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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, June 28, 2023

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

Regional Chair Henry assumed the Chair.

1. Call to Order and Traditional Territory Acknowledgment

Regional Chair Henry read the following land acknowledgement:

We are currently located on land which has long served as a site of meeting and exchange among the Mississaugas Peoples and is the traditional and treaty territory of the Mississaugas of Scugog Island First Nation. We honour, recognize and respect this nation and Indigenous Peoples as the traditional stewards of the lands and waters on which we meet today.

2. Roll Call

Councillor Anderson

Councillor Ashe

Councillor Barton* left the meeting at 10:00 AM

Councillor Bower

Councillor Brenner

Councillor Carter attended the meeting at 9:48 AM

Councillor Chapman

Councillor Collier left the meeting at 12:33 PM

Councillor Cook* left the meeting at 11:00 AM on municipal business and returned at 12:03 PM

Councillor Crawford

Councillor Foster

Councillor Garrod

Councillor Jubb

Councillor Kerr

Councillor Leahy attended the meeting at 9:59 AM

Councillor Marimpietri attended the meeting at 9:48 AM

Councillor McDougall

Councillor Neal

Councillor Nicholson* left the meeting at 12:30 PM

Councillor Pickles

Councillor Roy left the meeting at 12:05 PM on municipal business

Councillor Schummer

Councillor Woo

Councillor Wotten* left the meeting at 11:35 on municipal business

Councillor Yamada attended the meeting at 9:48 AM

Regional Chair Henry

*** indicates members who participated electronically, all other members participated in person**

All members of Council were present with the exception of Councillors Lee, Mulcahy, and Shahid.

Councillor Bower attended as the alternate for Councillor Lee.

3. Declarations of Pecuniary Interest

There were no Declarations of Pecuniary Interest.

B. Goodwin introduced Chi-Cheng Chu, Chief Information Officer and welcomed him to the Region of Durham.

4. Adoption of Minutes

Moved by Councillor Chapman, Seconded by Councillor Bower, (145) That the minutes of the following meetings be adopted:

- Special Regional Council meeting held on May 17, 2023;
- Regular Regional Council meeting held on May 24, 2023;
- Special Regional Council meeting held on June 14, 2023; and
- Committee of the Whole meeting held on June 14, 2023.

CARRIED

5. Presentations

5.1 Melissa Hutchinson, Program Manager, Population Health, Durham Region Health Department and Beth Brannon, Senior Director, Mental Health and Addictions, Lakeridge Health, re: Local Mental Health and Addictions Services Updates

Melissa Hutchinson, Program Manager, Population Health, Durham Region Health Department and Beth Brannon, Senior Director, Mental Health and Addictions, Lakeridge Health, provided a presentation regarding Local Mental Health and Addictions Services Updates.

Highlights of the Presentation included:

- Local Mental Health & Addictions Services Updates
- Public Health Mandate: Harm Reduction Program Enhancement
- Canadian Drugs and Substances Strategy

- The Durham Region Opioid Task Force: Stewards of the Durham Region Opioid Response Plan
- The Durham Region Opioid Response Plan
- Continued Focus On...
- New Areas of Focus...
- Key Highlights of Work Accomplished in 2022/2023
- Helping our most vulnerable populations
- Primary Care Outreach Program (PCOP)
- *Together, Best Mental Health* Mental Health and Addictions Plan
- Yearly Visits Related to Mental Health and Substance Use
- Engagement and Partners
- In Depth: Five Strategic Directions
- Progress: Continued Collaboration
- Progress: Decrease of Opioid Poisoning-related visits to Emergency Departments
- Homelessness and Mental Health and Addictions

M. Hutchinson and B. Brannon responded to questions from members of Council.

Moved by Councillor Marimpietri, Seconded by Councillor Bower,
(146) That Council recess for ten minutes.

CARRIED

Council recessed at 11:06 AM and reconvened at 11:16 AM.

A roll call was conducted following the recess and all members of Council were present with the exception of Councillors Mulcahy and Shahid.

Moved by Councillor Crawford, Seconded by Councillor Yamada,
(147) That the order of the agenda be altered to consider Item 6.1 Delegation from Erik Luczak and Steve White at this time.

CARRIED

6. Delegations

- 6.1 Erik Luczak, Manager, Hockey Operations (Ontario) with Hockey Helps the Homeless and Steve White, Hockey Helps the Homeless Durham Region Committee Chair & Durham Youth Services Board Member regarding Invitation to Council to participate in local tournament in support of Durham Youth Services

Erik Luczak, Manager, Hockey Operations (Ontario) with Hockey Helps the Homeless and Steve White, Hockey Helps the Homeless Durham Region Committee Chair & Durham Youth Services Board Member appeared before Council regarding an Invitation to participate in a local tournament in support of Durham Youth Services.

E. Luczak invited all municipalities in Durham Region to participate in the 3rd annual Hockey Helps the Homeless Durham Region Charity Hockey Tournament in support of Durham Youth Services, which will take place on December 1, 2023 at Delpark Homes Centre in Oshawa. He stated that Hockey Helps the Homeless is a charitable organization that provides support to homeless individuals across Canada by leveraging the passion of hockey, and advised that they are looking for support and participation to help raise funds for Durham Youth Services.

S. White advised that the tournament is made up of community volunteers and that the past tournament raised \$55,000 which was immediately put to use. He stated that they would like to see each municipality step forward to bring teams together.

E. Luczak and S. White responded to questions of members of Council.

5. Presentations

5.2 Shaun Collier, Board Chair, DRPS, Peter Moreira, Chief of Police, DRPS, Dr. Vidal Chavannes, Director of Strategy, Research and Organizational Performance, DRPS and Dr. Amanda Couture-Carron, Senior Strategic Planner, DRPS, re: Durham Regional Police Service 2024 Strategic Plan Update

Shaun Collier, Board Chair, DRPS, Peter Moreira, Chief of Police, DRPS, Dr. Vidal Chavannes, Director of Strategy, Research and Organizational Performance, DRPS and Dr. Amanda Couture-Carron, Senior Strategic Planner, DRPS provided a PowerPoint Presentation regarding Durham Regional Police Service 2024 Strategic Plan Update.

Highlights of the Presentation included:

- 2024 Strategic Plan Development Update
- Strategic Plan 2024
- Consultations
 - Community Consultations
 - Member Consultations
- Strategic Goals & Objectives
- GOAL: Be a leader in innovative and modernizing policing
- GOAL: Have strong strategic partnerships that enhance community safety
- GOAL: Earn the trust and confidence of members and local communities
- Strategic Plan Format and Content

S. Collier, P. Moreira, Dr. V. Chavannes and Dr. A. Couture-Carron responded to questions from members of Council.

6. Delegations

- 6.1 Erik Luczak, Manager, Hockey Operations (Ontario) with Hockey Helps the Homeless and Steve White, Hockey Helps the Homeless Durham Region Committee Chair & Durham Youth Services Board Member regarding Invitation to Council to participate in local tournament in support of Durham Youth Services

The delegation was heard earlier in the meeting. See pages 3 and 4 of these minutes.

7. Communications

- CC 50 Memorandum dated June 28, 2023 from Barb Goodwin, Commissioner of Corporate Services, re: Repeal of By-laws #16-2007 and #55-2018
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Moved by Councillor Foster, Seconded by Councillor Woo,
(148) That Council Correspondence CC 50, Memorandum dated June 28, 2023 from B. Goodwin, Commissioner of Corporate Services regarding Repeal of By-laws #16-2007 and #55-2018 be received for information.

CARRIED

- CC 51 Correspondence from Erik Luczak, Manager - Hockey Operations (Ontario), Hockey Helps the Homeless, re: Invitation to Council to participate in local tournament in support of Durham Youth Services
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Moved by Councillor Foster, Seconded by Councillor Woo,
(149) That Council Correspondence CC 51 from Erik Laczak, Manager, Hockey Operations (Ontario), Hockey Helps the Homeless, regarding Invitation to Council to Participate in Local Tournament in Support of Durham Youth Services be received for information.

CARRIED

8. Reports related to Delegations/Presentations

There are no reports related to Delegations/Presentations.

9. Committee Reports and any related Notice of Motions

9.1 Report of the Finance and Administration Committee

1. Tile Drainage Loan on Behalf of Township of Brock for Mr. Chris Vestergaard (B1160 Concession 3 Beaverton, ON) (2023-F-11)
[CARRIED]

- A) That funds in the amount of \$41,700 be advanced to the Township of Brock with respect to a loan application pursuant to the *Tile Drainage Act*, R. S. O., 1990, c. T. 8 (the “Act”) for Mr. Chris Vestergaard (B1160 Concession 3) in the Beaverton area of the Township of Brock); and
- B) That the requisite by-laws be approved by Regional Council.

2. Establishment of a Debenture Committee (2023-F-12)
[CARRIED]

- A) That a Debenture Committee be established in accordance with the Terms of Reference outlined in Attachment #1 to Report #2023-F-12 of the Commissioner of Finance;
- B) That Council delegate to the Debenture Committee the authority to enact by-laws authorizing the issuance of debentures and the entering into of prescribed financial agreements for long-term borrowing where the debt authority for the capital works or classes of capital works to be financed has been approved by Council;
- C) That Council delegate to the Debenture Committee the power to authorize by by-law any one or more officers of The Regional Municipality of Durham (“**Region**”) to do all things, including the execution of all debentures, the entering into of financial agreements and all ancillary documents necessary in order to give effect to the issuance of any debentures and the financing pursuant to any financial agreements;
- D) That Council delegate to the Debenture Committee the authority to enact temporary borrowing by-laws for current operations in accordance with section 407 of the Municipal Act, 2001 to authorize short-term borrowing for the purpose of meeting current expenditures in any year until such time as the taxes are collected and other revenues are received and to authorize any one or more members of the Debenture Committee to do all things and execute any loan or other agreements required to give effect to any temporary borrowing;
- E) That any Regional policies on the delegation of the Region’s powers and duties and on debt and capital financing reflect the establishment of the Debenture Committee and indicate that the authority to enact debenture, other long-term borrowing and temporary borrowing by-laws has been delegated to the Debenture Committee; and
- F) That the by-law(s) generally in the form contained in Attachment #2 and Attachment #3 to Report #2023-F-12 of the Commissioner of Finance be presented to Council for adoption to give effect to these recommendations.

3. Updated Policies – Financial Securities Acceptance for Development Agreements (2023-F-16)

[CARRIED]

- A) That the policy on Letter of Credit Acceptance be approved;
- B) That the policy on Surety Bond Acceptance be approved;
- C) That the Finance Department fee of \$475 for the initial acceptance of, and any subsequent exchanges of Letters of Credit, be extended to include Surety Bonds;
- D) That the local area municipalities be exempted from the requirement to provide a financial security in connection with local municipality development projects; and
- E) That staff be directed to update the Standard Subdivision Agreement and Standard Servicing Agreement for Non-Subdivision Development templates to reflect the changes implemented through Report #2023-F-16 of the Commissioner of Finance.

Moved by Councillor Ashe, Seconded by Councillor Leahy,
(150) That the recommendations contained in Items 1 to 3 inclusive of Report #5 of the Finance and Administration Committee be adopted.
CARRIED

9.2 **Report of the Health and Social Services Committee**

1. Correspondence from Rene Lapierre, Chair, Board of Health Sudbury & Districts, re: Bill 93, Joshua's Law (Lifejackets for Life), 2023

[CARRIED]

That the correspondence from Rene Lapierre, Chair, Board of Health Sudbury & Districts, re: Bill 93, Joshua's Law (Lifejackets for Life), 2023, be endorsed.

2. Advocacy Strategy and Policy Paper to Address Homelessness and Related Challenges (2023-SS-10)

[CARRIED]

That the Advocacy Strategy and Policy Paper to Address Homelessness and Related Challenges be endorsed.

Moved by Councillor Dies, Seconded by Councillor Foster,
(151) That the recommendations contained in Items 1 and 2 inclusive of Report #5 of the Health and Social Services Committee be adopted.
CARRIED

9.3 Report of the Planning and Economic Development Committee

1. Durham Agricultural Advisory Committee Terms of Reference and 2023 Workplan (2023-P-16)
[CARRIED]
 - A) That the Durham Agricultural Advisory Committee's 2023 Terms of Reference be approved, as outlined in Attachment #1 to Report #2023-P-16 of the Commissioner of Planning and Economic Development;
 - B) That the Durham Agricultural Advisory Committee's 2023 Workplan be approved, as outlined in Attachment #2 to Report #2023-P-16; and
 - C) That a copy of Report #2023-P-16 be forwarded to the Durham Agricultural Advisory Committee, the Durham Federation of Agriculture, the Golden Horseshoe Food and Farming Alliance and the area municipalities.
2. Durham Environment and Climate Advisory Committee 2023 Workplan and Terms of Reference (2023-P-17)
[CARRIED]
 - A) That the Durham Environment and Climate Advisory Committee's 2023 Workplan be approved, as outlined in Attachment #2 to Report #2023-P-17 of the Commissioner of Planning and Economic Development; and
 - B) That a copy of Report #2023-P-17 be forwarded to the Durham Environment and Climate Advisory Committee, Conservation Authorities, and the area municipalities.
3. Durham Active Transportation Committee (DATC) 2023 Workplan (2023-P-18)
[CARRIED]
 - A) That the Durham Active Transportation Committee's 2023 Workplan be approved, as outlined in Attachment #1 to Report #2023-P-18 of the Commissioner of Planning and Economic Development; and
 - B) That a copy of Report #2023-P-18 be forwarded to the Durham Active Transportation Advisory Committee, Conservation Authorities, and Durham's area municipalities.
4. Durham Region's Response to Provincial Consultation on Bill 97 – The Helping Homeowners, Protecting Tenants Act, 2023, the Proposed Provincial Planning Statement, and Related ERO Postings #019-6821, #019-6822, #019-6813 (2023-P-19)
[CARRIED]

- A) That the letter dated May 5, 2023 (Attachment #1 to Report #2023-P-19 of the Commissioner of Planning and Economic Development) from the Commissioner of Planning and Economic Development to the Minister of Municipal Affairs and Housing, be endorsed as Durham Region's comments on Bill 97;
- B) That the following recommendations form the Region's comments on the proposed Provincial Planning Statement, namely that the province:
 - i) make stable and predictable funding available to Indigenous communities to facilitate their fulsome participation in the planning process;
 - ii) require municipalities to develop population and employment forecasts to a common 25 to 30-year time horizon based on a standard methodology provided by the province;
 - iii) continue to require that settlement area boundary expansions be permitted only through municipal comprehensive reviews, informed by a standardized methodology. Within a regional context, the implications of infrastructure and servicing on settlement area boundary expansions collectively should continue to rest with upper-tier municipalities as the jurisdiction responsible for the infrastructure and servicing, regardless of planning approval responsibility;
 - iv) continue to consult on the implementation framework so that municipalities within the Greenbelt Plan area can understand how they will be affected by the proposed policy changes;
 - v) permit municipalities to designate Strategic Growth Areas (SGAs) in their official plans and clarify if the Highway-2 BRT in Durham would be captured as a higher order transit corridor following repeal of the Growth Plan;
 - vi) continue to support intensification targets and approaches to calculation within municipal official plans;
 - vii) continue to consult with upper-tier municipalities that may no longer have planning approval authority under Bill 23 on how the proposed new PPS can be implemented through their role as a Housing Service Manager to facilitate the coordinated delivery of affordable housing;

- viii) provide definitions (e.g. affordable and attainable) and establish clear policy that enables the delivery of affordable housing and include targets, definitions and policies in the proposed new PPS;
- ix) uphold agricultural systems planning and strengthen language in the proposed new PPS to require municipalities to use an agricultural systems approach;
- x) allow the ability for limited lot creation on rural lands, but only if it is locally appropriate while discouraging residential lot creation in prime agricultural areas, aside from those created through surplus farm dwellings;
- xi) not permit light industrial, manufacturing and small-scale warehousing within SGAs as it would undermine the ability for sensitive uses, particularly residential uses, to locate within SGAs;
- xii) include policy language that will strengthen a municipalities' ability to require mixed use developments in SGAs, and not solely residential developments, which could undermine the province's objectives related to complete communities;
- xiii) clarify the general intent of the proposed policy that requires municipalities to "leverage the capacity of development proponents" in planning for infrastructure and public service facilities as it may be interpreted to mean that municipalities will be compelled to enter into agreements with proponents for the provision of infrastructure and public service facilities;
- xiv) release proposed natural heritage policies and definitions as soon as possible and in turn allow stakeholders time to comment on the proposed new PPS holistically;
- xv) develop policy approaches to intensification and settlement area boundary expansions within the context of a changing climate;
- xvi) include a policy framework for natural hazards within the final proposed new PPS to support municipalities in their efforts to ensure public health and safety, protect property, and avoid the creation of new or aggravate existing natural hazards;

xvii) retain policy direction for on-site and local reuse of excess soil, and provide planning authorities with guidance on how to accommodate expected increases in excess soil generated as residential development accelerates; and

C) That a copy of Report #2023-P-19 be forwarded to Durham's area municipalities, conservation authorities, and neighbouring municipalities for information.

5. Durham Environment and Climate Advisory Committee Resolution re: Appointment of a DECAC Representative on Friends of Second Marsh Board of Directors
[CARRIED]

That Muaz Nasir be appointed as the Durham Environment and Climate Advisory Committee (DECAC) representative on the Friends of Second Marsh Board of Directors.

6. Durham Agricultural Advisory Committee Resolution re: City of Pickering – Backyard Chickens in Pickering
[CARRIED]

That the Durham Agricultural Advisory Committee is in support of the City of Pickering's resolution to not proceed with a backyard chicken pilot program, and that a copy of this resolution be forwarded to the area municipalities.

7. Durham Agricultural Advisory Committee Resolution re: Impacts of Bill 97
[CARRIED]

That the Durham Agricultural Advisory Committee strongly opposes Bill 97 as it does not consider the impact of severances on Minimum Distance Separations in relation to animal operations; and it encourages farmland fragmentation which will negatively impact long-term farm environmental and economic sustainability.

Moved by Councillor Chapman, Seconded by Councillor Pickles,
(152) That the recommendations contained in Items 1 to 7 inclusive of Report #6 of the Planning and Economic Development Committee be adopted.
CARRIED

9.4 **Report of the Works Committee**

1. Approval of a Curbside Swap Day Pilot in Local Area Municipalities in the Regional Municipality of Durham (2023-WR-5)
[CARRIED]

- A) That Regional Council approve a pilot one-day Curbside Swap Day in local area municipalities where the Regional Municipality of Durham is responsible for waste collection to promote the reuse of household items; and
- B) That a copy of Report #2023-WR-5 of the Acting Commissioner of Works be forwarded to the City of Oshawa and the Town of Whitby to determine if there is an interest in participating in the proposed one-day Curbside Swap Day.

2. Request to Execute Sole Source Agreement with Product Care Association of Canada (2023-WR-6)

[CARRIED]

That the Commissioner of Finance be authorized to execute a sole source agreement with Product Care Association for the collection and management of Hazardous and Special Products (HSP) for a five (5) year term at an estimated compensation to the Region of \$335,000 annually (estimated \$1.68 million in compensation to the Region over the five-year term), and subject to termination with ninety days (90) notice by either party.

3. Revisions to the Regional Cost Sharing Agreement for the Replacement of the Pringle Creek Bridge on Brock Street South (Regional Road 46), in the Town of Whitby (2023-W-19)

[CARRIED]

- A) That Regional Council authorize additional funding for construction of the Brock Street South Pringle Creek bridge crossing in the amount of \$330,000 through the existing servicing agreement between the Region and Brookfield Homes (Ontario) Whitby Limited, in keeping with the Statistics Canada Non-Residential Building Construction Price Index; and
- B) That the additional funding be provided by re-allocation of financing from approved projects as follows:

Previously Approved Financing:

| | |
|---|-----------|
| Brock Street-Pringle Creek Bridge (Project ID: R1730) | |
| Bridge Rehabilitation Reserve | \$750,000 |

Proposed Reallocation:

| | |
|--|----------|
| Liverpool Road Over CNR Bridge (Project ID: R1630) | |
| Bridge Rehabilitation Reserve Fund | \$99,765 |

| | |
|--|---------------------------|
| White's Creek Bridge (Project ID: R1827) | |
| Bridge Rehabilitation Reserve Fund | \$62,048 |
| CPR Simcoe Bridge North of Snowridge (Project ID: R2009) | |
| Bridge Rehabilitation Reserve Fund | \$78,575 |
| Various Bridge Work (Project ID: R1727) | |
| Bridge Rehabilitation Reserve Fund | \$73,730 |
| Trent Canada Overpass (Project ID: R1631) | |
| Bridge Rehabilitation Reserve Fund | <u>\$15,882</u> |
| Total Additional Regional Financing | <u>\$330,000</u> |
| Total Revised Project Financing | <u>\$1,080,000</u> |

4. Lease Agreement with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for Space Located at 419 King Street West, Suite 102, in the City of Oshawa, for Use by the Health Department (2023-W-20)
[CARRIED]
- A) That the Lease Agreement with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. (collectively, the "Landlord") for premises located at 419 King Street West, Suite 102, in the City of Oshawa, containing approximately 2,593 square feet of office space be approved with the following terms and conditions:
- i) The lease term is for a period of five (5) years commencing September 1, 2023 and ending on August 31, 2028;
 - ii) The annual rental rate for the five (5) year term of this Lease will be \$37,598.50*, based on the rate of \$14.50* per square foot per annum;
 - iii) The additional rent for the term is estimated at \$26,448.60* per annum based on the rate of \$7.00* per square foot per annum to cover operating costs for the premises, which includes common area maintenance, utilities, and janitorial service and \$3.20* per square foot per annum for realty taxes, for a total additional rent rate of \$10.20* per square foot per annum. The amount per square foot for additional rent is to be adjusted annually based on actual costs;
 - iv) The Regional Municipality of Durham will have the option to renew the lease for two (2) additional five (5) year terms under the same terms and conditions subject to the rental rate being negotiated;

- v) The Landlord will be responsible for the maintenance, repairs and replacement of the systems, facilities and equipment necessary for the operation of the building and parking lot and other common areas; and; and
 - B) That the Regional Chair and Regional Clerk be authorized to execute all documents associated with the Lease Agreement.
(*) before applicable taxes.
5. Amendment to the Engineering Services Agreement and Approval of Unbudgeted Capital Work and Related Financing to Undertake Detailed Design for the Servicing of Roselawn Avenue and Bickle Drive, in the City of Oshawa (2023-W-21)
[CARRIED]
- A) That unbudgeted capital work in the amount of \$150,000* for engineering services for the servicing of Roselawn Avenue and Bickle Drive in the City of Oshawa be approved;
 - B) That an amendment to the existing contract with T. Y. Lin International Canada Inc. (formerly TMIG) be authorized for costs associated with additional engineering services to add the servicing of Roselawn Avenue and Bickle Drive in the City of Oshawa, in the amount of \$118,900*; and
 - C) That financing for the unbudgeted capital work for the engineering services of Roselawn Avenue and Bickle Drive in the City of Oshawa be provided by re-allocation of financing from approved projects as follows:.

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Road from Foord Road to Hewitt Crescent, Ajax (Project ID A1906)

| | |
|--------------|----------|
| User Revenue | \$30,000 |
|--------------|----------|

Works to rectify identified system deficiencies independent of road programs in various locations (Project ID: M2399)

| | |
|--------------|-----------------|
| User Revenue | <u>\$45,000</u> |
|--------------|-----------------|

| | |
|------------------------------|-----------------|
| Total Water Supply Financing | <u>\$75,000</u> |
|------------------------------|-----------------|

2023 Sanitary Sewerage Capital Budget

Township of Uxbridge Road Program (Project ID U2399)

| | |
|--------------|-----------------|
| User Revenue | <u>\$75,000</u> |
|--------------|-----------------|

| | |
|-----------------------------------|-----------------|
| Total Sanitary Sewerage Financing | <u>\$75,000</u> |
|-----------------------------------|-----------------|

Total Project Financing
(*) before applicable taxes

\$150,000

6. Approval of Unbudgeted Capital Work and Related Financing for Emergency Capital Work at the Oshawa Water Supply Plant (2023-W-22)
[CARRIED]

That financing of the unbudgeted capital work in the amount of \$5,000,000 related to Emergency Capital Work at the Oshawa Water Supply Plant, to be provided at the discretion of the Commissioner of Finance, be approved.

7. Subdivision Agreement with Oshawa (Conlin) Developments Inc., Including Cost Sharing in Accordance with the Region Share Policy, for Oversizing of a Sanitary Sewer and Watermains in the City of Oshawa (2023-W-23)
[CARRIED]

- A) That the Regional Municipality of Durham be authorized to enter into a subdivision agreement with Oshawa (Conlin) Developments Inc. for the construction of a 450 millimetre sanitary sewer and 400 millimetre watermains, in the City of Oshawa, including a Regional Share amount of \$1,089,900 in accordance with the Regional Municipality of Durham's Regional Share Policy, for an estimated total project cost of \$6,881,500; and
- B) That financing for the subdivision agreement, including the Regional Share amount, be provided from the following sources:

Developer's Share – Sanitary Sewer and Watermain

| | |
|--|---------------------------|
| Oshawa (Conlin) Developments Inc. Sanitary Sewer | \$2,941,300 |
| Oshawa (Conlin) Developments Inc. Watermains | <u>\$2,850,300</u> |
| Total Oshawa (Conlin) Developments Inc. | <u>\$5,791,600</u> |

Regional Share - Sanitary Sewer

2023 Sanitary Sewerage System Capital Budget

Item 382 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

| | |
|---------------------------------|-----------------|
| Residential Development Charges | \$195,865 |
| Commercial Development Charges | \$12,209 |
| User Revenues | <u>\$57,326</u> |

Total Regional Sanitary Sewer **\$265,400**

Regional Share - Watermain

2023 Water Supply System Capital Budget

Item 379 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

Residential Development Charges \$722,262

Commercial Development Charges \$18,139

User Revenues \$84,099

Total Regional Cost Watermain Financing **\$824,500**

Total Regional Cost **\$1,089,900**

Total Project Cost – Sanitary Sewer and Watermain **\$6,881,500**

C) That the Commissioner of Works or their alternate be authorized to execute the necessary documents related to the subdivision agreement.

8. Sole Source Procurement of Engineering Services and Equipment for Various Water Supply and Sanitary Sewerage Projects and Approval of Additional Project Financing (2023-W-24)
[CARRIED]

- A) That staff be authorized to negotiate:
- i) A sole source agreement with SCG Process for the provision of ProMinent sodium hypochlorite pumps and accessories at the Ajax Water Supply Plant (WSP) for the sodium hypochlorite system relocation, project ID (D1844) in the amount of \$300,771* to be financed through the approved project budget;
 - ii) A sole source agreement with SCG Process for the provision of ProMinent chemical feed pumps and accessories at the Duffin Creek Water Pollution Control Plant (WPCP) for the Stage 3 Liquids Remediation and Miscellaneous Works project (Contract D2023-24, Project ID Y2001) in the amount of \$1,097,000* (of which Durham's 20 percent share is \$219,400*) to be financed through the approved project budget;

- iii) A sole source agreement with the supplier providing the lowest compliant quotation following a competitive quotation for the ongoing provision of magnetic flow meters throughout the Whitby Water Supply Plant expansion project to be financed through the approved project budget;
 - iv) A sole source amendment to the existing contract (RC00002421) with Black and Veatch for costs associated with additional engineering and inspection services required during the construction of the zebra mussel chlorine line replacement capital projects (D2019 and D1930) at Ajax and Beaverton Water Supply Plants in the amount of \$159,362* to be financed through the approved project budgets; and
 - v) A sole source engineering services agreement with AECOM Canada Ltd. for engineering services for the realignment of the 750 millimetres (mm) and 1200 mm diameter feeder mains on Wilson Road South in the amount of \$515,430*;
- B) That additional capital financing for the funding shortfall associated with the realignment of feeder mains on Wilson Road South in the amount of \$300,000 be provided as follows:

Previously Approved Financing

Watermain replacement at Highway 401 and Wilson Rd., in conjunction with the MTO, Oshawa

| | |
|-------------------------------|-----------|
| User Rate (Project ID: D2221) | \$250,000 |
|-------------------------------|-----------|

Additional Financing

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Rd. from Foord

Road to Hewitt Crescent, Ajax

| | |
|-------------------------------|------------------|
| User Rate (Project ID: A1906) | <u>\$300,000</u> |
|-------------------------------|------------------|

Total Revised Project Financing

\$550,000

(*) before applicable taxes

9. Extension and Amendment of Lease with Campbell Drive Professional Building Inc. for Space located at 2 Campbell Drive, Suites 301 to 305, in the Township of Uxbridge, for use by the Social Services Department, Family Services and Income and Employment Support Divisions (2023-W-25)
[CARRIED]

- A) That the Lease Extension and Amendment Agreement with Campbell Drive Professional Building Inc. for the premises located at 2 Campbell Drive, Suites 301 to 305 in the Township of Uxbridge, containing approximately 4,810 square feet of office space be approved with the following terms and conditions:
 - i) The term of the lease is extended for a period of two (2) years commencing November 1, 2023 and ending on October 31, 2025, with the option to extend the lease for an additional five (5) years under the same terms and conditions except the rental rate, which is to be negotiated;
 - ii) The rental rate for the lease term will be \$72,150* per annum based on the net annual rate of \$15.00* per square foot per annum for the renewal term;
 - iii) The additional rental rate for the term of the lease will be \$72,150* per annum based on the rate of \$15.00* per square foot per annum to cover operating costs for the building, premises, and common areas maintenance costs. The amount per square foot for additional rent is to be adjusted annually based on actual costs;
 - iv) The Regional Municipality of Durham will continue to be invoiced \$600* annually for the rental of a pylon sign;
 - v) The Landlord remains responsible for repairs and maintenance of the building, parking lot and other common areas; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Extension and Amendment Agreement.
(*) before applicable taxes.
10. Extension and Amendment of Lease with 2446225 Ontario Limited for Space Located at 169 North Street in the Town of Port Perry, for use by the Social Services Department, Family Services Division (2023-W-26)
-
- [CARRIED]
- A) That the Lease Extension and Amendment Agreement with 2446225 Ontario Limited for the premises located at 169 North Street in the Town of Port Perry, containing approximately 500 square feet of office space be approved with the following terms and conditions:
 - i) The renewal term will be for a period of two years commencing August 1, 2023 and ending on July 31, 2025, with the option to renew the lease for an additional two years under the same terms and conditions except for the rental rate which is to be negotiated;

- ii) The rental rate for the lease term will be \$15,620* per annum payable in monthly instalments of \$1,301.67 based on the annual rate of \$31.24* per square foot per annum for the renewal term; and an additional amount of approximately \$325* per annum billed separately and representing the proportionate share of the increase in property taxes over the 2002 assessment amount as per the original lease agreement;
 - iii) The annual rent includes utilities, common area maintenance, operating costs, insurance and the portion of the property taxes based on the 2002 assessment value;
 - iv) The Landlord remains responsible for the repairs and maintenance of the building, parking lot and other common areas; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Extension and Amendment Agreement.
(*) before applicable taxes.
11. Approval of Capital Works and Financing to be Incorporated into a Servicing Agreement with Whitby Con Seven Developments Limited, Including Cost Sharing in Accordance with the Region Share Policy for Regional Infrastructure crossing the intersection of Ashburn Road and Winchester Road to 300 metres east of Ashburn Road in the Brooklin Urban Area, in the Town of Whitby (2023-W-27)
-
- [CARRIED]
- A) That capital works and financing estimated at \$1,699,100 for the Region's share of the extension and oversizing of a sanitary sewer project in the Town of Whitby with a total cost of \$5,608,100 be approved;
 - B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with a Region share payment to Whitby Con Seven Developments Limited estimated at \$1,699,100 for the Region's share of the costs for the construction and oversizing of a sanitary sewer, in the Town of Whitby, in accordance with the Regional Municipality of Durham's Region Share Policy at an estimated total project cost of \$5,608,100; and
 - C) That financing for the servicing agreement be provided from the following sources:

Developer's Share – Sanitary Sewer

| | |
|---------------------------------------|-------------|
| Whitby Con Seven Developments Limited | \$3,909,000 |
|---------------------------------------|-------------|

| | |
|--------------------------------|--------------------|
| Total Developer's Share | \$3,909,000 |
|--------------------------------|--------------------|

Regional Share – Sanitary Sewer

2022 Sanitary Sewage System Capital Budget

Item 62: West Brooklin Trunk Sanitary Sewer from west of Cochrane St. to east of Highway #12, Whitby Region's share (Project ID: D2002)

| | |
|---------------------------------|------------------|
| Residential Development Charges | \$1,253,900 |
| Commercial Development Charges | \$78,200 |
| User Rate | <u>\$367,000</u> |

| | |
|-----------------------------|---------------------------|
| Total Regional Share | <u>\$1,699,100</u> |
|-----------------------------|---------------------------|

| | |
|--------------------------------|---------------------------|
| Total Project Financing | <u>\$5,608,100</u> |
|--------------------------------|---------------------------|

12. Amendment of the Negotiated Contract with Xylem Canada LP for Maintenance Services and/or Parts for Equipment Installed at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2023-W-28)
[CARRIED]

- A) That the negotiated contract for maintenance services and/or parts with Xylem Canada LP be amended to reflect an increase from the original annual value of \$375,000* by \$300,000* to a revised annual amount of \$675,000*, with all other terms and no change from the original term of the contract not to exceed five years; and
- B) That financing for the additional costs be provided from the approved annual Sanitary Sewerage Operating Budget for the Duffin Creek Water Pollution Control Plant, to be cost-shared with the Regional Municipality of York, with the Regional Municipality of Durham's share to be determined annually based on process utilization.
(*) before applicable taxes

13. Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-57 for the Replacement of a Watermain on Simcoe Street from Union Street to 480 Metres South of Union Street, Bay Street from Main Street to Union Street, Church Street from Osborne Street to Mill Street, and Mill Street from Church Street to Bay Street in the Township of Brock (Beaverton) (2023-W-29)
[CARRIED]

- A) That Regional Municipality of Durham Contract #D2023-57 be awarded to the lowest compliant bid from Nick Carchidi Excavating Ltd. in the amount of \$4,503,112* for a total estimated project cost of \$6,216,250;
- B) That the previously approved project budget of \$4,281,250 be increased by \$1,935,000 to a revised total project budget of \$6,216,250; and
- C) That additional water supply financing of \$1,935,000 be provided from the following sources:

Previously Approved Financing

Replacement of watermain (K1901/2/3/4/5/6)

| | |
|-------------------------------|-------------|
| Asset Management Reserve Fund | \$4,281,250 |
|-------------------------------|-------------|

Additional Financing

2023 Water Supply Capital Budget
Item No.32, Municipality of Clarington Road Program
(Project ID: C2399)

| | |
|-----------|-----------|
| User Rate | \$494,000 |
|-----------|-----------|

Item No.78 Replacement of a watermain on Simcoe St. South
and easement South of Bloor St., Oshawa (Project ID: O1902)

| | |
|-------------------------------|-----------|
| Asset Management Reserve Fund | \$135,000 |
|-------------------------------|-----------|

Item No. 79 Replacement of watermain and sanitary sewer on
Olive Ave. from Simcoe St. to Drew St., Oshawa (Project ID: O1903)

| | |
|-----------|-----------|
| User Rate | \$385,000 |
|-----------|-----------|

Item No. 109, Replacement of watermain on Jane St. from
Ida St. to 220 m north of Ida St., Sunderland (Project ID: K2101)

| | |
|-------------------------------|-----------|
| Asset Management Reserve Fund | \$775,000 |
|-------------------------------|-----------|

Item No. 110, Replacement of watermain on Maple St. from
River St. to dead-end, Sunderland (Project ID: K2102)

| | |
|-------------------------------|------------------|
| Asset Management Reserve Fund | <u>\$146,000</u> |
|-------------------------------|------------------|

| | |
|----------------------------|-------------|
| Total Additional Financing | \$1,935,000 |
|----------------------------|-------------|

| | |
|---|--------------------|
| Total Project Financing (*) before applicable taxes | \$6,216,250 |
|---|--------------------|

14. Lease Agreement with the Town of Whitby for Space Located at 312 Colborne Street West, in the Town of Whitby, for the Social Services Department, Income, Employment and Homelessness Support Division (2023-W-30)
[CARRIED]

- A) That the Lease Agreement with the Town of Whitby for the premises located at 312 Colborne Street West, in the Town of Whitby, be approved with the following terms and conditions:
- i) The lease term for the facility is for a period of five (5) years commencing July 1, 2023, and ending on June 30, 2028;
 - ii) The annual rent for the first year of the lease term, including utilities, will be two dollars (\$2.00*), payable in advance;
 - iii) The annual rent for the second year of the lease term, commencing July 1, 2024, and ending June 30, 2025, will be Twenty-Five Thousand Dollars (\$25,000.00*), payable in advance;
 - iv) For each successive year of the lease term, the annual rent will be increased by the percentage increase in the All-Item Consumer Price Index;
 - v) The Regional Municipality of Durham will have the option to renew the lease for an additional two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal;
 - vi) The Region will be responsible for all maintenance and repair to the leased space, property taxes (if applicable), and all costs associated with emergency calls and repairs made because of the negligence or misconduct of the Tenant or the Occupants;
 - vii) The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC (Heating, Ventilation and Air Conditioning)) unless required because of the Tenant's or the Occupants' negligence or misconduct; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Renewal.

15. Lease Agreement with the Town of Whitby for Space located at 117 King Street, in the Town of Whitby, for the Social Services Department, Income, Employment and Homelessness Support Division (2023-W-31)
[CARRIED]

- A) That the Lease Agreement with the Town of Whitby for the premises located at 117 King Street, in the Town of Whitby, be approved with the following terms and conditions:
 - i) The lease term for the facility is for a period of five (5) years commencing July 1, 2023, and ending on June 30, 2028;
 - ii) The annual rent for the lease term, including utilities, will be Twenty-Five Thousand Dollars (\$25,000.00*), payable in advance.
 - iii) The Regional Municipality of Durham will have the option to renew these leases for an additional two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal;
 - iv) The Region will be responsible for all maintenance and repair to the leased space, property taxes (if applicable), and all costs associated with emergency calls and repairs resulting from the negligence or misconduct of the Tenant or the Occupants;
 - v) The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC (Heating, Ventilation and Air Conditioning)) unless required because of the Tenant's or the Occupants' negligence or misconduct; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Renewal.
(*) exclusive of applicable taxes.
16. Approval to Award Sole Sourced Maintenance Service and/or Parts Supply Agreements for Process Control and Analytical Testing Equipment Within Water and Wastewater Facilities (2023-W-32)
[CARRIED]
- A) That process control and analytical testing equipment installed across various water and wastewater facilities be standardized to Hach Company manufactured products for a term based on the manufacturer's expected life of the product;
 - B) That Hach Company manufactured equipment be specified in all tender documentation, and that sole source agreements be negotiated with authorized vendors for the ongoing supply of parts, servicing and reagent included as part of the tendering process for the life of the equipment procured; and

- C) That financing for the acquisition, maintenance service, parts and reagent be provided from the approved annual Sanitary Sewerage and Water Supply Operating Business Plans and Budgets for the various facilities. It is estimated that the annual cost of parts, service and reagent will not exceed \$350,000*.
(*) excluding net HST

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(153) That the recommendations contained in Items 1 to 16 inclusive of Report #6 of the Works Committee be adopted.

CARRIED

9.5 Report of the Committee of the Whole

- 1. Durham Greener Homes Program 2023 Update (2023-COW-24)
[CARRIED]

That Report #2023-COW-24 of the Chief Administrative Officer, be received for information.

- 2. Automated Speed Enforcement and Red-Light Camera Program Update (2023-COW-25)
[CARRIED]

- A) That the application of net Provincial Offences Act (POA) revenue sharing be adjusted to apply the third party Regional costs of Red Light Cameras (RLC), Automated Speed Enforcement (ASE), overall increased costs of POA administration and prosecution as a result of RLC and ASE, and third party costs for those local area municipalities with ASE or RLC against gross fine revenue received prior to allocation of net proceeds to local municipalities;
 - i) That the Legal and Finance departments consult with local area municipalities to bring forward an updated agreement for execution of all parties, if deemed necessary;
 - ii) That staff review and report back on the implications of the new Administrative Monetary Penalties (AMP) program, particular to the current POA, RLC, and ASE processes; and
- B) That the Chair and Clerk be authorized to execute such net POA revenue sharing agreement to the satisfaction of the Regional Solicitor subject to consideration of the implications of the AMP program;

C) And further,

Whereas the Province of Ontario introduced Bill 65 – Safer School Zones Act, 2016 (Bill 65) on November 15, 2016, which amended the Highway Traffic Act to permit Ontario Municipalities to implement Automated Speed Enforcement Cameras on municipal roads designated by municipal bylaw as Community Safety Zones or School Zones within their jurisdiction;

And whereas the Regional Municipality of Durham has deployed both mobile and fixed location Automated Speed Enforcement Cameras in locations as permitted by the Highway Traffic Act with much success at reducing the speed of motor vehicle drivers in Community Safety Zones and School Zones helping us to achieve the Region's Vision Zero goals;

And whereas the Regional Municipality of Durham has road sections where speeding drivers continue to be of significant concern outside of School Zones and Community Safety Zones where Automated Speed Enforcement is not currently permitted by legislation;

And whereas the Ontario Ministry of Transportation requires that all municipalities install signage to provide a 90-day warning period for each deployment and redeployment of Automated Speed Cameras;

Now therefore be it resolved that the Ontario Ministry of Transportation be requested to further amend the Highway Traffic Act to expand the applicable uses of Automated Speed Enforcement Cameras to road segments outside of School Zones and Community Safety Zones, including Provincial roadways that pass through our Communities; and

That the Ontario Ministry of Transportation be requested to amend existing agreements with Municipalities that operate Automated Speed Enforcement to reduce the 90-day advanced warning requirement to not more than 10 days for initial deployments and eliminate the need for advanced warning signs for subsequent re-deployment of Automated Speed Enforcement Cameras on the same road corridor; and

That this resolution be provided to all municipalities currently participating in the Automated Speed Enforcement program including the City of Toronto, City of Ottawa, City of Brampton, City of Hamilton, City of Mississauga, City of London, City of Pickering, Town of Ajax, Regional Municipality of York, Regional Municipality of Peel, Regional Municipality of Niagara, and Regional Municipality of Waterloo, as well as the Township of Brock, Municipality of Clarington, City of Oshawa, Township of Scugog, Township of Uxbridge, and the Town of Whitby with a request that they further endorse this resolution to expand the permitted uses of Automated Speed Enforcement in Ontario.

3. At Home in Durham, the Durham Housing Plan 2014-2024 Annual Report (2023-COW-26)
[CARRIED]
-

- A) That Report #2023-COW-26 of the Commissioner of Social Services, Planning and Economic Development and Finance, be received for information as the legislatively required annual report on the progress of At Home in Durham, the Durham Housing Plan 2014-2024; and
- B) That a copy of Report #2023-COW-26 be forwarded to the Ministry of Municipal Affairs and Housing (MMAH).

4. Durham Climate Roundtable – Amended Collaboration Agreement with Ontario Tech University (2023-COW-27)
[CARRIED]
-

That staff be directed to execute a collaboration agreement with Ontario Tech University (included as Attachment #1 to Report #2023-COW-27 of the Chief Administrative Officer), governing the mandate, deliverables and resourcing of the Durham Climate Roundtable as well as roles and responsibilities of participating organizations.

5. Prebudget Approval for the Addition of Permanent Staff Complement to Address Emerging Priorities (2023-COW-28)
[CARRIED]
-

- A) That the full-time staffing compliment of the Corporate Services Department – Human Resources Division be increased by two (2) Compensation Analysts, at an estimated cost of \$96,300 (\$91,900 in salary costs and \$4,400 in one-time capital costs) for 2023 (annualized cost \$242,732), commencing mid-August 2023 to be funded from salary savings from current vacancies in 2023;
- B) That subject to Part A) being approved, 2023 prebudget approval be received for financing for the additional staff complement to be added to the 2024 Corporate Services Department – Human Resources Division Business Plans and Budget;
- C) That the full-time complement in the Social Services Department be increased by three (3) positions for the establishment of the Regional Affordable Housing Development and Renewal Office at an estimated cost of \$193,300 (\$186,700 in salary costs and \$6,600 in one-time capital costs) for 2023 (annualized cost \$568,400) to be funded at the discretion of the Commissioner of Finance in 2023; and

- D) That subject to Part C) being approved, prebudget approval be received for financing for the additional staff complement to be added to the 2024 Social Services Business Plans and Budget.
6. Expropriation of Lands Required for the Proposed Liberty Street (Regional Road 14) Road Rehabilitation and Urbanization Project from Longworth Avenue to Concession Road 3 in the Municipality of Clarington (2023-COW-29)
-
- [CARRIED]
- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary for the property requirements related to the proposed road improvements along Liberty Street (Regional Road 14) from Longworth Avenue to north of Concession Road 3 in the Municipality of Clarington as generally depicted in Attachment #1 to Report #2023-COW-29 of the Acting Commissioner of Works and such other property requirements as may be determined and identified by Regional Municipality of Durham staff for the Liberty Street (Regional Road 14) Project;
 - B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act, R.S.O. 1990, c. E.26 to give effect to Recommendation C) of Report #2023-COW-29, including the Notices of Application of Approval to Expropriate;
 - C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A) of Report #2023-COW-29, and to forward to the Ontario Land Tribunal any requests for hearings received, to attend the hearings to present the Regional Municipality of Durham's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
 - D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act, R.S.O. 1990, c. E. 26 related to the Liberty Street (Regional Road 14) Project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to Section 239 (2)(c) of the Municipal Act, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a full and final basis.

7. Confidential Report #2023-COW-30 of the Commissioner of Works – Proposed or Pending Acquisitions or Disposition of Land for Regional Corporation Purposes as it relates to Property in the Town of Whitby (2023-COW-30)
-

[CARRIED ON A RECORDED VOTE]

That the recommendations contained in Confidential Report #2023-COW-30 of the Acting Commissioner of Works, be adopted.

8. Confidential Report of the Commissioners of Works, Finance and Social Services – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it relates to Property in the Town of Whitby (2023-COW-31)
-

[CARRIED ON A RECORDED VOTE]

That the recommendations contained in Confidential Report #2023-COW-31 of the Acting Commissioner of Works, Commissioner of Finance, and Commissioner of Social Services, be adopted.

Moved by Councillor Carter, Seconded by Councillor Pickles,

- (154) That the recommendations contained in Items 1 to 6 of Report #6 of the Committee of the Whole be adopted.

CARRIED

Moved by Councillor Carter, Seconded by Councillor Chapman,

- (155) That the meeting be closed to the public in order to consider Confidential Reports #2023-COW-30 and #2023-COW-31 as it relates to Section 239(2)(c) of the Municipal Act to consider a proposed or pending acquisition or disposition of land.

CARRIED

[Refer to the Closed Council Meeting Minutes of June 28, 2023]

Upon rising from the closed session, Regional Chair Henry advised that there were no motions made or directions given during the closed session.

Moved by Councillor Carter, Seconded by Councillor Pickles,

- (157) That the recommendations contained in Item 7 of Report #6 of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Bower
Councillor Brenner

No

Councillor Yamada

Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Marimietri
Councillor McDougall
Councillor Neal
Councillor Pickles
Councillor Schummer
Councillor Woo
Regional Chair Henry

Members Absent: Councillor Barton
Councillor Collier
Councillor Mulcahy
Councillor Nicholson
Councillor Roy
Councillor Shahid
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Carter, Seconded by Councillor Pickles,
(158) That the recommendations contained in Item 8 of Report #6 of the
Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING RECORDED
VOTE:

Yes
Councillor Anderson
Councillor Ashe
Councillor Bower
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Garrod

No
Councillor Yamada

Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Marimpietri
Councillor McDougall
Councillor Neal
Councillor Pickles
Councillor Schummer
Councillor Woo
Regional Chair Henry

Members Absent: Councillor Barton
Councillor Collier
Councillor Mulcahy
Councillor Nicholson
Councillor Roy
Councillor Shahid
Councillor Wotten

Declarations of Interest: None

10. Departmental Reports & Other Resolutions

10.1 2023 Durham Regional Local Housing Corporation Annual Shareholder Meeting

Moved by Councillor Chapman, Seconded by Councillor Anderson,

(159) That it is recommended that pursuant to the Ontario *Business Corporations Act*, RSO 1990 (the “OBCA”), the Council of the Regional Municipality of Durham, in its capacity as the sole shareholder of the Durham Regional Local Housing Corporation (the “Corporation”), resolve that:

- A) The financial statements of the Corporation which comprise the Statement of Financial Position as at December 31, 2022, and the Statements of Operations and Accumulated Surplus, Change in Net Financial Assets and Cash Flows for the year ended December 31, 2022, and the Independent Auditor’s Report thereon, all as submitted to the shareholder by the board of directors, be received;
- B) The shareholder hereby waives its right to receive general or special notice of an annual meeting of the shareholder of the Corporation;
- C) The shareholder hereby waives its right to receive an advance copy of the corporation’s 2022 financial statements and Independent Auditor’s Report;

- D) All by-laws, resolutions, contracts, acts and proceedings of the board of directors of the Corporation enacted, passed, made, done or taken since the last annual meeting of shareholder of the Corporation as set forth or referred to in the minutes of the meetings and resolutions of the board of directors in the minute and record book of the Corporation or in the financial statements of the Corporation are hereby approved, ratified and confirmed; and,
- E) The Regional Chair and Clerk be authorized to sign the shareholder's resolution evidencing the approval of the aforementioned matters.

CARRIED

11. Notice of Motions

There were no notice of motions.

12. Unfinished Business

There was no unfinished business to be considered.

13. Announcements

Various announcements were made relating to activities and events within the Region and area municipalities.

14. By-laws

46-2023 Being a by-law to raise money to aid in the construction of drainage works in the Regional Municipality of Durham under the Tile Drainage Act, R.S.O. 1990, c. T.8. (the "Act").

This by-law implements the recommendations contained in Item #1 of the 5th Report of the Finance & Administration Committee presented to Regional Council on June 28, 2023

47-2023 Being a by-law to authorize the issue of a 10 year debenture in the principal amount of \$41,700.00 by The Regional Municipality of Durham in connection with a loan made at the request of The Corporation of the Township of Brock for eligible sub-surface drainage works under the Tile Drainage Act, R.S.O., 1990, c. T.8.

This by-law implements the recommendations contained in Item #1 of the 5th Report of the Finance & Administration Committee presented to Regional Council on June 28, 2023

48-2023 Being a by-law to impose annual levies upon municipalities in respect of which money is borrowed in the Regional Municipality of Durham under the Tile Drainage Act, R.S.O., 1990, c. T.8.

This by-law implements the recommendations contained in Item #1 of the 5th Report of the Finance & Administration Committee presented to Regional Council on June 28, 2023

49-2023 Being a by-law to establish a Debenture Committee.

This by-law implements the recommendations contained in Item #2 of the 5th Report of the Finance & Administration Committee presented to Regional Council on June 28, 2023

50-2023 Being a by-law to amend By-law #04-2023 to provide the Debenture Committee with the authority to enact by-laws to authorize debentures, and authorized financial agreements including agreements for temporary borrowing, promissory notes, bankers' acceptances, bank loan agreements, for long-term borrowing, debentures, and to execute all documents necessary to give effect to the foregoing.

This by-law implements the recommendations contained in Item #2 of the 5th Report of the Finance & Administration Committee presented to Regional Council on June 28, 2023

51-2023 Being a By-Law to clarify the participation in the OMERS Primary Pension Plan ("Primary Plan") and the Retirement Compensation Arrangement for the OMERS Primary Pension Plan ("RCA"), each as amended from time to time, of the Regional Municipality of Durham Page 3 of 133 ("Region") in respect of its Head of Council.

This by-law implements the recommendations contained in Council Correspondence 50, Item #7.1 presented to Regional Council on June 28, 2023

Moved by Councillor Ashe, Seconded by Councillor Bower,
(160) That By-law Numbers 46-2023 to 51-2023 inclusive be passed.
CARRIED

15. Confirming By-law

52-2023 Being a by-law to confirm the proceedings of the Council of The Regional Municipality of Durham at its meeting on the 28th day of June, 2023.

Moved by Councillor Ashe, Seconded by Councillor Bower,
(161) That By-law Number 52-2023 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on June 28, 2023 be passed.
CARRIED

16. Adjournment

Moved by Councillor Bower, Seconded by Councillor Kerr,
(162) That the meeting be adjourned.

CARRIED

The meeting adjourned at 1:12 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Alexander Harras, Regional Clerk