

SECTION 1

The Regional Municipality of Durham

MINUTES

COMMITTEE OF THE WHOLE

Wednesday, January 10, 2018

A meeting of the Committee of the Whole was held on Wednesday, January 10, 2018 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:03 AM.

Councillor Ryan assumed the Chair in the absence of the Regional Chair.

A moment of silence was held in reflection on the passing of former Whitby Mayor Marcel Brunelle.

Present: Morning Session 9:03 AM to 12:50 PM

All members of the Committee of the Whole were present with the exception of Councillors Collier, McLean and Regional Chair Anderson

Councillor McQuaid-England attended the meeting at 9:04 AM

Councillor Joe Neal attended the meeting at 9:04 AM

Councillor Parish attended the meeting at 9:04 AM

Councillor Collier attended the meeting at 9:28 AM

Councillor McQuaid-England left the meeting at 12:37 PM on municipal business

Councillor John Neal left the meeting at 12:37 PM on municipal business

Councillor Henry left the meeting at 12:38 PM on municipal business

Afternoon Session 1:37 PM to 3:22 PM

All members of the Committee of the Whole were present with the exception of Councillors Grant, Henry, McLean, McQuaid-England, John Neal, and Regional Chair Anderson

Councillor John Neal attended the meeting at 1:56 PM

Councillor Gleed left the meeting at 2:10 PM

Councillor Roy left at 2:20 PM

Councillor Drumm left the meeting at 2:37 PM

Councillor Rowett left at 2:40 PM

Councillor Parish left the meeting at 3:15 PM

Staff

Present: G.H. Cubitt, G. Anello, C. Bandel, C. Bartlett, D. Beaton, B. Bridgeman, R.J. Clapp, J. Demanuele, H. Drouin, A. Gibson, C. Goodchild, J. Hunt, R. Jagannathan, M. Januskiewicz, R.J. Kyle, B. Laverick, T. Lavery, W. Leonard, G. Muller, S. Munns, J. Paquette, V. Patterson, S. Penak, M. Pietrusiak, N. Prasad, J. Presta, S. Rashad, P. Roy, K. Ryan, M. Seppala, M. Simpson, S. Siopis, R. Walton, and K. Weiss

1. Declarations of Interest

Councillor John Neal made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 6.4 A) Report #2018-COW-1, Durham Region Roundtable on Climate Change 2018 Workplan. He indicated that his spouse is employed by the Oshawa Public Utilities Commission.

2. Statutory Public Meetings

There were no Statutory Public meetings required.

3. Delegations

3.1 Don Stewart, Special Olympics Ontario – Greater Durham, re: Request for donation to Greater Durham Special Olympics

D. Stewart, Special Olympics Ontario – Greater Durham, appeared before the Committee to ask Councillors to consider donating to Special Olympics Ontario. He stated that funds would assist in supporting the athletes on the softball team (The Durham Falcons) to compete at the National Summer Games in Antigonish, Nova Scotia on July 30 to August 5. He also stated that each athlete is responsible to raise \$1,200 for the Games and to fund any associated training costs to prepare for the Games. He further stated that Council should recognize The Durham Falcons softball team as all the members of the team are from Durham Region and represent Durham Region.

D. Stewart advised that additional information can be found on the Special Olympics Ontario – Great Durham website at durham.specialolympicsontario.ca or by contacting Janice Dewland, Community Coordinator at greaterdurham.info@specialolympicsontario.ca.

D. Stewart responded to questions from the Committee.

3.2 Cria Pettingill, Second Vice Chair, Durham Environmental Advisory Committee (DEAC), re: Durham Environmental Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-6) [Item 8.2 B)]

C. Pettingill appeared before the Committee with respect to the Durham Environmental Advisory Committee's (DEAC) 2017 Annual Report and 2018 Workplan. She highlighted the various activities DEAC was involved with during 2017 and outlined some of the proposed activities in the 2018 Workplan.

C. Pettingill advised that the 2018 Environmental Achievement Awards will be held in June 2018, and nominations are being accepted until March 2, 2018.

C. Pettingill responded to questions from the Committee.

- 3.3 Zac Cohoon, Chair, Durham Agricultural Advisory Committee (DAAC), re: Durham Agricultural Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-7) [Item 8.2 C)]

Z. Cohoon, Chair, Durham Agricultural Advisory Committee (DAAC), appeared before the Committee with respect to the Committee's 2017 Annual Report and 2018 Workplan. He highlighted the various activities of the DAAC in 2017 and outlined some of the proposed activities in the 2018 Workplan.

Z. Cohoon stated that DAAC will be hosting an upcoming climate change symposium with the Durham Environmental Advisory Committee and the Durham Region Roundtable on Climate Change Committee in the Township of Scugog on February 9, 2018.

Z. Cohoon responded to questions of the Committee.

- 3.4 Terry Clayton, Chair, Durham Trail Coordinating Committee (DTCC) re: Durham Trail Coordinating Committee 2017 Annual Report, Revised Terms of Reference and 2018 Workplan (2018-COW-8) [Item 8.2 D)]

T. Clayton appeared before the Committee with respect to the Durham Trail Coordinating Committee's (DTCC) 2017 Annual Report and 2018 Workplan. He highlighted the various activities of the DTCC in 2017 and outlined some of the proposed activities in the 2018 Workplan.

T. Clayton advised that the DTCC has expanded its mandate from trails to active transportation resulting in changes to the name, mandate and composition of the Committee. The transition of the DTCC into the Durham Active Transportation Committee will coincide with the start of the new Council at the end of 2018. The focus of the work will be on active transportation in 2018.

T. Clayton responded to questions of the Committee.

- 3.5 Amanda Rose, re: By-laws with respect to the lead pipe program and Regional responsibility of their water pipes

A. Rose provided a PowerPoint presentation regarding Durham Region Lead Pipes Lead Service Replacement Program: Limitations for Wartime Homes and Next Steps. A. Rose stated she purchased a wartime home in Ajax in August 2017. She was assured that Durham Region had a lead service replacement program and she was aware the home had lead pipes.

A. Rose stated that following the Region's lead replacement program, she began replacing the lead pipes in September. She paid for the replacement of her lead pipes up to the Region's water service connection then asked them to come to remove theirs in accordance with the Program. She stated the Region came to her home to do a survey of the site and discovered that the water service connection is much closer to her house than they expected. The Region advised they would relocate their water service connection closer to the water main and replace the lead pipes only there. She was informed she would be responsible for the replacement between the old water service connection to the new one.

After the Region completed their work, she was left disconnected by about 20 feet and had to dig this far to reconnect to the Region's relocated pipes, costing her approximately \$5,000 to \$6,000 more than she anticipated.

Moved by Councillor McQuaid-England, Seconded by Councillor Joe Neal,
That A. Rose be granted a one-time two minute extension in
order to finish her delegation.

CARRIED

A. Rose further advised that the lead pipes in many of the wartime homes connect to two homes at once by splitting halfway up one property to the water service connection of the next property. She stated that the lead pipes she is no longer connected to are still on her property and continue to provide water service to her next door neighbour. She is concerned because she was informed by the Works Department that she would be responsible if anything happened to those pipes. She also expressed concerns that the lead service replacement program and information pertaining to the Region's Water Services is not well known or understood, and it is difficult to access information about it.

A. Rose requested Council provide direction to the Works Department to ensure that the lead service replacement program is fair and accessible for all its homeowners. She also requested the following:

- Written confirmation that the Region will maintain responsibility for their pipes, especially in split-connection situations;
- That the lead service replacement program information be clearly laid out and communicated in several formats for improved accessibility and transparency to homeowners and residents of the Region; and
- That she be reimbursed for costs associated with connecting from the Region's original water service connection to their new one.

A. Rose responded to questions from the Committee.

3.6 Linda Gasser, re: 2018 Solid Waste Management Servicing & Financing Study (2018-COW-11) [Item 6.2A]

L. Gasser appeared before the Committee with respect to the 2018 Solid Waste Management Servicing & Financing Study. She stated the following are her main concerns:

- Mixed Waste Processing Pilot - L. Gasser referenced Section 7 and Section 9 of the Report and the sole source contract with Canada Fibers Ltd. to conduct a mixed waste processing pilot to process and conduct a waste characterization study for up to 10,000 tonnes of waste. She raised the following questions: can staff get the waste characterization information from the City of Toronto or the Region of Peel for whom some studies have been done? Will the pilot proceed even if Durham doesn't have excess waste beyond the contracted capacity? By when in 2018 would staff know if there will be additional waste needing to bypass the incinerator? What would happen to post processing materials and residues and who would pay to recycle, compost or dispose of it? Would this pilot data be provided in time for staff to bring forward the organics business case findings in the Spring as described in Section 5.5 e) of the Report?
- Long Term Waste Management Plan Review - L. Gasser expressed concerns with the timing of the review of the long term waste management strategy plan and referenced Section 3.4 and Section 5.5 e) of the Report. She questioned if consultation will be done before or after Council receives the recommendations about organics management?

Moved by Councillor Collier, Seconded by Councillor Henry,
That L. Gasser be granted a one-time two minute extension in order to finish her delegation.

CARRIED

- Clarington Municipal Hazardous and Special Waste (MHSW) Facility – L. Gasser referenced Section 4.10 c) and page 2 of Attachment #1 of the Report and questioned if the Region should proceed with this project since the facility may only be in operation for 2 years.
- Durham Waste Disposal Costs for 2016 and Durham Waste Quantities for 2017 – L. Gasser referenced Table 2: Regional Solid Waste Tonnages, on page 10 of the Report. She noted that the waste tonnages in 2016 were 107,887 tonnes and in

2015 it was 110,498 tonnes. She noted that the Region's waste disposal costs were significantly higher than its peers and referenced Page 2 of Attachment #2. She added that the Region's collection costs were lower than its peers in 2016 and 2015. She also referenced Figure 34.4: Percent of Residential Solid Waste Diverted on Page 2 of Attachment #2 and stated there was less waste processed at the Durham York Energy Centre (DYEC) than was collected. She noted that the total waste collected in 2016 was 107,887 tonnes; and, that the total waste processed was 87,845 tonnes, plus 12,876 tonnes for by-pass waste, totalling 100,721 tonnes. She stated that, as the contracted capacity at the DYEC is 110,000 tonnes, there was 9,279 tonnes less of processed waste than the contracted capacity. She questioned where did the remaining approximately 7,000 tonnes go and what data do staff have for 2017 that would lead them to expect quantities of waste over the contracted capacity?

4. Presentations

4.1 Mary-Anne Pietrusiak, Epidemiologist, Health Department, re: Health Neighbourhoods Release 3

M. Pietrusiak provided a PowerPoint Presentation regarding the Health Neighbourhoods in Durham Region: Release 3. A copy of the presentation was provided as a handout.

Highlights from the presentation included:

- 7 Priority Neighbourhoods
- 88 Indicators (Demographics, Early Child Development, Health)
- Release 3 (7 New Indicators, 1 Updated Indicators)
- Immunization Rates in Children
- Police reported domestic incidents
- Early Development Instrument (EDI) – Vulnerable in one or more domains 2012
- Early Development Instrument (EDI) – Vulnerable in one or more domains 2015
- Early Development Instrument (EDI) – Vulnerable in one or more domains - Change from 2012 to 2015
- 18-month Well-Baby Visit Change from 2010/12 to 2013/15
- What's Next for Health Neighbourhoods: Release 4

M. Pietrusiak responded to questions with regards to how the information in the Health Neighbourhoods can be distributed to agencies and how the information will be utilized; whether agencies are asking for more detail with regards to the indicators and whether the information is incorporated in the budget allocation process on a year to year basis; whether there are opportunities to examine further issues that affect priority neighbourhoods such as bed bugs and infestations; and, whether staff is open to working with post-secondary school institutions in conducting further studies.

M. Pietrusiak responded to further questions regarding how the information provided in the Health Neighbourhoods helps the Health and Social Services Departments advocate for funds to bring in new services to Durham Region; whether it is possible to provide maps without the municipal borders; examples of where the data has been used to implement programs; whether there have been consultations with the school boards to address child poverty; and the inconsistency of immunization rates and clarification of what medical exemptions of vaccinations are.

Moved by Councillor Henry, Seconded by Councillor Foster,
That the Committee of the Whole recess for 10 minutes.
CARRIED

The Committee recessed at 11:29 AM and reconvened at 11:43 AM

- 4.2 John Presta, Director, Environmental Services, Works Department, re: Status update on the Duffin Creek Water Pollution Control Plant Outfall Class Environmental Assessment, Relevant Environmental Policy Directions in Ontario and the Minister of Environment and Climate Change's Order to Undertake a Phosphorus Reduction Action Plan Study (2018-COW-5) [Item 5.4 C]
-

J. Presta provided a PowerPoint presentation regarding The Duffin Creek Water Pollution Control Plant (WPCP) Outfall Class Environmental Assessment (EA), Phosphorus Reduction Action Plan Study and Ontario Policy Directions.

Highlights from the presentation included:

- Outline
- Duffin Creek WPCP: Recent EA History
- Process for Responding to the Minister's Order
- Phosphorus Reduction Action Plan Study
 - Information requested by the Minister of Environment and Climate Change (MOECC)
 - Review of phosphorus data from the past five years

- Plant Optimization
- Four tertiary treatment options
- Seasonal Cladophora window
- Main findings
- Strategy
- MOECC Cladophora Study & Other Water Quality Info
- Ontario Environmental Policy Directions

Moved by Councillor O'Connor, Seconded by Councillor Ballinger,
That a five minute extension be granted in order to allow J.
Presta to finish his presentation.

CARRIED

J. Presta stated that studies associated with the most recent expansion of the Duffin Creek WPCP have been going on for over a decade. He advised that the information requested by the MOECC includes:

- Review of phosphorus data from the past five years
- Achievable plant performance with optimization
- Assessment of tertiary treatment options
- Determination of lowest effluent phosphorus concentration
- Identify Cladophora growth seasonal window and how phosphorus can be reduced further
- Short, medium and long-term soluble reactive phosphorus reduction strategy
- Feasibility of achieving 0.35 mg/L and 190 kg/d of total phosphorus on an annual basis

J. Presta advised that the strategy of the Phosphorus Reduction Action Plan Study is as follows:

- Continue field study to July 2018
- Develop a detailed optimization implementation strategy
- Construct minor works required for optimization
- Implement chemical phosphorus optimization strategies
- Though not regulated, continue to include SRP concentrations in the Duffin Creek WPCP annual reports
- Independent from the Outfall EA, initiate upgrades to the incineration system to improve solids capacity

J. Presta and B. Laverick responded to questions regarding whether the study looked at impacts of plant emissions on the Ajax waterfront; clarification of the optimization process and what it involves; whether there have been studies on phosphorus in the area creeks; seasonal versus annual treatment; clarification as to why it was required that the study be undertaken; clarification of the review of phosphorus data from the past 5 years; whether the operation costs requires capital up front; and the Ajax technical team's view of the findings of the study.

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

CARRIED

The Committee recessed for lunch at 12:50 PM and reconvened at 1:35 PM

5. Works

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

Waste

5.1 Communications

There were no communications to consider.

5.2 Reports

There were no Waste reports to consider.

Works

5.3 Communications

There were no communications to consider.

5.4 Reports

- A) Sole Source Architectural and Engineering Services for Design, Tender and Contract Administration Work Required for the Relocation of Edna Thomson Early Learning and Child Care Centre to Knox Christian School, in the Municipality of Clarington (2018-COW-3)
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Moved by Councillor Chapman, Seconded by Councillor Smith,
That we recommend to Council:

- A) That a sole source agreement for architectural and engineering services for the design, tender and contract administration work required for the relocation of Edna Thomson Early Learning and Child Care Centre to Knox Christian School in the Municipality of Clarington (Bowmanville) be negotiated and awarded to Nick Swerdfeger Architects Inc. at an estimated upset limit not to exceed \$99,750* to be funded from the Best Start unconditional grant funding; and
- B) That the Commissioner of Finance be authorized to execute the sole source architectural and engineering services agreement.
(*) including disbursements and before applicable taxes

CARRIED

- B) Award of Request for Proposal #1090-2017 for Engineering Services to Facilitate the Construction of Two Bulk Water Filling Stations at Regional Properties: Ajax/Pickering Works Depot (2020 Salem Road, Ajax, ON) and Whitby/Oshawa Works Depot (825 Conlin Road, Whitby, Ontario) (2018-COW-4)

Staff responded to questions with regards to the construction of the two bulk water filling stations and the prospect of a new water filling station installed in Clarington.

Moved by Councillor Chapman, Seconded by Councillor Smith,
That we recommend to Council:

- A) That Request for Proposal #1090-2017 be awarded to Associated Engineering (Ont.) Ltd. to provide engineering services for facilitating the construction of two bulk water filling stations at Regional Works Depots in the Town of Ajax and Town of Whitby to replace existing Bulk Water Filling Stations at other locations in these area municipalities, at an upset limit not to exceed \$186,344* to be funded from the approved project budget of \$600,000; and
- B) That the Commissioner of Finance be authorized to execute the engineering services agreement.
(*) including disbursements and before applicable taxes

CARRIED

- C) Status Update on the Duffin Creek Water Pollution Control Plant Outfall Class Environmental Assessment, the Minister of Environment and Climate Change's Order to Undertake a Phosphorous Reduction Action Plan Study and Relevant Environmental Policy Directions in Ontario (2018-COW-5)

Detailed discussion ensued with regards to the Duffin Creek Water Pollution Control Plant Outfall Class Environmental Assessment and the Phosphorous Reduction Action Plan Study.

Staff responded to questions regarding assessment of the four tertiary treatment options; the feasibility of achieving 0.35 mg/L and 190 kg/d of total phosphorous on an annual basis; optimization implementation strategies; and whether there are comparable systems on the south side of Lake Erie. It was stated that it would be beneficial for future reports to address the financial implications to Durham Region.

Moved by Councillor Chapman, Seconded by Councillor Smith,
That we recommend to Council:

- A) That Report #2018-COW-5 be received for information; and
- B) That a copy of Report #2018-COW-5 be forwarded to the Ontario Minister of Environment and Climate Change, The Regional Municipality of York, the Town of Ajax and the City of Pickering.

CARRIED

Other Business – Works

- A) Delegate Amanda Rose, re: By-laws with respect to the lead pipe program and Regional responsibility of their water pipes

[A delegation was heard earlier in the meeting. Refer to Item 3.5 on pages 3 to 5 of these minutes.]

S. Siopis responded to questions regarding the lead pipe program; clarification on the wording of By-law and if it references the property line and not the water valve; and if staff contact residents that they know of who have lead pipes. She advised that in this case, follow up letters on this matter have been sent to the remaining homes in A. Rose's neighbourhood.

Councillor John Neal advised he would provide staff with the name and address of the resident who also has a water valve up against the house, similar to Ms. Rose's situation.

Moved by Councillor Parish, Seconded by Councillor Ashe,
That the requests from Ms. Amanda Rose, as presented during
her delegation to Committee of the Whole on January 10, 2018,
be referred to staff for a report to address the issues raised by Ms.
Rose, and to include information on the lead pipe replacement
program and how it is communicated to residents.

CARRIED

B) Well Water Testing, Ontoro Boulevard, Town of Ajax

Councillor Jordan questioned whether there were any updates regarding the well water testing results from the Ministry of the Environment and Climate Change (MOECC). S. Siopis advised that they have been communicating regularly with the MOECC and she would follow up with the Health Department on whether the letters that were sent to the homeowners from the MOECC regarding the results of the well water testing had been received.

6. Finance & Administration

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

Finance

6.1 Communications

There were no communications to consider.

6.2 Reports

A) 2018 Solid Waste Management Servicing and Financing Study
(2018-COW-11)

Staff responded to questions with regards to the amended Blue Box Program Plan; the possible decrease of 2018 revenues from recyclables; contamination rate and stockpiling of paper; analysis of waste compared to other regions; the calculation of free allowances; clarification of numbers provided for the preliminary solid waste management major capital forecast; and the Blackstock landfill site mining project.

Staff was asked to clarify why Durham Region's 2016 costs for waste disposal was \$237 per tonne and was requested to provide a comparison of these costs between other municipalities.

Councillor Joe Neal requested that a copy of the amended Blue Box Program Plan be provided to him as well as the formula used for the calculation of the free allowances totalling 75,170 tonnes of CO₂e.

Councillor Foster requested that the questions raised by Ms. Gasser during her delegation be answered and provided to Council.

Moved by Councillor Joe Neal, Seconded by Councillor Collier,
That we recommend to Council:

- A) That, subject to 2018 Budget approval, Regional staff be authorized to conduct a mixed waste processing pilot in 2018 in preparation for the implementation of the new provincial organics management framework (Environmental Bill of Rights (EBR) Registry Posting #013-1814), under the *Waste Free Ontario Act, 2016* and the provincial “Strategy for a Waste-Free Ontario: Building the Circular Economy”:
 - i) To divert up to 10,000 metric tonnes of mixed waste from single family and multi-residential households from the Durham York Energy Centre (DYEC) which is anticipated to exceed its Environmental Compliance Approval (ECA) regulated capacity in 2018 and result in waste bypass requirements; and
 - ii) To enter into a sole source contract for the processing of diverted mixed waste from the pilot with Canada Fibers Ltd. in order to process mixed waste at Canada Fibers’ mixed waste pre-sort facility at an increased processing/disposal and haulage cost of up to \$0.5 million, to be included in the 2018 Solid Waste Management Operations Budget; and
- B) That Regional Council endorse the submission of the following comments on Environmental Bill of Rights (EBR) Registry Posting #013-1814, the Ministry of the Environment and Climate Change “Proposed Food and Organic Waste Framework”, (November 2017), as previously forwarded to the Ministry by Regional staff in order to meet the January 15, 2018 EBR deadline, including:

- i) Support for the province's principles for the proposed new food and organic waste framework, including the reduction and recovery of resources from food and organic wastes; the promotion of beneficial uses of food and organic wastes; and, provincial support for resource recovery infrastructure through collaboration and fostering of timely regulatory approvals;
- ii) Senior government funding support should be provided where municipal property tax payers could be negatively affected by organics regulations/measures, including a potential disposal ban and related investment requirements, stranded existing assets and other municipal capital requirements;
- iii) Request that provincial support also include funding for municipal infrastructure and promotion and education programs necessary for the development and implementation of organics processing infrastructure and programs needed for transition to the new framework;
- iv) Any costs to address organics management in the ICI sector must be borne entirely by the ICI sector;
- v) Understanding that the Province intends to implement an organics disposal ban as early as 2022, it is imperative that the implementation of the organics ban be timed such that it encourages increased organics processing in Ontario; and
- vi) Continue to engage in extensive consultations with municipal stakeholders as the new framework is implemented.

CARRIED AS AMENDED (SEE
FOLLOWING MOTION)

Moved by Councillor Jordan, Seconded by Councillor Parish,
That the main motion of Councillors Joe Neal and Collier be amended by adding the following as a new Part C) i), ii), and iii):

- C) That Durham Region recommend to the Province:
 - i) That the ICI sector be required to increase its diversion of recyclables and organics to match the performance of the residential sector and, that the Province expand and enforce source separation for recycling and organics to ensure the ICI sector meets strict diversion obligations;

- ii) That the Province establish diversion incentives, or a waste tax (to support enforcement), to discourage the ICI sector from shipping waste to the cheapest disposal solution such as out of Province landfilling; and
- iii) That the ICI sector be required to develop its own solutions and not rely solely on existing municipal infrastructure.

CARRIED

The main motion of Councillors Joe Neal and Collier was then put to a vote and CARRIED AS AMENDED.

Other Business – Finance

A) Overtime for 2017

Councillor Joe Neal requested that a report be brought back to the next Committee of the Whole meeting regarding the amount of overtime broken down by Department for 2017. R. J. Clapp advised a report would be prepared for the next Committee of the Whole meeting.

Administration

6.3 Communications

There were no communications to consider.

6.4 Reports

A) Durham Region Roundtable on Climate Change 2018 Workplan (2018-COW-1)

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

That the 2018 Workplan for the Durham Region Roundtable on Climate Change be approved.

CARRIED

Other Business – Administration

A) Policy on Sharing of Documents with Council Members

Councillor Joe Neal questioned when a report regarding a policy for the sharing of documents with Council members would be coming forward. D. Beaton advised that a draft policy is being circulated internally and a report will be coming forward in the near future.

B) New System for Water Billing

Councillor Joe Neal requested clarification on whether there were increased administrative costs associated with the implementation of the new electronic system for waterbilling. R.J. Clapp advised that there are costs associated with implementing the system, however once the system has been implemented any associated costs will end, and there may be cost savings such as reduced postage costs.

7. Health & Social Services

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

Health

7.1 Communications

There were no communications to consider.

7.2 Reports

There were no Health reports to consider.

Social Services

7.3 Communications

There were no communications to consider.

7.4 Reports

There were no Social Services reports to consider.

Other Business – Health and Social Services

A) Action items arising from Health Neighbourhoods

Councillor Joe Neal questioned what actual action items are arising from the Health Neighbourhoods study. He was advised that his request will be forwarded to the Commissioner and Medical Officer of Health and the Commissioner of Social Services to follow up with him directly.

8. Planning & Economic Development

Councillor O'Connor assumed the chair for the Planning & Economic Development section of the Committee of the Whole.

Planning

8.1 Communications

There were no communications to consider.

8.2 Reports

A) Durham Environmental Advisory Committee Natural Areas as Neighbours Guide (2018-COW-2)

Moved by Councillor Carter, Seconded by Councillor Chapman,
That we recommend to Council:

- A) That the updated and redesigned Durham Environmental Advisory Committee Natural Areas as Neighbours Guide be approved for publishing and distribution; and
- B) That a copy of Report #2018-COW-2 and attachment be forwarded to all area municipalities, all conservation authorities in Durham Region, Ministry of Natural Resources and Forestry, and Ministry of Municipal Affairs.

CARRIED

B) Durham Environmental Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-6)

Moved by Councillor Carter, Seconded by Councillor Chapman,
That we recommend to Council:

- A) That Commissioner's Report #2018-COW-6 be received as the Durham Environmental Advisory Committee's 2017 Annual Report;
- B) That the Durham Environmental Advisory Committee's 2018 Workplan be approved, as outlined in Attachment #1 to Commissioner's Report #2018-COW-6;
- C) That the revisions to the Terms of Reference for the Durham Environmental Advisory Committee be approved, as outlined in Attachment #2 to Commissioner's Report #2018-COW-6; and
- D) That a copy of Commissioner's Report #2018-COW-6 be forwarded to the Durham Environmental Advisory Committee and the Area Municipalities.

CARRIED

C) Durham Agricultural Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-7)

Moved by Councillor Carter, Seconded by Councillor Chapman,
That we recommend to Council:

- A) That Commissioner's Report #2018-COW-7 be received as the Durham Agricultural Advisory Committee's 2017 Annual Report;
- B) That the Durham Agricultural Advisory Committee's 2018 Workplan be approved, as outlined in Attachment #1 to Commissioner's Report #2018-COW-7; and
- C) That a copy of Commissioner's Report #2018-COW-7 be forwarded to the Durham Agricultural Advisory Committee, the Durham Federation of Agriculture, the Golden Horseshoe Food and Farming Alliance and the Area Municipalities.

CARRIED

D) Durham Trail Coordinating Committee (DTCC) 2017 Annual Report, Revised Terms of Reference and 2018 Workplan (2018-COW-8)

Moved by Councillor Carter, Seconded by Councillor Chapman,
That we recommend to Council:

- A) That Commissioner's Report #2018-COW-8 be received as the Durham Trail Coordinating Committee's 2017 Annual Report;
- B) That the Terms of Reference for the Durham Trail Coordinating Committee be approved, as outlined in Attachment 1 to Commissioner's Report #2018-COW-8;
- C) That the Durham Trail Coordinating Committee's 2018 Workplan be approved, as outlined in Attachment #3 to Commissioner's Report #2018-COW-8; and
- D) That a copy of Commissioner's Report #2018-COW-8 be forwarded to the Area Municipalities, Conservation Authorities and other primary trail providers.

CARRIED

E) Bill 139, Building Better Communities and Conserving Watersheds Act, 2017 (2018-COW-10)

Discussion ensued regarding Bill 139, and concerns with respect to the proposed transition regulations that set out rules for planning matters in process at the Ontario Municipal Board (OMB) during the transition from the OMB to the Local Planning Appeal Tribunal (LPAT).

Staff responded to questions regarding the proposed new appeal proceedings before the Tribunal and the elimination of lengthy and often confrontational examinations and cross-examinations of witnesses by parties and their lawyers at hearings on major land use planning appeals.

Moved by Councillor Carter, Seconded by Councillor Chapman,
That we recommend to Council:

- A) That Report #2018-COW-10 be endorsed and submitted to the Ministries of Municipal Affairs and the Attorney General as Durham Region's response to:
- i) Environmental Bill of Rights Registry #013-1788 regarding amendments to the Planning Act regarding Ontario Municipal Board Transitional Provisions;
 - ii) Environmental Bill of Rights Registry #013-1790 regarding amendments to matters included in existing regulations under the Planning Act relating to the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139); and
 - iii) Ontario Regulatory Registry Posting 17-MAG011 regarding proposed regulations under the Proposed Local Planning Appeal Tribunal Act, 2017;
- B) That the Ministries of Municipal Affairs and the Attorney General be notified that, in general, the Region supports the descriptions of the regulatory proposals for Bill 139 as it relates to the land use planning appeals system. However, there are several components that remain unclear at this time due to insufficient detail provided in the postings. Further detailed comments will only be possible upon receipt of a comprehensive suite of draft regulations, policies and/or clarification on:

- i) Whether provincial plans and policies contain enough specificity or detail (i.e. by way of policy or guidelines) to allow municipal councils to achieve and demonstrate conformity. Likewise, whether the Local Planning Appeal Tribunal will be able to find guidance in the policy framework for the resolution of specific issues under appeal;
 - ii) Further details on the implementation and adequate resourcing/funding for the proposed Local Planning Appeal Support Centre; and
 - iii) Further details on the functions and operations of the Local Planning Appeal Tribunal (e.g. how written appeals will be considered); and
- C) That a copy of Report #2018-COW-10 be forwarded to Durham's area municipalities.
CARRIED LATER IN THE MEETING (SEE FOLLOWING MOTION)

Moved by Councillor Parish, Seconded by Councillor Jordan,
That the main motion of Councillors Carter and Chapman be amended by re-numbering Parts B) and C) to C) and D) and inserting new a Part B) i), ii), iii) and iv), as follows:

- B) That the Ministries of Municipal Affairs and the Attorney General be requested to amend the proposed Bill 139 transition regulations to provide as follows:
 - i) Planning appeals filed before May 30, 2017 will continue to be heard by the Ontario Municipal Board under the existing rules;
 - ii) Planning appeals filed between May 30, 2017 and December 12, 2017 would be heard by the Ontario Municipal Board if the planning application was deemed complete on or before May 30, 2017;
 - iii) Planning appeals filed between May 30, 2017 and December 12, 2017 would be heard by the Local Planning Appeal Tribunal if the planning application had not been deemed complete as of May 30, 2017; and

- iv) Planning appeals filed after December 12, 2017 would be heard by the Local Planning Appeal Tribunal under the new rules.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Collier
Councillor Jordan
Councillor John Neal
Councillor Parish
Councillor Sanders

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Mitchell
Councillor Joe Neal
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Ryan
Councillor Smith
Councillor Woo

Members Absent: Councillor Drumm
Councillor Glead
Councillor Grant
Councillor Henry
Councillor McLean
Councillor McQuaid-England
Councillor Rowett
Councillor Roy
Regional Chair Anderson

Declarations of Interest: None

The main motion of Councillors Carter and Chapman was then put to a vote and CARRIED.

Other Business – Planning

A) Tree By-law

Councillor Foster questioned if consideration could be given to renaming the Region's Tree By-law to Woodlot By-law to more accurately reflect the intent of the by-law. B. Bridgeman advised that the Tree By-law is currently under review and staff will take this request into consideration.

Economic Development

8.3 Communications

There were no communications to consider.

8.4 Reports

There were no Economic Development reports to consider.

Other Business – Economic Development

A) Toronto Global Update

Councillor Foster requested that staff follow up with Toronto Global on the update that is to be provided to the Committee of the Whole regarding how competitive the GTA is in North America with regards to costs, particularly around healthcare. B. Bridgeman advised he would reach out to Toronto Global for an update. K. Weiss also advised that staff are currently preparing a competitive analysis.

B) Amazon Update

Councillor John Neal questioned if there was an update on Durham Region's bid for Amazon headquarters. B. Bridgeman advised that no update has been received to date.

9. Other Business

There were no items of Other Business.

10. Confidential Matters

10.1 Reports

- A) Confidential Report from Commissioner of Works – Pending Acquisition/Disposition of Land and Litigation/Potential Litigation Matters before an Administrative Tribunal as Part of the Requirements for the Proposed Bus Rapid Transit Project and Property Acquired at the intersection of Durham Highway 2 Regional Road 2 and Whites Road, in the City of Pickering (2018-COW-9)

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

That the recommendations contained in Confidential Report #2018-COW-9 of the Commissioner of Works be adopted.

CARRIED

11. Date of Next Meeting

The next regularly scheduled Committee of the Whole meeting will be held on Tuesday, February 6, 2018 and Wednesday, February 7, 2018 at 9:00 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

Moved by Councillor Ballinger, Seconded by Councillor Collier,
That the meeting be adjourned.

CARRIED

The meeting adjourned at 3:22 PM

Respectfully submitted,

Roger Anderson, Regional Chair and
CEO

D. Pickles, Chair, Health & Social Services

G. O'Connor, Chair, Planning & Economic Development

N. Pidwerbecki, Chair, Works

B. Chapman, Chair, Finance & Administration

Committee Clerk