EFW-WMAC. A conflict of interest could arise in relation to personal matters including:
- Directorships or other employment.
 - Interests in business enterprises or professional practices.
 - Share ownership.
 - Existing professional or personal associations.
 - Professional associations or relationships with other organizations.
 - Personal associations with other groups or organizations, or family relationships.

8. Officers

- 8.1 The Chair will be elected by the Committee and serve for a two year term.
- 8.2 The Vice Chair will be elected by the Committee and serve for a two year term.
- 8.3 If a vacancy of any of the key roles occurs, a replacement will be elected by the Committee.
- 8.4 Chair
- Shall manage and provide leadership to the committee.
 - Shall chair meetings, maintaining order, while allowing for discussion and input from committee members and staff representatives.

- Shall establish and maintain a positive meeting environment.
- Shall make presentations as requested, including at least one presentation annually to Clarington Council and Durham Works Committee/Regional Council.
- Shall co-ordinate any exchange of information (advise, request for information, etc.) through the EFW-WMAC to Durham's Works Committee.

8.5 Vice Chair

- Shall act on behalf of the Chair in his/her absence.

8.6 Durham Staff Liaison

- Shall chair the inaugural meeting.
- Shall prepare all meeting agendas and take minutes.
- Shall keep a current and accurate statement of all expenses.
- Shall update the website by posting minutes, annual reports and any other important meeting correspondence.
- Shall advertise each meeting in Durham area newspapers.

9. Support Services

9.1 The Waste Management division of Durham's Works Department will appoint a staff liaison to the EFW-WMAC to provide administrative, procedural and technical support to the EFW-WMAC.

9.2 The Region will provide secretariat support.

9.3 The staff liaison will co-ordinate all requests for advice from the EFW-WMAC through meeting agendas. EFW-WMAC responses to such requests shall be co-ordinated by the Chair and the staff liaison to the Works Committee.

9.4 Regional Council will provide an annual budget of up to but not limited to \$20,000 to cover operational expenses of the EFW-WMAC, and this budget will be administered by the Durham Works Department.

9.5 Appointed EFW-WMAC members will be reimbursed for mileage expenses for attendance at EFW-WMAC meetings upon submission of an expense sheet in accordance with Regional policy. Any other funding requests must be submitted, in advance to the Durham Works Department for consideration.

- 9.6 Durham will provide space on its website to post information such as meeting minutes and other relevant information.
- 9.7 Upon request, the representatives of the Regions, contractors and governmental/regulatory bodies shall ensure that all studies and other information relevant to the Committee's mandate are made available to the EFW-WMAC.

10. Meetings/Resolutions

- 10.1 The EFW-WMAC shall meet quarterly throughout the year at Regional Headquarters. Meeting dates must be determined such that they take into account business needs and the schedule of Regional Committees/Council. The meeting location may be subject to change once the EFW facility is operational and providing space is available. The EFW-WMAC will establish a meeting schedule at its inaugural meeting. The Committee may choose to adjust the schedule taking into account business needs and the schedule of Regional Committees/Council, however, must ensure that one meeting will be held per quarter. Special meetings may be held at the call of the EFW-WMAC Chair. All meetings will be posted on the Durham website, and any changes to the dates must be posted on the Durham website two weeks in advance of the proposed meeting.
- 10.2 All meetings will be open to the public.
- 10.3 As a formal Advisory Committee to the Region, the EFW-WMAC is subject to Regional Council Rules of Procedure unless otherwise specified in these Terms of Reference.
- 10.4 All decisions made by the EFW-WMAC will be based on a majority vote unless otherwise specified in these Terms of Reference or Regional Council Rules of Procedure.
- 10.5 Quorum shall consist of a majority of the sitting members.
- 10.6 The EFW-WMAC may establish working groups to address specific issues as identified in the Annual Solid Waste Management Servicing and Financing Study, noting that secretariat support will not be provided to these working groups. Working groups shall be comprised of members of the EFW-WMAC and any other staff support as deemed necessary. The Chair of a working group shall be a voting member of the EFW-WMAC. The working group will report back to the EFW-WMAC.

11. Delegations to Meetings

- 11.1 Any person wishing to appear as a delegate to the EFW-WMAC must submit a written request no later than 9:30 a.m. on the Monday preceding the meeting to the EFW-WMAC staff liaison advising of the topic on which they wish to speak for inclusion in the agenda. The staff liaison will forward the written request to the EFW-WMAC Chair if the relevance of a delegation appears to be outside the mandate of the Committee, then the Chair will request that the Committee decide as to whether a delegation should be heard. Materials to be presented by a delegate shall be provided one week in advance of the meeting. Any person wishing to address the EFW-WMAC who has not previously arranged to do so may be granted permission to do so only by a two-thirds affirmative vote of the Committee.

12. Minutes and Agendas

- 12.1 Agendas will be distributed two weeks in advance of upcoming meetings.
- 12.2 The minutes of each EFW-WMAC meeting will be included on the subsequent meeting's agenda for approval. Following the meeting, the unapproved minutes will be circulated by e-mail to the Committee members upon completion. The unapproved minutes will be ~~forwarded~~ **circulated** to ~~Durham's Works Committee for information~~ **members of Durham Regional Council as part of the Council Information Package (CIP) prepared by the Regional Clerk** and posted on Durham's website. ~~When the minutes are approved, any amendments will be forwarded to Durham's Works Committee.~~

13. Annual Reports

- 13.1 An annual report summarizing the activities of the previous year shall be prepared by the EFW-WMAC and the staff liaison, and forwarded to Durham's Works Committee and Clarington Council. The report should include any suggested revisions to the Terms of Reference.
- 13.2 The Chair of the EFW-WMAC will present their annual report, and any additional reports as requested to Durham's Works Committee/Regional Council and to Clarington Council.
- 13.3 An annual review of the EFW-WMAC will be completed by Durham's Works Committee to determine the effectiveness of the EFW-WMAC and ensure continued improvement.
- 13.4 Clarington Council will be consulted on any changes to the Terms of Reference.

14. EFW-WMAC Dissolution

- 14.1 The Committee can be dissolved at any time by Durham Regional Council, in consultation with Clarington Council and the members, providing that the requirements of Durham Report 2009-COW-01 and Host Community Agreement have been fulfilled or upon the decommissioning of the facility.