



The Regional Municipality of Durham

Durham Environmental Advisory Committee Agenda

Thursday, September 15th, 2022

7:00 PM

Council Chambers
Regional Municipality of Durham Headquarters
605 Rossland Road East, Whitby

Due to COVID-19, the Region of Durham continues to hold electronic meetings for Advisory Committees with limited in-person attendance at this time. Members of the public may [view the Committee meeting](#) via live streaming. If you wish to register as a delegate regarding an agenda item, you may register in advance of the meeting by noon on the day prior to the meeting by emailing delegations@durham.ca and will be provided with the details to delegate electronically.

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Declarations of Interest**
- 4. Adoption of Minutes**
 - A) DEAC meeting of June 16th, 2022 ([Minutes](#))
 - B) DEAC special meeting of July 21st, 2022 ([Minutes](#))
- 5. Presentations**
 - A) Friends of Second Marsh, Peter Taylor, President
- 6. Items for Discussion**
 - A) Update from Durham Climate Commission proposal

- B) Final draft of the Town of Whitby Climate Emergency Response Plan: Phase 1- Resilience [Executive Summary](#) and [Implementation Plan](#)
- C) The Greenbelt Foundation 2022 Fall Grant Round ([see website link](#))
- D) Letter from Geoff Carpentier, re: LSRCA/Region of Durham/Township of Uxbridge Trailhead Parking Initiative ([Attachment 1](#))

7. For Information

- A) [2022-INFO-66](#) Federal Single-use Plastics Prohibition Regulations
- B) [2022-INFO-65](#) Trail Sustainability Fund and Pilot for Paid Parking at the Durham Regional Forest Tracts, in the Township of Uxbridge
- C) [2022-INFO-64](#) Connecting the GGH: A Transportation Plan for the Greater Golden Horseshoe
- D) [2022-COW-16](#) Updated Source Protection Plans and Assessment Reports for Proposed New Municipal Wells in the Hamlet of Blackstock, in the Township of Scugog, and the Communities of Cannington and Sunderland, in the Township of Brock
- E) [2022-COW-15](#) Proposed Wastewater Energy Transfer Project – Dockside Development in the Town of Whitby
- F) [Canadian Green Retrofit Economy Study](#) – released June 2022 by the Canada Green Building Council
- G) Motion regarding the Lake Scugog Enhancement Project (Item 9.1.1 – [June Regional Council Minutes](#))
- H) [2022-F-16](#) E-Mission Zero – DRT Fleet Electrification Plan
- I) Energy from Waste – Waste Management Advisory Committee meeting – [Minutes from May 24th meeting](#)
- J) Durham Agricultural Advisory Committee – [Minutes from June 14th meeting](#)

8. Other Business (10 minutes)

9. Date of Next Meeting

Thursday, October 20th, 2022

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.

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August 22, 2022

RE: LSRCA/Region of Durham/Twp. of Uxbridge Trailhead Parking Initiative

Dear Jenni Demanuele:

Please accept this letter as my response to your email of July 27, 2022 and to the Twp. of Uxbridge, LSRCA and Region of Durham's Trailhead Parking Initiatives. Also by extension these comments apply to the recent and similar TRCA initiative that the Region of Durham and the Twp. of Uxbridge are also party to.

My concerns and comments (not in priority sequence):

General and over-arching concerns

1. The regional forests of Durham are regionally owned and by agreement with the LSRCA and TRCA are managed using various forms of public funding derived in part from revenues both from onsite resources (e.g. lumber harvesting permits) and from taxes paid through Regional and Provincial tax levies. As such, all residents of Durham should equally have access to and use of these lands.
2. In my opinion, the rights of the residents of one township are unfairly being placed above all others. There is an element of discrimination in this entire process in that the Township of Uxbridge and its residents are being exempted from the user fees as they are deemed to be the caretakers of the parking areas. The challenge however is that the project goes well beyond the Township's parking maintenance responsibilities as several projects, administered by several parties, are being considered (but not defined) under the umbrella of this project.
3. The monies being collected through this initiative may in fact not be a user fee but rather a form of taxation because, in my opinion, the monies are being used for exactly the same purposes and on the same lands for which taxes are already being collected by three levels of government. There are strict legislative processes that need to be followed if a government wants to generate funds through taxation. The mechanisms for taxation are clearly defined and proper legislative processes of authorization and implementation must be adhered to and cannot be bypassed simply by calling these fees as opposed to taxes.
4. In this particular case the Township and its partners are developing this project in part with funds through a Rural Economic Development grant. So in essence as a partner in this project, the Township is using provincial monies to develop undefined and uncosted projects on land they do not own to provide services they do not regularly or entirely deliver and they may be doing so in a discriminatory fashion.

Real or perceived unfair financial advantage to Uxbridge

5. In a recent newspaper article, the President of the local Uxbridge BIA is cited as saying that part of the delivery of this initiative involves the use of a parking app that directly and favorably impacts the Township of Uxbridge in that permit holders will be receiving in-app ads that encourage them to shop in Uxbridge. This is a deliberate and unavoidable form of advertising that forces people to buy a permit then tries to convince them to shop within that municipality. The BIA representative also said the advertising initiative was developed by the Township in concert with local businesses to ensure it was mutually beneficial. Again this is a collaborative effort by local businesses and officials to self-benefit at great cost to the community at large. While it is reasonable for a municipality and its BIA to encourage local buying, I don't think using public funds destined for a different use and forced upon an unwilling public is a valid mechanism to do so. My biggest concern is that by using this mechanism to help local businesses generate sales, the Township also receives a benefit in that businesses thrive and tax revenues rise accordingly to the benefit of the municipality. Is this permissible under the Municipal Act?

Clarification of what services Uxbridge actually provides that require fee offsets

6. The Township has in the recent past misrepresented, in my opinion, their role with respect to trail maintenance. In this same article in the Port Perry Star, the Mayor of Uxbridge is cited as vaguely referring to maintenance needs such as garbage pick-up, trail maintenance, washrooms and parking as a justification for the fee. The reality is that there are very few parking lots and these are generally poorly maintained; there are even fewer toilet facilities (e.g. only port-a-potties); and litter is picked up by people like me and the trails are maintained by others such as LSRCA, TRCA, the Durham Mountain Bike Association and the Oak Ridge's Trail Association, not the Township.

Public consultation, identification of users and equitable access:

7. I understand that efforts were made to engage the public in these discussions but there is an assumption and failing in the process followed. The presumption is that everyone relies primarily on social media and the internet to determine what is happening in their community. As a senior I personally do not rely on social media at all. I was advised that ads were run in the Toronto Star – why? All the local papers should have had *thorough and detailed* articles that described the partners, objectives, limitations, time lines and exemptions to the project well in advance so the public could be informed, aware and have a chance to comment. An explanation as to why Uxbridge is the lead agency and why they are the guardian of the funds should also have been explained to the public.
8. The focus groups that were reached out to were good, but there were gaps in the stakeholder's involvement. It is clear that LSRCA, the Region of Durham, the Township and select businesses in Uxbridge were consulted, but what about the affected public? I sit as Chair of the Durham Environmental Advisory Committee

- (DEAC) and am a Regional representative for Scugog Environmental Advisory Committee (SEAC). I also have strong ties to North Durham Nature, the Pickering Naturalists and the Durham Region Field Naturalists. All of these organizations have a vested interest in the use, maintenance, protection and monitoring of these forests. To my knowledge not a single one of these organizations was contacted for comment. Additionally I live, literally on the border of Uxbridge. Why wasn't I, as an individual and impacted neighbour, directly advised by mail and asked for comment?
9. It may seem simple to some that only recreational users come to this site, but the fact is that there is a much broader scope of people interested in these forests. Many bio-blitzes are conducted, often through the ORMLT or local nature clubs. Province-wide and continent-wide butterfly population studies are conducted annually that incorporate some of these lands and the Durham Region District School Board clearly has an interest. Christmas bird counts that have been undertaken for over a century monitor these forests. I am the Durham Regional coordinator for a multi-level breeding bird study that spans five years that will assess the health of bird populations in Ontario, including all the lands encompassed by the Durham Regional Forest(s). And so on. The point is that these citizen science studies involve hundreds of volunteers that use these lands on an ongoing basis. Many/most of them do not live in Uxbridge. So how are their needs being considered and why should these volunteers be expected to pay a fee when they are already donating their time and expertise to citizen science to the benefit of these lands? Their volunteer services are foundational to assessing the health of our forests.
 10. I have been advised that there is a volunteer exemption process in place that is overseen by the Township. Why wasn't this communicated in the information posted? Why is Uxbridge the guardian of this process as opposed to the Region or LSRCA? Who pre-determined which groups would (and would not) get a free parking "voucher" as indicated on the Uxbridge website? I personally have requested an exemption based on the volunteer work I do in the forests, but the Township has yet to advise if and how it is being considered and when a decision will be made and by whom. If a process is in place it must be transparent and equitable.

Costs of delivery

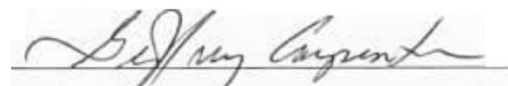
11. You (Jenni) state that all revenues generated by the parking fees will be placed into a Trail Sustainability Fund that will provide financing for improvements and enhancements on these properties. Who provides oversight for this fund and determines when and how the monies can be used? The Township of Uxbridge website indicates that they are the keeper of the fund – but how is this conceivable as they are only one player in a multi-government process and are in fact represent the lowest tier of government and seem to carry the least responsibility for forest management? Who provides audit and reporting services to the public of how all parties use the funds in the future? Who will decide what projects will be funded and to what level? Does Uxbridge have autonomous control over how they spend their share of the funds or how others spend theirs? Who determines what each party's share is? None of these questions are addressed on Uxbridge's website.

12. When calculating any costs that the Township in particular is entitled to, the cost of signage and enforcement should not be considered as they arose simply because the program was put in place not because there was a prior need. The only costs the Township should factor in is maintenance of infrastructure directly related to their mandate (e.g. the specific parking areas but not municipal roads that lead up to them, as these roads are already part of the processes to provide access to residents and businesses to their properties).
13. On road parking is allowed in virtually all rural areas of the Township, but the Township is now implementing a no parking policy adjacent to these trailhead parking locations. The justification seems to be simply to force people to park inside the metered lots. This again appears to be the utilization of revenue generating tools to the advantage of the municipality rather than addressing a real pre-existing need.
14. You (Jenni) suggest that the Town of Uxbridge residents are exempt from the fees because the Township has to do enforcement, but the fact that this process was created actually generates the need for enforcement, so it's a catch-22 for the users. Even if we agreed that the Township deserves the extra revenue (which I personally don't) why are the residents exempt? What contribution did they as individuals make? Since this is a regional project, only regional considerations should take precedence.

Last thoughts and recommendations

15. I am very concerned that no specific projects are identified for the future so, in my opinion, it is not reasonable to expect the public to pay now for undefined and uncoded projects that might be built sometime in the future by an undefined party.
16. Durham Region, TRCA and LSRCA policies celebrate our lands and encourage usage to allow all of us to be climate and environmentally conscious. These forests are for all of us – equally. Allowing all Durham residents free access to these sites makes sense to me as they are the ones who pay Durham Region taxes and are the guardians of these forests. Visitors from outside our region could be made to pay as they don't directly contribute to our tax base – the rest of us do.
17. If you decide to continue with this project, do so in a fair, equitable and non-discriminatory fashion, with the needs of all user groups factored in, not just the benefits offered to Uxbridge residents and merchants.

Respectfully submitted,



Geoff Carpentier

c: LRSCA - CAO – Rob Baldwin
TRCA – CEO – John MacKenzie
Region of Durham – Chair Henry
Town of Uxbridge CAO – Kristi Honey