



Official Notice

Meeting of Regional Council

Regional Council Chambers
Regional Headquarters Building, 605 Rossland Road East, Whitby

Wednesday, March 21, 2018

9:30 AM

ORDER OF BUSINESS

Call to Order

Roll Call

Declarations of Interest

Announcements

Presentations

- Presentation of Certificate of Recognition to Ms. Jenni Demanuele, Director of Business Services, Mr. David Nagy, Manager, Design, Construction and Asset Management, and Mr. Leo Coe, Superintendent, Facilities Maintenance, from Captain Matthew Davies, Canadian Forces Liaison Council.

Adoption of Minutes

Section 1

- Regular Regional Council Meeting – [February 14, 2018](#) Pages 101 – 139
- Closed Regional Council Meeting – February 14, 2018 Under Separate Cover
- Regular Committee of the Whole Meeting – [March 7, 2018](#) Pages 140 – 164
- Closed Committee of the Whole Meeting – March 7, 2018 Under Separate Cover
- Special Regional Council Meeting – [March 9, 2018](#) Pages 165 – 169

Communications

Section 2

- [Correspondence](#) Page 201

Delegations, Notice of Motions**Section 3**

Page 301

- [Delegations](#)
- [Notice of Motions](#)

Report of the Committee of the Whole**Section 4**

- [Fourth Report of the Committee of the Whole](#)

Pages 401 – 407

**Unfinished Business, Other
Business & By-Laws****Section 5**

Page 501

Confirming By-Law

- By-law to confirm the Proceedings of Council

Adjournment

SECTION 1

MINUTES

THE REGIONAL COUNCIL OF DURHAM

Wednesday, February 14, 2018

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

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

Roll Call: All members of Council were present with the exception of Councillors McQuaid-England, Pidwerbecki, Rowett, and Regional Chair Anderson
Councillor Drumm left the meeting at 11:30 AM
Councillor Parish left the meeting at 11:35 AM
Councillor Rowett was absent on municipal business

Declarations of Interest

1. Councillor John Neal made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the following items:
 - i) Item 7 of the Second Report of the Committee of the Whole, Report #2018-COW-19: The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste; Management and Durham Region Transit, as it pertains to climate change.
 - ii) Minutes of the December 8, 2017 Durham Region Roundtable on Climate Change; and
 - iii) Minutes of the January 12, 2018 Durham Region Roundtable on Climate Change.He indicated that his spouse is employed by the Oshawa Public Utilities Commission.
2. Councillor Drew made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the following items:
 - i) Item 7, Part A) i) of the Second Report of the Committee of the Whole, Report #2018-COW-19: The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Regional Operations.
She indicated that that her son is employed in the Works Department.
 - ii) Item 17 of the Second Report of the Committee of the Whole, Report #2018-COW-16: Award of Request for Proposals #416-2017 for Vacuum Excavation Services Registry for Work at Various Locations within the Regional Municipality of Durham.
She indicated that a family member does contract work for the company named in the award.

3. Councillor Drumm made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the following items:
 - i) Item 4 of the Second Report of the Committee of the Whole, Report #2018-COW-30: Transit Shelter Advertising Contract Award;
 - ii) Item 6 of the Second Report of the Committee of the Whole, Report #2018-COW-31: Durham Region Transit (DRT) Servicing and Financing Study; and
 - iii) Item 7, Parts V), W), X) of the Second Report of the Committee of the Whole, Report #2018-COW-19: The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Durham Region Transit.He indicated that his son is employed by Durham Region Transit.
4. Councillor O'Connor made a declaration of interest under the Municipal Conflict of Interest Act with respect Item 7, Part A) i) of the Second Report of the Committee of the Whole, Report #2018-COW-19: The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Regional Operations. She indicated that her son is employed in the Works Department.
5. Councillor Roy made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 7, Part A) i) of the Second Report of the Committee of the Whole, Report #2018-COW-19: The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Regional Operations. She indicated that her husband is employed in the Works Department.
6. Councillor Mitchell made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 5 of the Second Report of the Committee of the Whole, Report #2018-COW-32: Strategic Property Tax Study. He indicated that he owns vacant property in Durham Region.
7. Councillor Woo made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 7 of the Second Report of the Committee of the Whole, Report #2018-COW-19, Social Services 2018 Business Plans and Budgets. He indicated that a family member is employed by the Region of Durham in the Social Services Department, Children Services Division.

Announcements

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

Presentations

There were no presentations.

Adoption of Minutes

Moved by Councillor Collier, Seconded by Councillor Chapman,
(15) That the minutes of the meeting of Council held on January 18, 2018 be adopted.

CARRIED

Moved by Councillor Collier, Seconded by Councillor Chapman,
(16) That the minutes of the meeting of the Committee of the Whole held on February 6, 2018 be adopted.

CARRIED

Correspondence Requiring Motion for Direction

CC 02 Report from the Integrity Commissioner - File 2017-02. (A copy of this report is included in Section 2, Pages 202-205). (Our File: C24)

Moved by Councillor Henry, Seconded by Councillor Chapman,
(17) That Council Correspondence CC 02 be referred to staff with respect to the Integrity Commissioner's recommendations regarding changes to the Council Code of Conduct.

CARRIED

CC 03 Mr. Andrew McKee, President and Chairman of the Board, Royal Agricultural Winter Fair Association, advising that the Annual General Meeting of the Royal Agricultural Winter Fair Association will be held on Thursday, April 12, 2018 and seeking the appointment of a representative to the Royal's Board of Governors. (Our File: C14)

Moved by Councillor Henry, Seconded by Councillor Grant,
(18) That Councillor Ted Smith be appointed as the representative to the Royal Agricultural Winter Fair Association.

CARRIED

Correspondence Received for Information

CC 04 Report from the Integrity Commissioner - File 2017-01. (A copy of this report is included in Section 2, Pages 206-215). (Our File: C24)

Moved by Councillor Henry, Seconded by Councillor Carter,
(19) That Council Correspondence CC 04 be received for information.

CARRIED

Public Meeting

Notice of Intention to Pass a By-law to Adopt the 2018 Regional Business Plans and Budgets for Durham Region

Acting Regional Chair Ryan stated that the public has been given notice via media release that Regional Council is intending to review and adopt or amend the 2018 Regional Business Plans and Budgets, including related fees and charges and the related 2018 Regional Property Tax Rates.

He asked if there were any members of the public present at the meeting wishing to speak on this matter. He asked a second and third time. Being none, he continued on with the Council agenda.

Delegations

There were no delegations.

Motions

1. Sale of Aecon Group Inc.

Moved by Councillor John Neal, Seconded by Councillor Joe Neal,
(20) Whereas Aecon Group Inc. ("Aecon") has been buying up paving and construction firms over the last few years;

Whereas it is possible that there are other indirect relationships as well;

Whereas the Region of Durham has, and could let out contracts to Aecon and its subsidiaries;

Whereas the sale of Aecon to CCCI, a company owned by the People's Republic of China, is being reviewed by Investment Canada;

Whereas all construction, engineering, and consulting agreements are integral to the residents of the Region of Durham as well as its eight lower tier municipalities;

Be it resolved that Durham Regional staff investigate the ramifications for Durham Region of the sale of Aecon to CCCI, with input and feedback from its eight local municipalities, and report back to Regional Council as soon as possible, and treat this resolution as time sensitive; and

That a copy of this resolution be forwarded to Region of Durham municipalities, local Federal MPs, local MPPs, Large Urban Mayor's Caucus of Ontario, BCMC, the Association of Municipalities of Ontario, Federation of Canadian Municipalities, Ontario Good Roads Association, and Rural Ontario Municipal Association.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Drumm
Councillor Joe Neal
Councillor John Neal

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

Members Absent:

Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: None

2. Support of the Newspaper Industry

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(21) Whereas a free press and newspapers are fundamental to democracy;

Whereas the newspaper industry, especially local newspapers are facing difficult economic conditions, as a result of which have been closing, which is a loss for local democracy;

Whereas the rules under the *Waste Free Ontario Act* propose to charge newspapers for recycling costs;

Now Therefore Be it resolved that Durham Region support the newspaper industry and local newspapers by (i) adopting as a policy that newspapers should not be charged for recycling; and (ii) forwarding this motion to Stewardship Ontario, the Ministry of the Environment and Climate Change, and the Premier of Ontario.

**MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:**

Yes

Councillor Ashe
Councillor Ballinger
Councillor Drumm
Councillor Henry
Councillor Joe Neal
Councillor John Neal
Councillor Pickles
Councillor Sanders
Councillor Smith
Councillor Woo

No

Councillor Aker
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Parish
Councillor Roy
Acting Regional Chair Ryan

Members Absent: Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: None

Committee Reports

Second Report of the Committee of the Whole

Moved by Councillor Chapman, Seconded by Councillor Henry,
(22) That the recommendations contained in the Second Report of the Committee of the Whole, save and except Items 3, 5, 6, 7, and 21, be adopted.
CARRIED

Finance & Administration

1. Amendment to Vehicle Advance and Casual Travel Reimbursement Rates
(2018-COW-21)
[CARRIED]
-

That the rates for reimbursement for the use of a personal vehicle while on Regional business be as set out in Attachment #1 to Report #2018-COW-21, effective January 1, 2018.

2. Confirmation of the Region's Triple "A" Credit Rating by Moody's Investors Service ([2018-COW-23](#))
[CARRIED]

That Report #2018-COW-23 of the Commissioner of Finance be received for information.

3. Public Process for the Proposed Regional and Carruthers Creek Area Specific Development Charge By-laws ([2018-COW-24](#))
[CARRIED]

- A) That Statutory Public Meetings of Regional Council, as required by the Development Charges Act, 1997 (DCA, 1997) be held on April 11, 2018 in the Regional Council Chambers at the beginning of the regular Regional Council meeting to consider the following:
- i) The proposed Regional Development Charge By-law and Background Study;
 - ii) The proposed Area Specific Development Charge By-law and Background Study for water supply services in the Carruthers Creek area; and
 - iii) The proposed Area Specific Development Charge by-law and Background Study for sanitary sewerage services in the Carruthers Creek area;
- B) That the proposed Regional Development Charge By-law and Background Study as well as the Carruthers Creek Water Supply and Sanitary Sewerage Area Specific By-laws and Background Studies, as required by the DCA, 1997 be released to the Public at no charge upon request to the Regional Clerk's Department and posted on the Region's website, commencing March 27, 2018; and
- C) That staff be authorized to place appropriate notification in newspapers of sufficiently general circulation in Durham Region and the Regional web-site setting forth the date, time, location and purpose of the Statutory Public Meetings and the date and contact for the release of the proposed Regional Development Charge By-laws and Background studies no later than March 21, 2018.

4. Transit Shelter Advertising Contract Award (2018-COW-30)
[CARRIED]

- A) That the negotiated agreement with Pattison Outdoor Advertising for advertising on DRT bus shelters for a term of three years to March 31, 2021, with an option to extend for up to two years; with the following provisions, be approved:
 - i) A guaranteed fixed monthly payment of \$51,520, from Pattison Outdoor Advertising to the Region;
 - ii) Annual payments of 50 per cent of Pattison Outdoor Advertising's annual cumulative net sales less the annual total of guaranteed fixed payments; and
 - iii) Cleaning shelters to be the responsibility of the Region; and
- B) That the Commissioner of Finance be authorized to execute the agreement, including any amendments.

5. 2018 Strategic Property Tax Study (2018-COW-32)
[CARRIED ON A RECORDED VOTE]

- A) That the discount applied to municipal property taxes on parcels in the vacant and excess land subclasses of the broad Commercial (30 percent discount) and broad Industrial (35 per cent discount) property tax classes be phased-out evenly over the property taxation years 2018 to 2020, according to the following parameters:
 - i) for the property tax year 2018, the discount in the municipal property taxes be set at 20.00 per cent for vacant and excess land parcels in the broad Commercial property tax classes and 23.33 per cent for vacant and excess land parcels in the broad Industrial property tax classes;
 - ii) for the property taxation year 2019, the discount in municipal property taxes be set at 10.00 per cent for vacant and excess land parcels in the broad Commercial property tax classes and 11.67 per cent for vacant and excess land parcels in the broad Industrial property tax classes;
 - iii) for the property taxation year 2020, the discount in municipal property taxes be eliminated for vacant and excess land parcels in both the Commercial and Industrial broad property tax classes and the program be discontinued; and

- iv) increased municipal property taxation from the phase-out and elimination of the vacant and excess land subclass discounts in the Commercial and Industrial broad property tax classes be offset by a corresponding reduction in the Industrial broad class municipal property taxes collected through a reduction in the Industrial broad property tax class municipal tax ratio;
- B) That the vacant unit property tax rebate program, available to eligible units in the broad Commercial (30 per cent rebate) and broad Industrial (35 per cent rebate) property tax classes, be phased-out evenly over the property taxation years 2018 to 2019 according to the following parameters:
 - i) for the property tax year 2018, rebates be set at 15.00 per cent for eligible units in the broad Commercial property tax class and 17.50 per cent for eligible units in the broad Industrial property tax classes; and
 - ii) the rebate program for both the Commercial and Industrial broad property tax classes be eliminated for the 2019 property tax year;
- C) That as mandated by the Province, the Commissioner of Finance undertake the necessary steps to request that Durham Region Council's decision to phase-out the vacant unit rebate program and the discounts applied to the vacant and excess land subclasses in the broad Commercial and Industrial property tax classes be implemented through regulation by the Province of Ontario;
- D) That the Province be requested to lower both the broad Commercial and broad Industrial education property tax rates as a result of the Region of Durham's phasing-out of the vacant and excess land subclass discounts for the broad Commercial and Industrial tax classes in Recommendation A);
- E) That for the 2018 property taxation year, the municipal property tax ratios for the following property classes for the Regional Municipality of Durham be set as follows:

Multi-Residential	1.8665
New Multi-Residential	1.1000
Landfill	1.1000
Pipelines	1.2294
Farmland	0.2000
Managed Forests	0.2500

Commercial Broad Class

(including Residual, Shopping Centres, Office Buildings and Parking Lots)

Occupied	1.4500
Vacant Land	1.1600
Excess Land	1.1600

Industrial Broad Class

(including Residual and Large Industrial)

Occupied	2.1850
Vacant Land	1.6752
Excess Land	1.6752

and the requisite by-law be prepared and approval be granted;

- F) That the Region of Durham requests that the Province continue with the intended Business Education Tax (BET) broad Industrial class reductions, that were deferred until the Provincial budget was balanced, in order to reduce Durham Region's broad Industrial property tax class education tax rate down to the Provincial average;
- G) That to achieve greater fairness and equity in the Current Value Assessment (CVA) system and property taxation policy, the Province again, be requested to:
 - i) Remove the special policy consideration for assessment decreases prior to the next reassessment cycle (2020 CVA for taxation years 2021 to 2024) so that all increases and decreases are phased-in evenly over the four-year cycle;
 - ii) Undertake a stakeholder review of the Provincial statutory rates (Heads & Beds, Hydro Linears and Nuclear Generating Facilities) similar to the recent Railway Linear review;
 - iii) Update the following Provincial statutory rates and institute a process by which these rates are updated annually in order to avoid the shifting of municipal funding to the residential property homeowner:
 - 1. Hospitals, Prisons and Post-Secondary Education Institutions ("Heads & Beds", last updated in 1987);
 - 2. Railway/Hydro Right of Ways ("Linear Properties", last major update in 1998 with a one per cent increase in Railway Right of Ways in Durham Region in 2017); and
 - 3. Nuclear Generating Facilities (last updated in 1968);

- iv) Redirect proxy property tax payments currently paid by the Region's two nuclear generating facilities to the Ontario Electricity Financial Corporation (OEFC) for the Ontario Hydro stranded debt to the host municipalities and the Region following retirement of the stranded debt; and
- v) Amend Section 110 of the Municipal Act, 2001 in order to permit a municipality in a two tiered municipal structure the option to exempt a municipal capital facility from full or partial portion of its share of municipal property taxes only as it pertains to such a facility.

6. 2018 Durham Region Transit (DRT) Servicing and Financing Study
(2018-COW-31)

[CARRIED ON A RECORDED VOTE]

- A) That the proposed 2018 DRT service improvements, and efficiencies be approved for implementation in April and July 2018 at a net cost of \$499,651 in 2018, or \$1,047,489 million annualized as follows:

Table 1: 2018 Service Changes

	2018		Annualized	
	Revenue Hours of Service	Net Cost	Revenue Hours of Service	Net Cost
Service Improvements	10,523	\$989,223	20,465	\$1,931,320
Service Efficiencies	(5,220)	(\$489,571)	(9,532)	(\$883,831)
Net Change in Service	5,303	\$499,651	10,933	\$1,047,489

- B) That in accordance with Regional Council approved service standards, the list of currently underperforming routes, and the recommended actions for the underperforming routes, be received for information, as follows:

Table 2: Actions for Underperforming Routes

Route (Municipality)	Minimum Boarding Per Hour Standard	2017 Boardings per Hour	2018 Revenue Hours of Service	Estimated 2018 Operating Cost	Recommended 2018 Action
Local Routes					
420 – Britannia West (Oshawa)	7	6.6	1,266	\$115,301	Service recently introduced in September 2017. The 2018 Service Plan includes a route and trip enhancement.
318 – Garden-West Lynde (Whitby)	7	6.1	828	\$73,946	In 2018, DRT plans to replace the route with the introduction of expanded service on Routes 301 and 303.
603 - Pickering – Uxbridge (Pickering/Uxbridge)	7	2.4	1,512	\$151,076	Continue service and monitor performance.
601 – Brock – Uxbridge (Brock/Uxbridge)	7	2.2	2,255	\$240,220	Continue service and monitor performance.

Route (Municipality)	Minimum Boarding Per Hour Standard	2017 Boardings per Hour	2018 Revenue Hours of Service	Estimated 2018 Operating Cost	Recommended 2018 Action
960 – Newmarket- Uxbridge (Newmarket/Uxbridge)	7	1.8	1,025	\$113,702	Continue service and monitor performance.
Community Routes					
199 – Claremont	4	3.0	0	0	No further actions. In September 2017, service was replaced with Route 603, providing service between Uxbridge and Pickering via Claremont every weekday
Total			6,886	\$694,245	

- C) That in order to establish the service level that forms DRT's proposed 2018 Business Plan and Budget, the following be approved:
- i) DRT's transit service level at 526,627 revenue hours of service (a 3.2 per cent increase from 510,070 hours in 2017), which includes annualization of the 2017 service enhancements and the proposed service enhancements and efficiencies to be implemented in April and July 2018;
 - ii) The specific routes that comprise the 526,627 revenue hours of service; and
 - iii) Regional Council approval of any service adjustments to routing beyond the approved revenue hours of service continue to be required, given the impact on Regional transit property taxes;
- D) That effective May 1, 2018, the Adult PRESTO/Ticket fare be increased from \$3.10 to \$3.15 which is estimated to generate approximately \$106,000 in new fare revenue based on DRT's 2018 ridership forecast of 10.48 million riders, unchanged from 2017 budgeted levels;
- E) That Durham Region Transit's Nine Year Capital Forecast (2019-2027) in the amount of \$297.4 million be received for information;
- F) That as requested by the Transit Executive Committee, the performance results of the North Service Strategy be received for information;
- G) That the response to Council's request for information on Access Pass holders' use of Specialized Services as noted in Report #2018-COW-31 be received for information.

7. The 2018 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit ([2018-COW-19](#))

[CARRIED ON A RECORDED VOTE]

2018 General Purpose Property Tax Business Plans and Budgets

- A) That the **2018 Business Plans and Property Tax Budgets for General Purposes (excluding Durham Region Transit and Solid Waste Management)** be approved, at a total net property tax requirement of \$545,926,000, as detailed within the 2018 Regional Business Plans and Budgets, which are highlighted in this report and summarized as follows:

	(\$000s)
i) Regional Operations	
Departmental Operations	239,644
Regional Roads Reserve – Growth	12,549
Regional Roads – Rehabilitation Reserve Fund	26,050
Regional Bridges – Rehabilitation Reserve Fund	5,525
Total Regional Operations	283,768
ii) Police Service	198,916
iii) Provincial Download Service Costs	48,153
iv) Conservation Authorities	8,032
v) Special Contributions	
Regional Land Acquisition Reserve Fund	570
Special Contribution - Hospitals	4,060
- Durham College	350
Total Special Contributions	4,980
SUBTOTAL	543,849
Seaton Assessment Growth	621
Adjustment to 2018 Assessment Base (re: Assessment under appeal)	1,457
TOTAL GENERAL PROPERTY TAX PURPOSES	545,927

Note: Excludes Durham Region Transit and Solid Waste Management which are included separately as Recommendations T) through X).

- B) That the **2018 Net Major Tangible Capital Asset Program for General Property Tax Purposes** (excluding Solid Waste, Durham Region Transit and Conservation Authorities' requirements) in the amount of \$91,555,000 be approved, and the 2019 to 2027 Capital Forecast in the amount of \$1,487,837,000 as detailed in the following table be received for information purposes only and subject to future approvals:

GENERAL PURPOSES TANGIBLE CAPITAL ASSET REQUIREMENTS (\$000's)							
	Recommended	Forecast					Total 2019- 2027
		2019	2020	2021	2022	2023- 2027	
Police Service	2018						
Operations Training Centre - Phase 2	-	-	2,000	23,000	-	-	25,000
Facility Repairs & Renovations	515	1,000	1,000	1,000	1,000	5,000	9,000
Clarington Police Complex Phase 2 - Regional Support Centre and Centre for Investigative Excellence	-	-	55,000	-	-	-	55,000
Durham North West Seaton	-	-	-	-	2,500	27,500	30,000
North Division Expansion	-	-	-	-	-	3,400	3,400
Central East Division	-	-	-	-	-	50,000	50,000
Police Service sub-total	515	1,000	58,000	24,000	3,500	85,900	172,400
Paramedic Service							
Ambulance Stations - Seaton	1,000	2,500	-	-	-	-	2,500
- Clarington	1,100	2,700	-	-	-	-	2,700
- Uxbridge	-	1,250	-	4,500	-	-	5,750
Ambulances & Equipment - Growth Related	-	525	-	525	-	1,575	2,625
Ambulances & Equipment Replacement	3,306	2,285	2,328	2,691	2,437	17,406	27,147
Paramedic Service sub-total	5,406	9,260	2,328	7,716	2,437	18,981	40,722
Health & Social Services							
New Ontario Works Delivery Location	-	-	-	20,000	-	-	20,000
Sunderland Relocation and Expansion - Child Care	-	1,000	-	-	-	-	1,000
Seaton Facility	-	8,300	-	-	-	-	8,300
Social Services sub-total	-	9,300	-	20,000	-	-	29,300
Headquarters Expansion	-	-	-	120,000	-	-	120,000
Works Operations							
Regional Roads Program	85,634	101,570	120,170	115,285	121,970	666,420	1,125,415
Works Operations sub-total	85,634	101,570	120,170	115,285	121,970	666,420	1,125,415
TOTAL TCA REQUIREMENTS	91,555	121,130	180,498	287,001	127,907	771,301	1,487,837

- C) That financing for the 2018 Net Major Tangible Capital Asset Program for General Property Tax Purposes in the net amount of \$91,555,000 be approved as follows:

**GENERAL PURPOSES
2018 CAPITAL FINANCING (\$000's)**

	<u>Police</u>	<u>Paramedic</u>	<u>Roads</u>	<u>Total</u>
Property Taxes	515	4,888	6,204	11,607
Development Charges	-	-	36,251	36,251
Rehabilitation / Special Road/Bridges Reserve Funds	-	-	41,779	41,779
Debentures	-	518	-	518
Other ^{1.}	-	-	1,400	1,400
Total Financing	515	5,406	85,634	91,555

Note:

1. Contribution from Simcoe County

Contributions for Regional Roads and Bridges

- D) That a 2018 contribution of \$12,549,000 to the **Regional Roads Reserve – Growth** be authorized to allow for financing of Road Capital Construction Projects;
- E) That a 2018 contribution of \$26,050,000 to the **Regional Roads Rehabilitation Reserve Fund** be authorized to assist with roads rehabilitation requirements;
- F) That a 2018 contribution of \$5,525,000 to the **Regional Bridges Rehabilitation Reserve Fund** be authorized to assist with bridge rehabilitation requirements;
- G) That a financing plan to advance the use of a portion of the Federal gas tax funds in order to address the most critical road rehabilitation be approved as follows:
 - i) The outstanding debt servicing payments related to the Durham York Energy Centre continue to be financed from Federal gas tax revenue until the internal loan obligations are met in 2020 with the 2018, 2019 and 2020 payments to be phased in order to provide \$4.8 million Federal gas tax revenue to be dedicated in 2018 to critical road rehabilitation needs; and
 - ii) The following additional critical road rehabilitation capital projects be approved with financing from the Federal gas tax (\$4.8 million) and the balance of \$2.4 million from the 2018 budgeted increase in the Regional Road Rehabilitation Reserve:

- Liberty Street (Regional Road 14) from north of Concession 3 to Concession 4 in the Municipality of Clarington, at an estimated cost of \$1,900,000 (current pavement condition index rating of 15)
 - Regional Road 21 from Marsh Hill (approximately 3.5 km east of Lake Ridge Road) to Highway 12 in the Township of Scugog at an estimated cost of \$3,000,000 (current pavement condition index rating of 13)
 - Regional Road 38 Whites Road from north of Kingston Road to Finch Avenue in the City of Pickering at an estimated cost of \$1,300,000 (current pavement condition index of between 24 and 30 for the various segments); and
 - Regional Road 8 from Mill Run Gate to 0.4 km west of 4th Concession Road in the Township of Uxbridge at an estimated cost of \$1,000,000 (current pavement condition index of between 9 and 15 for the various segments)
- H) That given the funding allocation of \$2,216,952 for Durham Region through the Ontario Municipal Commuter Cycling Program (OMCC) which covers 80 per cent of eligible design, engineering and capital costs to build commuter cycling facilities, the Region's 20 per cent funding contribution of \$554,238 be included in the 2018 Regional Business Plans and Budgets (total OMCC cycling program \$2,771,190);

Provincial Download Services Costs

- I) That the **2018 Provincial Download Services Costs Budget** be approved as part of the 2018 Regional General Purposes property tax requirement in the total amount of \$48,153,000, including a provision of \$5,991,000 for the 2018 Durham Regional Local Housing Corporation Business Plan and Budget;

Conservation Authorities

- J) That funding totaling \$5,815,856 for operations and \$1,653,229 for 2018 Special Projects be approved for the **Region's five Conservation Authorities** with Special Projects funding provided as summarized below:

Kawartha Region Conservation Authority	\$140,890
Ganaraska Region Conservation Authority	228,232
Toronto and Region Conservation Authority	812,971
Lake Simcoe Region Conservation Authority	471,136
<u>Total Conservation Authority Special Projects</u>	<u>\$1,653,229</u>

- K) That additional funding totaling \$200,000 be provided from the Regional Land Acquisition Reserve Fund to the five Conservation Authorities for 2018 land management expenditures for properties within Durham Region as outlined below and that the Region continue to work with the Conservation Authorities to review the funding of land management activities, including financial reporting on the funding spent annually and associated outcomes as part of the Conservation Authorities annual accountability reporting:

Central Lake Ontario Conservation Authority	\$85,000
Kawartha Region Conservation Authority	15,000
Ganaraska Region Conservation Authority	37,000
Toronto and Region Conservation Authority	41,000
<u>Lake Simcoe Region Conservation Authority</u>	<u>22,000</u>
<u>Total Conservation Authority Special Projects</u>	<u>\$200,000</u>

- L) That the **York/Peel/Durham/Toronto Groundwater Management Initiatives** be continued in 2018 at a funding level of \$175,000 for ongoing groundwater protection initiatives jointly funded with the City of Toronto and York and Peel Regions;
- M) That the special funding request from Central Lake Ontario Conservation Authority (CLOCA) in the amount of \$100,000 for Phase One of Two of the Update to the CLOCA Watershed Plans be approved subject to the accountability of project costs incurred and project completion, with funding to be provided from the Regional Land Acquisition Reserve Fund;
- N) That the special funding requests from Central Lake Ontario Conservation Authority in the amount of \$50,000 and from Ganaraska Conservation Authority in the amount of \$25,000 for the joint Lake Ontario Shoreline Management Plan Update project be approved with funding to be provided from the Regional Land Acquisition Reserve Fund subject to:
- i) Central Lake Ontario Conservation Authority and Ganaraska Conservation Authority securing the remainder of the project funding from the National Disaster Mitigation Program and Lower Trent Region Conservation Authority;
 - ii) project completion; and
 - iii) accountability of project costs;

- O) That the special funding request from Ganaraska Conservation Authority in the amount of \$50,000 for their Watershed Plan update be approved subject to the accountability of project costs incurred and project completion, with funding to be provided from the Regional Land Acquisition Reserve Fund;
- P) That the Region of Durham support the Toronto and Region Conservation Authority's 2018 application to the National Disaster Mitigation Program for \$400,000 in funding towards the Pickering and Ajax Dyke Remediation Environmental Assessment, Floodplain mapping update of the Duffins Creek watershed, and Hydrology update for the Petticoat Creek watershed;
- Q) That the special funding request from Lake Simcoe Conservation Authority in the amount of \$39,162 for the Scanlon Creek Operations Centre Renovation Project be approved subject to the accountability of project costs incurred and completion of the project, with funding to be provided from the Regional Land Acquisition Reserve Fund;
- R) That a contribution of \$569,838 to the **Regional Land Acquisition Reserve Fund** be authorized to assist in financing requests for funding received from the five Conservation Authorities to acquire environmentally sensitive lands within the Region, based on eligibility criteria per the approved Regional Land Acquisition Reserve Fund Policy;

Special Contributions

- S) That the Oak Ridges Hospice of Durham Ltd. request for \$350,000 of capital funding for the construction of a residential hospice facility in Port Perry be approved, with the required financing from the Region's Hospital Reserve Fund; and further, that funds be released to the Oak Ridges Hospice of Durham Ltd. at the discretion of the Commissioner of Finance for the approved capital project as noted in the hospice request subject to the accountability of final capital costs reported upon completion;

Solid Waste Management 2018 Business Plan and Budget

- T) That the **2018 Business Plan and Budget for Solid Waste Management** at a net property tax requirement of \$42,733,000 be approved as detailed in the 2018 Solid Waste Management Business Plan and Budget;

- U) That the **Solid Waste Management Capital Forecast for the period 2019 to 2027** in the amount of \$184,819,000 as detailed below be received for information purposes only and subject to additional future approvals:

SOLID WASTE MANAGEMENT TANGIBLE CAPITAL ASSET REQUIREMENTS (\$000's)							
	Recommended	Forecast					
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023- 2027</u>	<u>Total 2019- 2027</u>
Landfill Remediation / Reclamation	-	3,269	700	550	150	2,150	6,819
Organics Management Plan	-	169,500	-	-	-	-	169,500
Seaton Waste Management Facility - Pickering	-	-	-	8,500	-	-	8,500
TOTAL TCA REQUIREMENTS	-	172,769	700	9,050	150	2,150	184,819

Durham Region Transit 2018 Business Plan and Budget

- V) That the **2018 Business Plan and Budget for Durham Region Transit** be approved at a total net property tax requirement of \$55,800,000, as detailed in the 2018 Durham Region Transit Business Plan and Budget;
- W) That the **2018 Major Tangible Capital Assets Expenditure Program for Durham Region Transit** be approved in the gross amount of \$16,968,000 and the Capital Forecast for the period 2019 to 2027, (totalling \$297,421,000) as summarized below be received for information purposes only and subject to future approvals:

DURHAM REGION TRANSIT			TANGIBLE CAPITAL ASSET REQUIREMENTS (\$000's)													
Recommended			Forecast													
	#	2018	#	2019	#	2020	#	2021	#	2022	#	2023-2027	#	2019-2027		
Growth Related Vehicles	5	2,307	17	9,288	19	10,424	17	9,288	19	10,424	76	42,256	148	81,680		
Replacement Vehicles	23	9,114	17	7,158	18	7,193	16	7,083	18	7,173	87	35,820	156	64,427		
Bus Refurbishments	-	-	9	900	9	900	9	900	9	900	45	4,500	81	8,100		
Facilities																
Indoor Bus Facility		4,250		-		50,500		-		-		37,300		87,800		
Seaton		-		-		-		-		-		25,000		25,000		
Raleigh		-		-		-		1,030		-		-		1,030		
Other		34		203		-		12		-		25		240		
sub-total - facilities		4,284		203		50,500		1,042		-		62,325		114,070		
System Improvements		1,263		6,307		3,033		2,897		3,033		13,874		29,144		
TOTAL TCA REQUIREMENTS	28	16,968	43	23,856	46	72,050	42	21,210	46	21,530	208	158,775	385	297,421		

- X) That financing for the 2018 Capital Expenditure Program for Durham Region Transit in the gross amount of \$16,968,000 be approved as follows:

SOURCE OF FINANCING	2018 \$ (000's)
Property Taxes	1,184
Ontario Gas Tax Revenue	6,665
Development Charges	4,787
Public Transit Infrastructure Fund	3,045
Debentures	1,288
Total Financing	16,968

* Table may not add due to rounding

Financial Management and Accountability

- Y) That the **Listing of 2018 Regional Fees and Charges**, as set forth in the 2018 Regional Business Plans and Budgets be approved and made available to the public and all applicable By-laws be amended accordingly;
- Z) That based upon the 2018 Regional Business Plans and Budgets as recommended herein, the Commissioner of Finance be authorized to set **2018 Regional Property Tax Rates for General Purpose, Solid Waste Management and Durham Region Transit** and approval be granted for the requisite By-laws;
- AA) That **capital project approval** be granted for expenditures and financing per the 2018 Capital Project Detail Forms within the 2018 Regional Business Plans and Budgets where contract awards are consistent with the Regional Budget Management Policy;
- BB) That for any Regional program change or capital expenditure included within the 2018 Regional Business Plans and Budgets which is proposed to be financed in whole, or in part, from **Provincial/Federal subsidies or related revenues**, neither staffing, capital nor other related Regional expenditures be committed until such time as adequate written confirmation is received from the respective provincial/federal ministry to commit to the subsidy or related revenues (Committee of the Whole and Regional Council will be advised accordingly, consistent with the Regional Budget Management Policy);

- CC) That all business case applications for subsidy or other related funding from senior levels of government or external organizations with respect to Region-operated programs be coordinated with the Region's Finance Department to ensure corporate financial accountability and requirements in expenditure management and financial reporting are met;
- DD) That funding totaling \$85,300 be approved within the 2018 Risk Management program of the Finance Department's 2018 Business Plan and Budget for **COMRA** (up to \$41,900) and the **Pickering Auxiliary Rescue Association** (up to \$43,400) to be administered by the Finance Department in consultation with the Durham Regional Police Service based upon services rendered;
- EE) That the reporting of the '**Impact of Excluded Expenses**' for tangible capital asset amortization, post-employment benefits and solid waste landfill closure/post-closure expenses be adopted, per requirements under Ontario Regulation 284/09 of the Municipal Act 2001 and the Public Sector Accounting Board (PSAB):

**ESTIMATED IMPACT OF EXCLUDED EXPENSES
ON ACCUMULATED SURPLUS
FOR THE 2018 BUSINESS PLANS AND BUDGETS
(\$000's)**

	<u>2017</u>	<u>2018</u>
	<u>\$</u>	<u>\$</u>
<u>PSAB Additions to Budget</u>		
Tangible Capital Asset Amortization	120,601	139,000
Post-Employment Benefit Expense	8,087	9,051
Landfill Closure/Post Closure - Increase in Liability	2,127	-
Liability for Contaminated Inactive Sites	-	-
Total PSAB Additions	<u>130,815</u>	<u>148,051</u>
<u>PSAB Reductions to Budget</u>		
Tangible Capital Asset Acquisition	(291,822)	(318,588)
Debt Principal Payments	(56,921)	(21,260)
Landfill Closure Costs - Decrease in Liability	-	(1)
Total PSAB Reductions	<u>(348,743)</u>	<u>(339,849)</u>
<u>Net Impact - (Increase) to Accumulated Surplus</u>	<u>(217,928)</u>	<u>(191,798)</u>

- FF) That in the event that the Restricted Acts after Nomination Day (as defined in the Municipal Act, 2001) should apply to the Region for the 2018 Municipal Election, Regional Council delegates authority to the Chief Administrative Officer and Treasurer, in consultation with the applicable Department Head to take action to make any expenditures or incur any liability that is deemed necessary but not included in the Region's 2018 Budget, and provided expenditures or liabilities are required to fulfil the obligations of maintaining and ensuring the appropriate continuity of the Regional operations, including Durham Region Transit and the Durham Regional Local Housing Corporation, and that any such actions taken shall subsequently be reported upon to Regional Council.

Such delegation shall be in addition to and notwithstanding the provisions of the Region's Purchasing By-law (By-law No. 68-2000, as amended) and the Region's Budget Management Policy. In addition, the provisions of Section 16.3 to 16.10 of the Budget Management Policy (Delegation of Authority during Recess of Regional Council) shall be extended to apply in the event that the provisions of the Municipal Act, 2001 with respect to Restricted Acts after Nomination Day apply to the Region in the 2018 Municipal Election as if such period were a recess of Regional Council;

- GG) That as required by Provincial Legislation for asset management planning purposes including reporting requirements for the Federal gas tax, development charge background studies, Provincial grant funding applications and long term financial plans, the Commissioner of Finance be the designated executive lead; and
- HH) That in order to ensure the continued financial sustainability in the delivery of municipal services across the Region and given that there may be a timing difference in the matching of taxable assessment growth and the related property tax revenue from the Seaton community with the budgeted Regional operating costs to service this community, it is recommended that:
- i) The estimated increase in assessment growth for Seaton in 2018, generating an estimated \$0.6 million in property taxes, be deferred (Reserve Fund) for consideration in 2019 in order to align taxation revenue with anticipated increases in Regional operating costs related to Seaton; and
 - ii) A review to compare the anticipated Seaton-specific operating cost requirements with taxable assessment growth be undertaken annually as part of the Business Planning and Budget process to ensure the Seaton assessment growth is aligned with the related budgetary expenditures of Regional service requirements.

4. The Regional Municipality of Durham's Accessibility Advisory Committee's (AAC) 2018 Workplan (2018-COW-14)
[CARRIED]

That the 2018 Accessibility Advisory Committee's workplan as outlined in Attachment #1 to Report #2018-COW-14 of the Chief Administrative Officer, be approved.

5. The Regional Municipality of Durham's Accessibility Advisory Committee's 2017 Annual Report (2018-COW-15)
[CARRIED]

That Report #2018-COW-15 of the Chief Administrative Officer be received for information.

10. 2018 Municipal Elections Compliance Audit Committee (2018-COW-22)
[CARRIED]

- A) That the Regional Clerk be granted delegated authority for the following four duties:
- i) Establish and approve the 2018 Compliance Audit Committee's terms of reference and administrative practices and procedures;
 - ii) Establish membership criteria and qualifications required to ensure a competent Compliance Audit Committee can be formed, consistent with the *Municipal Elections Act, 1996*;
 - iii) Recruit and appoint a roster of individuals eligible to be Compliance Audit Committee members;
 - iv) Call and constitute a Compliance Audit Committee among the roster of appointed eligible members, in keeping with the Committee's terms of reference, and administrative practices and procedures; and
- B) That the 2018 Compliance Audit Committee shall be deemed to be established as required under Section 88.37 of the Municipal Elections Act, 1996, once the Regional Clerk approves the Committee's Terms of Reference and the roster of eligible members to sit on the Compliance Audit Committee.

11. Extension of NEXTGEN Communications Interoperability and Radio System User Agreement to Ontario Power Generation (2018-COW-27)
[CARRIED]

- A) That the NextGen Communications Interoperability and Radio System User Agreement be modified and extended to permit Ontario Power Generation to become a user; and
- B) That the Regional Chair and Clerk be authorized to execute any documents which are necessary to include Ontario Power Generation as a user in the NextGen Communications Interoperability and Radio System User Agreement on terms and conditions necessary to include them as a user, subject to the approval of Legal Services.

The recommendations contained in Items 1, 2, 4, and 8 to 20 of the Finance & Administration Section of the Second Report of the Committee of the Whole were adopted through motion (22). (See page 106).

Moved by Councillor Chapman, Seconded by Councillor Henry,

- (23) That the recommendations contained in Item 3 of the Finance & Administration Section of the Second Report of the Committee of the Whole be adopted.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Henry,

- (24) That the recommendations contained in Item 5 of the Finance & Administration Section of the Second Report of the Committee of the Whole be adopted.

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

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,

- (25) That the recommendations contained in Item 5 of the Finance & Administration Section of the Second Report of the Committee of the Whole be amended to have a vacancy credit for vacant un-serviced industrial land.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Joe Neal
Councillor John Neal

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean

Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

Members Absent: Councillor Drumm
Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: Councillor Mitchell

The main motion (24) of Councillors Chapman and Henry to adopt the recommendations contained in Item 5 of the Finance & Administration Section of the Second Report of the Committee of the Whole was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

No

Councillor Joe Neal
Councillor John Neal

Members Absent: Councillor Drumm
Councillor McQuaid-England

Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: Councillor Mitchell

Moved by Councillor Chapman, Seconded by Councillor Henry,
(26) That the recommendations contained in Item 6 of the Finance & Administration
Section of the Second Report of the Committee of the Whole be adopted.
DEFERRED TO LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(27) That Item 6 of the Finance & Administration Section of the Second Report of the
Committee of the Whole be deferred to the end of the meeting in order to go into
a closed meeting to discuss a matter pertaining to labour relations or employee
negotiations.

CARRIED

[This matter was considered later in the meeting. Refer to pages 36 & 37 of these minutes.]

Moved by Councillor Chapman, Seconded by Councillor Henry,
(28) That the recommendations contained in Item 7 of the Finance & Administration
Section of the Second Report of the Committee of the Whole be adopted.
CARRIED LATER IN THE MEETING
ON A RECORDED VOTE
(See Following Motions)

Moved by Councillor Chapman, Seconded by Councillor Henry,
(29) That the foregoing motion (28) of Councillors Chapman and Henry be divided in
order to allow voting on Part A) i) Regional Operations separately from the
remainder.

CARRIED

Part A) i) was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry

No

Councillor Joe Neal

Councillor Jordan
Councillor Mitchell
Councillor Parish
Councillor Pickles
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

Members Absent: Councillor McLean
Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: Councillor Drew
Councillor John Neal
Councillor O'Connor
Councillor Roy

Moved by Councillor Chapman, Seconded by Councillor Henry,
(30) That the foregoing motion (28) of Councillors Chapman and Henry be divided in
order to allow voting on Parts V), W), and X) separately from the remainder.

Parts V), W), and X) were then put to a vote and CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes
Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Mitchell
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

No
Councillor Joe Neal
Councillor John Neal

Members Absent: Councillor McLean
Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: Councillor Drumm

The main motion (28) of Councillors Chapman and Henry [with the exception of Parts A) i), V), W) and X)] was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

No

Councillor Joe Neal
Councillor John Neal

Members Absent: Councillor McQuaid-England
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: None

Planning & Economic Development

12. Renaming of Regional Road 57 in the Municipality of Clarington (2018-COW-13)
[CARRIED]
- A) That Regional Road 57 within the limits of the Municipality of Clarington be renamed to Bowmanville Avenue;
 - B) That an appropriate street renaming By-law be brought forward and passed by Council at a later date when the timing of the Ministry of Transportation's overhead sign replacement program is known, so that the effective date of the Bowmanville Avenue street renaming generally coincides with the installation of the Ministry of Transportation's new signs at this Highway 401 interchange; and
 - C) That a copy of the adopted by-law and Report #2018-COW-13 of the Commissioner of Planning and Economic Development be forwarded to the Municipality of Clarington, Township of Scugog, Ministry of Transportation, Durham Region Police Services, Region of Durham Paramedic Services, and all other stakeholders, for information.
13. Proposed regulations under the Planning Act related to inclusionary zoning, 2017 – Environmental Bill of Rights Registry #013-1977 (2018-COW-18)
[CARRIED]
- A) That Report #2018-COW-18 of the Commissioner of Planning and Economic Development, Commissioner of Finance, and Commissioner of Social Services, be endorsed and submitted to the Ministry of Municipal Affairs as Durham Region's response to Environmental Bill of Rights Registry #013-1977 regarding proposed regulations related to inclusionary zoning under the Promoting Affordable Housing Act, 2016;
 - B) That the following comments be addressed by the Province when finalizing the proposed regulations:
 - i) Allow municipalities greater flexibility to address local housing needs, including affordable rental housing;
 - ii) Remove the mandatory offering of financial contributions by municipalities in order to implement inclusionary zoning;
 - iii) Allow municipal discretion to include or exempt purpose-built rental developments from the application of an inclusionary zoning by-law;
 - iv) Provide the ability for municipalities to establish the maximums for "unit set aside" and "offsite units" to serve the needs of their local housing markets;

- v) Clarify if both upper and lower tier municipalities will be required to update their Official Plans with enabling policies related to inclusionary zoning;
 - vi) Participation by an upper tier municipality not be required in a two-tiered municipal structure, if a lower-tier municipality chooses to implement inclusionary zoning in their Official Plans;
 - vii) If an upper tier municipality chooses to participate in inclusionary zoning, clarification regarding the following be provided:
 - Whether the upper and/or lower tier municipality is expected to prepare the requisite municipal assessment report prior to embarking on Official Plan and Zoning By-law amendments to implement inclusionary zoning;
 - The flexibility for upper and/or lower tier municipalities to mutually agree who is responsible for paying the 40% difference between average market price and affordable price for all affordable housing units;
 - How inclusionary zoning agreements would be structured between upper and lower tier municipalities, and how the proceeds related to the equity of an affordable housing unit could be shared among the parties; and
 - Whether the upper and/or lower tier municipality bears the burden of administration responsibilities over the life of the program, which can be upwards of 20+ years;
 - viii) Provide background information and a rationale regarding the prescribed formula that requires municipalities to contribute 40% of the difference between the sum of the average market price for all the affordable housing units and the sum of the affordable price for all affordable housing units; and
- C) That a copy of Report #2018-COW-18 of the Commissioner of Planning and Economic Development, Commissioner of Finance, and Commissioner of Social Services, be forwarded to Durham's area municipalities.

14. Pegasus Project – Establishing An Economic Development Partnership with Nuremberg, Germany ([2018-COW-26](#))
[CARRIED]

That Regional Council approve-in-principle that staff from the Planning and Economic Development Department initiate an Economic Development Partnership with the Nuremberg Metropolitan Region, Germany, to work together to promote investment and trade between Durham Region and Nuremberg, and build foreign direct investment prospects.

The recommendations contained in Items 12 to 14 inclusive of the Planning & Economic Development Section of the Second Report of the Committee of the Whole were adopted through motion (22). (See Page 102).

Works

15. Energy from Waste – Waste Management Advisory Committee Membership Extension (2018) ([2018-COW-20](#))
[CARRIED]
- A) That the membership to the Energy from Waste – Waste Management Advisory Committee be extended by one year to the end of 2018; and
- B) That the Municipality of Clarington staff and Energy from Waste – Waste Management Committee members be advised of Regional Council's decision.
16. Declaration of Lands as Surplus and Approval to Exchange Lands with the City of Pickering and The Regional Municipality of York at 1250 Barnwood Square and Liverpool Road at Finch Avenue, in the City of Pickering ([2018-COW-12](#))
[CARRIED]
- A) That property, being Parts 3 and 4 on 40R-29193 and Part 6 on 40R-29446 in the City of Pickering be declared surplus;
- B) That Part 4 on 40R-29193 be conveyed to the Regional Municipality of York for a nominal sum;
- C) That Part 3 on 40R-29193 and Part 6 on 40R-29446 be conveyed to the City of Pickering for a nominal sum; and
- D) That Regional staff take all steps required to complete the transfers as detailed in Recommendations B and C, and that the Regional Chair and Regional Clerk be authorized to execute any documents required to complete the conveyances.
17. Award of Request for Proposals #416-2017 for Vacuum Excavation Services Registry for Work at Various Locations within the Regional Municipality of Durham ([2018-COW-16](#))
[CARRIED]

- A) That Request for Proposals #416-2017 be awarded to the five (5) selected contractors listed below to form the registry for the provision of vacuum excavation services having an estimated value of less than \$125,000 per project, for the period of three years from the date of award:
- Spring Grove Enterprises Ltd.
 - Badger Daylighting LP
 - Multi Vac Services Ltd.
 - Sewer Technologies Inc.
 - Wessuc Inc.; and
- B) That the Commissioner of Finance be authorized to execute the necessary agreements.
18. Approval of Request for Pre-Qualification #1145-2017 for General Contractors for Recoating of All Levels of the Parking Garage at Regional Headquarters in the Town of Whitby ([2018-COW-17](#))

[CARRIED]
- A) That in accordance with Request for Pre-Qualification #1145-2017, the following contractors be pre-qualified for the tendering of the Recoating of all levels of the parking garage at Regional Headquarters in the Town of Whitby (Regional Tender T-1001-2018):
- Can Mar Contracting Limited
 - Complete Concrete Restoration Limited
 - Delbridge Contracting Limited
 - Eagle Restoration Inc.
 - Palmark Construction Limited
 - Structural Contracting Limited; and
- B) That the tender documents for the recoating of all levels of the parking garage at Regional Headquarters be issued and awarded only to the above noted contractors.
19. Approval for the Award of Contract in Excess of Allowable Limits for Registry Work for the Removal and Disposal of Surplus Fill at the Ajax/Pickering Works Depot Located at 2020 Salem Road ([2018-COW-25](#))

[CARRIED]
- A) That Contract Q347-2014 (A-110) – Remove and Dispose of Surplus Fill at 2020 Salem Road, at the Ajax/Pickering Works Depot be awarded to Eagleson Construction for the quoted lump sum price of \$137,500*; and

- B) That financing for this work be provided from within the Works Department's 2018 Approved Water Supply and Sanitary Sewerage Operating Budgets for Maintenance Operations and the Approved Capital Budget for the Replacement of Polybutylene Connections.
(*) before applicable taxes

20. Reduction of Fees for Unloading Septage at Water Pollution Control Plants
[CARRIED]

- A) That the fees for unloading septage at the Water Pollution Control Plants be reduced by 50% from January 1st of each year until the end of half-load season;
- B) That staff review the current efficiencies in the speed of unloading the septage carriers; and
- C) That staff explore the implementation of a metering system for the unloading of septage.

The recommendations contained in Items 15 to 20 inclusive of the Works Section of the Second Report of the Committee of the Whole were adopted through motion (22). (See page 102).

Administration

21. Proposed negotiated settlement pertaining to litigation regarding the U-Pak Court Action being under Court File #CV-11-4271137 (2018-COW-29)
[CARRIED ON A RECORDED VOTE]

- A) That the proposed negotiated settlement with the Plaintiff, U-Pak, in Court File #CV-11-4271137 be approved as detailed in Confidential Attachment #1 to Report #2018-COW-29 of the Commissioner of Works and Director of Legal Services;
- B) That subject to approval of Recommendation A), payment of funds related to the settlement be subject to the execution of a Minutes of Settlement by the parties and a full and final release of the Region subject to the satisfaction of the Director of Legal Services, as detailed in Confidential Attachment #1 to Report #2018-COW-29 of the Commissioner of Works and Director of Legal Services; and
- C) That the Commissioner of Works be authorized to sign Minutes of Settlement, and such other documents as may be required to carry out the terms of the settlement.

- Moved by Councillor Aker, Seconded by Councillor O'Connor,
(31) That Item 21 of the Administration Section of the Second Report of the Committee of the Whole be deferred to later in the meeting in order to go into a closed meeting to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

[This matter was considered later in the meeting. Refer to page 36 of these minutes.]

Unfinished Business

- Moved by Councillor Carter, Seconded by Councillor Pickles,
(32) That Report #2018-COW-28 of the Commissioner and Medical Officer of Health being Item 1 of Unfinished Business be lifted from the table.

CARRIED

1. Mobile Health Unit for At-Risk Populations, Including Those Using Opioids (2018-COW-28)
[REFERRED BACK TO STAFF]

That Report #2018-COW-28 of the Commissioner and Medical Officer of Health be received for information.

- Moved by Councillor Chapman, Seconded by Councillor Parish,
(33) That Report #2018-COW-28 being Item 1 of Unfinished Business be referred back to staff.

CARRIED

Other Business

- Moved by Councillor O'Connor, Seconded by Councillor Parish,
(34) That the Rules of Procedure be suspended in order to introduce Report #2018-COW-36 of the Commissioner of Planning and Economic Development regarding Ontario Municipal Computer Cycling Program and Transfer Payment Agreement.

CARRIED on a 2/3rds Vote

1. Ontario Municipal Commuter Cycling Program and Transfer Payment Agreement (2018-COW-36)
[CARRIED]

- A) That the Regional Chair and Clerk be authorized to execute the Transfer Payment Agreement to enable the Region to accept the Ontario Municipal Commuter Cycling (OMCC) Program funding for 2017-2018 and that approval be granted for the attached By-law; and

- B) That the Commissioner of Finance be authorized to execute any and all subsequent documentation required to administer and fulfil all requirements to the OMCC program.

Moved by Councillor O'Connor, Seconded by Councillor Parish,

- (35) That the recommendations contained in Report #2018-COW-36 of the Commissioner of Planning and Economic Development being Item 1 of Other business be adopted.

CARRIED

2. Appointment to the Lake Simcoe Region Conservation Authority (LSRCA)
[CARRIED]

That Council appoint Councillor John Grant to the Lake Simcoe Region Conservation Authority for the term of Council.

Moved by Councillor Smith, Seconded by Councillor Foster,

- (36) That the recommendation contained in Item 2 of Other Business be adopted.

CARRIED

Finance and Administration Matters

6. 2018 Durham Region Transit (DRT) Servicing and Financing Study
(2018-COW-31)

21. Proposed negotiated settlement pertaining to litigation regarding the U-Pak Court Action being under Court File #CV-11-4271137 (2018-COW-29)

Moved by Councillor Joe Neal, Seconded by Councillor McLean,

- (37) That the meeting be closed to the public in order to discuss a matter pertaining to labour relations or employee negotiations as it relates to Report #2018-COW-31 of the Commissioner of Finance; and a matter regarding advice that is subject to solicitor-client privilege including communications necessary for that purpose as it relates to Report #2018-COW-29 of the Commissioner of Works and Director of Legal Services.

CARRIED

(Refer to the closed Council meeting minutes of February 14, 2018.)

Moved by Councillor Henry, Seconded by Councillor Foster,

- (38) That Council rise from the Closed meeting and report.

CARRIED

Acting Chair Ryan advised that during the closed meeting session there was an exchange of information between Council and staff pertaining to employee negotiations as it relates to Item 6 being Report #2018-COW-31, and on matters subject to solicitor client privilege as it relates to Item 21 being Report #2018-COW-29.

Moved by Councillor Aker, Seconded by Councillor O'Connor,
(39) That the recommendations contained in Item 21 of the Administration Section of the Second Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Aker	Councillor Joe Neal
Councillor Ashe	Councillor John Neal
Councillor Ballinger	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
Councillor Drew	
Councillor Foster	
Councillor Gleed	
Councillor Grant	
Councillor Henry	
Councillor Jordan	
Councillor McLean	
Councillor Mitchell	
Councillor O'Connor	
Councillor Pickles	
Councillor Roy	
Councillor Sanders	
Councillor Smith	
Councillor Woo	
Acting Regional Chair Ryan	

Members Absent: Councillor Drumm
Councillor McQuaid-England
Councillor Parish
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: None

Moved by Councillor Chapman, Seconded by Councillor O'Connor,
(40) That the recommendations contained in Item 6 of the Finance & Administration Section of the Second Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Aker	Councillor Joe Neal
Councillor Ashe	Councillor John Neal
Councillor Ballinger	
Councillor Carter	

Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Pickles
Councillor Roy
Councillor Sanders
Councillor Smith
Councillor Woo
Acting Regional Chair Ryan

Members Absent: Councillor Drumm
Councillor McQuaid-England
Councillor Parish
Councillor Pidwerbecki
Councillor Rowett
Regional Chair Anderson

Declarations of Interest: None

By-laws

02-2018 Being a by-law to approve and adopt the 2018 Business Plans and Budgets for General Purposes including the payment of all debt of the Regional Corporation falling due excluding current and capital expenditures and debts for Water Supply and Sanitary Sewage Works, Solid Waste Management and Durham Region Transit Commission.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

03-2018 Being a by-law to approve and adopt the 2018 Business Plans and Budgets for the Durham Region Transit Commission.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

- 04-2018** Being a by-law to approve and adopt the 2018 Business Plans and Budgets for Solid Waste Management.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

- 05-2018** Being a by-law to establish tax ratios for 2018 and to specify the percentage by which tax rates are to be reduced for prescribed property subclasses.

This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

- 06-2018** Being a by-law to set and levy rates of taxation for Regional General purposes for the year 2018.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

- 07-2018** Being a by-law to set and levy rates of taxation for the Durham Region Transit Commission for the year 2018.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

- 08-2018** Being a by-law to set and levy rates of taxation for Regional Solid Waste Management purposes for the year 2018.

This by-law implements the recommendations contained in Item #7 of the 2nd Report of the Committee of The Whole presented to Regional Council on February 14, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(41) That By-law Numbers 02-2018 to 08-2018 inclusive be passed.

CARRIED

Moved by Councillor Aker, Seconded by Councillor Ashe,
(42) That the Rules of Procedure be suspended in order to introduce a by-law to authorize the execution of an agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario – Ontario Municipal Commuter Cycling Program – 2017-2018.

CARRIED on a 2/3rd Vote

- 09-2018** Being a by-law to authorize the execution of an agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario – Ontario Municipal Commuter Cycling Program – 2017-2018.

This by-law implements the recommendations contained in Item #2 of Other Business presented to Regional Council on February 14, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,

- (43) That By-law #09-2018 being a by-law to authorize the execution of an agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario – Ontario Municipal Commuter Cycling Program – 2017-2018 be passed; and the confirming by-law be re-numbered accordingly.

CARRIED

Confirming By-law

- 10-2018** Being a by-law to confirm the proceedings of Regional Council at their meeting held on February 14, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,

- (44) That By-law Number 10-2018 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on February 14, 2018 be passed.

CARRIED

Adjournment

Moved by Councillor Chapman, Seconded by Councillor Henry,

- (45) That the meeting be adjourned.

CARRIED

The meeting adjourned at 12:11 PM

Dave Ryan, Acting Regional Chair

Ralph Walton, Regional Clerk

SECTION 1

The Regional Municipality of Durham

MINUTES

COMMITTEE OF THE WHOLE

Wednesday, March 7, 2018

A meeting of the Committee of the Whole was held on Wednesday, March 7, 2018 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:02 AM.

Councillor Rowett assumed the Chair in the absence of the Regional Chair

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

All members of the Committee of the Whole were present with the exception of Councillors Carter, McQuaid-England and Regional Chair Anderson

Councillor McQuaid-England was absent due to a family matter

Afternoon Session 1:00 PM to 2:57 PM

All members of the Committee of the Whole were present with the exception of Councillors Carter, McQuaid-England and Regional Chair Anderson

Councillor Parish left the meeting at 2:36 PM

Staff

Present: G.H. Cubitt, C. Bandel, D. Beaton, B. Bridgeman, K. Chakravarthy, R.J. Clapp, J. Demanuele, H. Drouin, A. Gibson, S. Gill, C. Goodchild, K. Gorman, J. Harness, J. Hunt, R. Inacio, R. Jagannathan, M. Januskiewicz, R.J. Kyle, W. Leonard, G. Muller, S. Munns, J. Paquette, V. Patterson, N. Prasad, J. Presta, S. Rashad, K. Ryan, N. Rutherford, J. Santos, M. Seppala, M. Simpson, S. Siopis, C. Tennisco, and R. Walton

Councillor Rowett, Acting-Chair, on behalf of Regional Council, congratulated Garry Cubitt on his 25 years of service to Durham Region as its Chief Administrative Officer.

Councillor Drew reflected on the recent passing of former Scugog Mayor Howard Hall.

1. Declarations of Interest

Councillor Drumm made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the following items:

- i) Item 7.4 F) Report #2018-COW-42: Approval for Unbudgeted Capital to Undertake Detailed Design of Watermain Replacement Along Kingston Road (Highway 2) As Part of the Bus Rapid Transit Program From Delta Boulevard to Merritton Road and from Dixie Road to Liverpool Road, in the City of Pickering; and

- ii) Item 10.1 A) Confidential Report #2018-COW-48: from the Director of Legal Services - Corporate Services Department – Litigation/Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, and advice that is subject to solicitor-client privilege with respect to the transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa.

He indicated that his son is employed by Durham Region Transit.

Councillor Joe Neal made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Report #2018-COW-33: Issuance of an Encroachment Agreement on Simcoe Street North (Regional Road 2), in the City of Oshawa. He indicated that the matter relates to his law practice.

2. Statutory Public Meetings

There were no Statutory Public meetings required.

3. Delegations

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

CARRIED on a 2/3rds vote

- 3.1 Marilyn Pearce, Project Coordinator, and Brenda Metcalfe, Vice-Chair, Durham Farm Connections, re: Canada 150 Farm Families of Durham project results
-

Moved by Councillor Drew, Seconded by Councillor Drumm,
That Marilyn Pearce be granted an extension of the 5 minute time limit in order to finish her delegation.

CARRIED

M. Pearce and B. Metcalfe appeared before the Committee with respect to the Durham Farm Connections Canada 150 Farm Families of Durham project. She provided a PowerPoint presentation video on Durham's 150 heritage families, entitled 'Canadian Farm Family'.

M. Pearce stated that the Project identifies farm families in Durham that have been farming since the early 1800's; and educates the public on the significance of these families. She provided an overview on the histories of the farm families recognized for their longevity, investment and technology. She added that these farm families were recognized at a Celebrate Agriculture Gala. She emphasized the importance of engaging and educating the younger farmers to preserve the history, heritage and product sustainability of farming in Durham Region.

M. Pearce stated that Durham Region currently has 9 members inducted into the Canadian Agricultural Hall of Fame; and is well positioned to keep the farm industry alive.

M. Pearce responded to questions of the Committee.

3.2 Mary Ann Found, Chair, Durham Farm Connections, re: Review of 2017 accomplishments and 2018 program highlights

M. Found appeared before the Committee with respect to the Durham Farm Connections. She provided a PowerPoint presentation on the Durham Farm Connections 2017 accomplishments and 2018 programs highlights.

M. Found stated that Durham Farm Connections started in 2006. Its primary endeavor is to target and educate the community, particularly children through a grade 3 'Primary Education Program' on farming and where their food comes from; and, high school students through a 'High School Education & Career Program' on the environmental and technological impacts of agriculture.

M. Found provided an overview of the mobile farm education exhibit comprised of static displays and interactive activities; and, 'Aggie' an interactive farm robot to enhance the knowledge, understanding and appreciation of agriculture and the agri-food industry in Durham Region.

Moved by Councillor Henry, Seconded by Councillor Woo,
That Mary Ann Found be granted a one-time 2 minute extension
in order to finish her delegation.

CARRIED

M. Found informed the Committee that Durham Farm Connections, in conjunction with Durham Farm Fresh, is currently looking for a permanent Agriculture Education and Event Centre to host its various programs, serve as a meeting location and showcase agriculture within Durham Region.

M. Found, M. Pearce and T. Coleman responded to questions of the Committee.

3.3 Tom Coleman, President, Durham Farm Fresh Marketing Association,
re: Review of 2017 accomplishments and 2018 program highlights

Mr. Coleman provided an overview of the Durham Farm Fresh Marketing Association 2017 accomplishments and 2018 program highlights. He stated that the Durham Farm Fresh Marketing Association started in 1993 and its aim is to improve awareness and economics of agriculture in Durham Region.

T. Coleman highlighted the various activities of Durham Farm Fresh Marketing Association (DFFMA) in 2017 as well as some of the proposed activities in their 2018 Workplan identified in the Region of Durham Agricultural Strategy.

T. Coleman provided an overview of their actions to be implemented in partnership with the Region of Durham Economic Development Division to promote outreach and education; and support an agriculture labour force in the region.

T. Coleman stated that the year 2018 marks the 25th anniversary of the Durham Farm Fresh Marketing Association. He added that, as part of the celebrations, DFFMA will update its brochure and website, and host its annual 'Find Your Flavor' campaign in the Fall.

T. Coleman also provided an update on the Marketplace Canadian Broadcasting Corporation (CBC) article titled, 'People are being duped' regarding the Peterborough Farmers' Market. He stated that the Association immediately convened to address the matter and a Code of Conduct was drafted by the Association, for signing by all the members.

T. Coleman and M. Found responded to questions of the Committee.

3.4 Ana Marple, Ajax resident, re: Information Report #2018-INFO-29, Update
Report on Water Quality in Private Wells in the Range Road/Ontoro
Boulevard Area, in the Town of Ajax [Item 7.3 B)]

A. Marple appeared before the Committee with regards to Information Report #2018-INFO-28: Update Report on Water Quality in Private Wells in the Range Road/Ontoro Boulevard Area, in the Town of Ajax. She advised she lives at 1 Ontoro Boulevard and is speaking on behalf of the residents in the Ontoro Boulevard and Range Road community in response to the Report findings that municipal services could not be extended into the area.

A. Marple cited to the Committee her letter forwarded to Regional staff in March, 2018. Details in the letter included, but are not limited to, the gravity of the community's situation for many years; the 2008 Jagger Hims Environmental Consulting and Engineering Firm report concluding that a municipal or communal water supply be provided to the residents in their community; the current aesthetic water issues; and the requirements to drill a well.

A. Marple questioned the health effects from prolonged exposure to water with such a high content of iron, barium, sodium and total dissolved solids, and whether during the re construction of Range Road an above ground pipe could be installed to bring water into the community.

Moved by Councillor Henry, Seconded by Councillor Collier,
That A. Marple be granted a one-time 2 minute extension in order to finish her delegation.

CARRIED

A. Marple stated that she is hopeful accommodations could be made to change this situation even though the community is outside the urban boundary and within the Provincial Greenbelt Plan. She provided an overview of the subdivision development to the west of the community; the expansion of the Waterfront Trail; and the construction and widening of Bayly and Victoria Streets to the east; and, the Highway 407 project, all of which have an impact on her neighborhood.

A. Marple responded to questions of the Committee.

Moved by Councillor Jordan, Seconded by Councillor Collier,
That the order of the agenda be altered in order to consider Report #2018-INFO-29 of the Commissioner of Works after the Presentation from Ms. Michelle Albert and Regional Councillor Pidwerbecki to Works staff.

CARRIED

4. Presentations

- 4.1 Ms. Michelle Albert, Past President, Ontario Public Works Association (OPWA), and Regional Councillor Nester Pidwerbecki, re: Presentation of the 2017 OPWA Project of the Year Award (Environment, \$10 Million to \$50 Million Category) for the Nonquon Water Pollution Control Plant Project to the following recipients: S. Siopis, Commissioner of Works, J. Presta, Director of Environmental Services, and R. Jagannathan, Director of Transportation and Field Services
-

Ms. Michelle Albert, Past President, Ontario Public Works Association (OPWA) and Regional Councillor Pidwerbecki presented the 2017 Ontario Public Works Association Project of the Year Award for Durham to S. Siopis, J. Presta, J. Demanuele and R. Jagannathan of the Region of Durham Works Department. This award was established to promote excellence in the management and administration of public works projects by recognizing the alliance between the managing agency, the consultant, architect, engineer and the contractor who, working together, complete public works projects. The 2017 winner in the category of structures from \$10 million to \$50 million went to the Nonquon Water Pollution Control Plant Project.

Works

7.3 Communications

- B) Information Report #2018-INFO-29: Update Report on Water Quality in Private Wells in the Range Road/Ontoro Boulevard Area, in the Town of Ajax
-

Staff responded to questions with regards to the supply of municipal water to the residents of the Range Road/Ontoro Boulevard area, in the Town of Ajax; whether there are health issues related to the water quality; standards for municipal water drinking systems; whether hydrogeological studies specific to well interference have been undertaken; whether urban boundaries still exist; the Durham Greenbelt Plan; and whether the Region has authority to put water services in the area without objection from the Province. Works staff was asked to look into whether there is technology in place to have a pipe placed above ground to provide usable water to the residents of the Range Road/Ontoro Boulevard area as well as whether the province would have to be notified if a communal well was installed. Legal staff was asked by Councillor Collier to advise whether the petition signed by 23 residents of the Range Road/Ontoro Boulevard area in 2005 with regards to the construction of a watermain to service their properties is still valid.

Moved by Councillor Jordan, Seconded by Councillor Collier,

- A) That Report #2018-INFO-29 of the Commissioner of Works and Ana Marples' correspondence be referred to Works staff to allow staff to seek guidance from the Province as to the provision of municipal water to the residents in the Range Road/Ontoro Boulevard area;
- B) That staff report back by May on potential options once guidance from the Province has been received; and

- C) That a meeting be convened with the residents, local and Regional Councillors, Ajax Planning staff and other stakeholders as soon as further direction has been determined.

CARRIED UNANIMOUSLY ON THE
FOLLOWING RECORDED VOTE:

Yes

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor John Neal
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Smith
Councillor Woo
Councillor Rowett, Acting Chair

Members Absent: Councillor Carter
Councillor McQuaid-England
Regional Chair Anderson

Declarations of Interest: None

5. Health & Social Services

Health

5.1 Communications

There were no communications to consider.

5.2 Reports

There were no Health reports to consider.

Social Services

5.3 Communications

There were no communications to consider.

5.4 Reports

There were no Social Services reports to consider.

6. Planning & Economic Development

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

Planning

6.1 Communications

There were no communications to consider.

6.2 Reports

- A) Durham Trail Coordinating Committee (DTCC) Membership Appointment, File: 01-40 ([2018-COW-35](#))
-

Moved by Councillor Henry, Seconded by Councillor Grant,
That we recommend to Council:

- A) That the appointment of Mr. Phil Smith, as Area Municipal Citizen Volunteer from the Township of Uxbridge, be confirmed;
- B) That Mr. Smith be advised of his appointment; and

- C) That a copy of Report #2018-COW-35 of the Commissioner of Planning and Economic Development be forwarded to the Township of Uxbridge and Durham Trail Coordinating Committee.

CARRIED

- B) Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe, File D12-01-20, Environmental Bill of Rights Registry #013-2016 ([2018-COW-44](#))
-

Moved by Councillor Henry, Seconded by Councillor Grant,
That we recommend to Council:

That Report #2018-COW-44 of the Commissioner of Planning and Economic Development, be endorsed and submitted to the Ministry of Municipal Affairs – Ontario Growth Secretariat as Durham Region's response to Environmental Bill of Rights Registry No. 013-2016 regarding the Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe, including the following key comments and recommendations:

- A) That the Province release any further guidance material for assessments or studies related to the Land Needs Methodology immediately to allow municipalities to align their municipal comprehensive review processes;
- B) That the land area and population density of rural settlement areas (undelineated Built-up Areas) not be factored into the designated Greenfield areas calculation, but rather form part of the rural areas calculation;
- C) That the Province provide clarification on the process, timing and required supporting documentation for municipalities that may wish to request an alternative density target;
- D) That the Province allow flexibility in the land needs assessment to enable housing unit mix to be considered through the Methodology;
- E) That the assumption related to turnover of housing stock owned by seniors aged 65+ in the Community Area Land need component of the land needs assessment be reconsidered;
- F) That the Province re-examine the rigidity of the requirement to consider employment land conversions prior to settlement area boundary expansions to accommodate additional Community Area Land need;

- G) That the Province consider undertaking further research and analysis regarding future employment trends for the benefit of all Greater Golden Horseshoe municipalities when undertaking their Employment Strategies;
- H) That the Province provide a commitment for the timely review and response of submitted material related to land needs assessments, in order for municipalities to comply with the province's timelines to achieve conformity with Provincial Plans; and
- I) That a copy of Report #2018-COW-44 of the Commissioner of Planning and Economic Development be forwarded to Durham's area municipalities.

CARRIED LATER IN THE MEETING (SEE FOLLOWING MOTIONS)

Moved by Councillor Parish, Seconded by Councillor Collier,
That the main motion of Councillors Henry and Grant be amended by deleting Recommendation D) of Report #2018-COW-44 of the Commissioner of Planning and Economic Development.

MOTION DEFEATED ON A RECORDED VOTE (SEE FOLLOWING MOTION AND RECORDED VOTE)

Moved by Councillor Roy, Seconded by Councillor Ryan,
That the question be now put.

CARRIED ON A 2/3rds VOTE

The foregoing amending motion of Councillors Parish and Collier was then put to a vote and DEFEATED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Collier
Councillor Jordan
Councillor Parish

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Chapman
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor McLean
Councillor Mitchell
Councillor Joe Neal

Councillor John Neal
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Smith
Councillor Woo
Councillor Rowett, Acting Chair

Members Absent: Councillor Carter
Councillor McQuaid-England
Regional Chair Anderson

Declarations of Interest: None

The main motion of Councillors Henry and Grant was then put to a vote and CARRIED.

Economic Development

6.3 Communications

There were no communications to consider.

6.4 Reports

- A) Durham Region 2019 Ontario Parasport Games – Ontario Transfer Payment Agreement ([2018-COW-47](#))

Moved by Councillor Henry, Seconded by Councillor Sanders,
That we recommend to Council:

That the Regional Chair and Regional Clerk be authorized to execute the Ontario Transfer Payment Agreement (TPA) between the Minister of Tourism, Culture and Sport (MTCS) and The Regional Municipality of Durham for the Durham Region 2019 Ontario Parasport Games.

CARRIED

Moved by Councillor Henry, Seconded by Councillor Smith,
That the Committee of the Whole recess for 45 minutes.
CARRIED

The Committee recessed at 12:12 PM and reconvened at 1:00 PM.

7. Works

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

Waste

7.1 Communications

There were no communications to consider.

7.2 Reports

- A) Approval to Award a Negotiated Sole Source Contract Extension with Miller Waste Systems for the Curbside Collection of Non-Hazardous Waste, Recyclables and Organic Waste from Residences and Multi-Residential Buildings in the Townships of Brock, Scugog and Uxbridge and the Municipality of Clarington ([2018-COW-43](#))

Staff responded to questions with regards to details of the extension of the contract with Miller Waste Systems; whether there is a cancellation clause in the contract; details of the inflationary price increase from 2008; transition timelines for the Blue Box Program Plan; and waste management in the municipalities of Ajax and Pickering. Councillor Joe Neal requested that he be provided with a statement outlining the value of the contract with Miller Waste since its inception before the next meeting of Regional Council.

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

- A) That a sole source negotiated two year extension to Regional Contract C001801 be awarded to Miller Waste Systems for the Curbside Collection of Non-Hazardous Waste, Recyclables and Organic Waste from residences and multi-residential buildings in the Townships of Brock, Scugog, Uxbridge and the Municipality of Clarington at an estimated annual cost of \$9,140,000*; and
- B) That the Commissioner of Finance be authorized to execute the necessary amendments to the existing contract.
(*) before applicable taxes

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes
Councillor Aker
Councillor Ashe

No
Councillor Joe Neal
Councillor John Neal

Councillor Ballinger
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Smith
Councillor Woo
Councillor Rowett, Acting Chair

Members Absent: Councillor Carter
Councillor McQuaid-England
Regional Chair Anderson

Declarations of Interest: None

Works

7.3 Communications

A) Information Report #[2018-INFO-28](#): Proposed Draft Backflow Prevention Program and By-Law

Staff responded to questions with regards to clarification of backflow preventers related to basement flooding in residential units versus backflow prevention in industrial, commercial and institutional facilities, and multi-residential buildings; available resources and timelines to implement the program; costs to the owners of the properties; comparisons with other municipalities with regards to timing; and details of services and costs provided by qualified experts.

Moved by Councillor Collier, Seconded by Councillor Henry,
That Information Report #2018-INFO-28 of the
Commissioner of Works be received for information.
CARRIED

- B) Information Report #2018-INFO-29: Update Report on Water Quality
in Private Wells in the Range Road/Ontoro Boulevard Area, in the
Town of Ajax

This matter was considered earlier in the meeting. Refer to Item 7.3
B) on pages 6 and 7 of these minutes.

7.4 Reports

- A) Issuance of an Encroachment Agreement on Simcoe Street North
(Regional Road 2), in the City of Oshawa (2018-COW-33)

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

- A) That the Encroachment Agreement negotiated with Dr. P.G.
Riordan Building Limited permitting the encroachment of an
existing pylon sign located at 973 Simcoe Street North, City of
Oshawa extending 3.55 metres (11.64 feet) within the Simcoe
Street (Regional Road 2) road allowance be approved; and
- B) That the Regional Chair and Clerk be authorized to execute all
documents associated with this agreement.

CARRIED

- B) The Regional Municipality of Durham's Drinking Water Systems
Annual 2017 Summary Report (2018-COW-34)

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

- A) That the 2017 Summary Report for the Regional Municipality of
Durham Drinking Water Systems be received for information;
- B) That receipt of this report be confirmed by resolution of
Regional Council; and
- C) That a copy of this resolution will be forwarded to the Ontario
Ministry of the Environment and Climate Change's York-
Durham District Office to indicate the conditions of Schedule
22 of Ontario Regulation 170/03 have been fulfilled.

CARRIED

C) Amendments to Regional Traffic and Parking By-laws
(2018-COW-37)

Staff responded to questions regarding the possibility of installing signage on King Street, between Keewatin Street and Harmony Road in Oshawa to notify drivers of the slope and the speed limit.

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

- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Laws 46-2017, 77-2017 and 44-2006, generally in the form included as Attachment #1 to Report #2018-COW-37 of the Commissioner of Works, for presentation to Regional Council for passage; and
- B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1 to Report #2018-COW-37.

CARRIED

D) Participation in the National Sciences and Engineering Research Council, Industrial Research Chair in Addressing Emerging Challenges in Drinking Water Treatment and Supply, at the University of Waterloo, Waterloo Ontario (2018-COW-40)

Staff responded to questions regarding tangible results of the research conducted by the Department of Engineering at the University of Waterloo since 2003.

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

- A) That the Regional Municipality of Durham renew the partnership agreement for continued participation as a municipal partner of the National Sciences and Engineering Research Council, Industrial Research Chair, in Advancing Treatment and Reducing Risk in Water Treatment, at the University of Waterloo at a cost of \$15,000 annually from 2018 to 2022 (\$75,000 in total);
- B) That financing in the amount of \$75,000 be provided from within the annual Water Supply System Operating Budgets from 2018 to 2022; and

- C) That the Regional Chair and Clerk be authorized to execute the partnership agreement.

CARRIED

- E) Approval for Sole Source Procurement for the Supply of Equipment and Materials to be Specified within Proposed Regional Municipality of Durham Contract D2018-046, for the Upgrade of the Disinfection System at the Newcastle Water Supply Plant, in the Municipality of Clarington ([2018-COW-41](#))
-

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

That approval be granted to specify Trojan Technologies as the sole manufacturer and supplier of Ultra-Violet Disinfection equipment and materials for the upgrade of the disinfection system at the Newcastle Water Supply Plant, within the proposed Regional Municipality of Durham Contract D2018-046 (estimated value of \$350,000*).

(*) including disbursements and before applicable taxes

CARRIED

- F) Approval for Unbudgeted Capital to Undertake Detailed Design of Watermain Replacement Along Kingston Road (Highway 2) As Part of the Bus Rapid Transit Program from Delta Boulevard to Merritton Road and from Dixie Road to Liverpool Road, in the City of Pickering ([2018-COW-42](#))
-

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

- A) That approval be granted for unbudgeted capital work in the amount of \$130,000 to undertake detailed design of watermain replacement along Kingston Road (Highway 2) as part of the Bus Rapid Transit Program from Delta Boulevard to Merritton Road and from Dixie Road to Liverpool Road in the City of Pickering; and
- B) That financing in the amount of \$130,000 for the detailed design of the proposed replacement of the watermain be provided as follows:

2018 Water Supply System Capital Budget

Item #17C – Town of Whitby Road Program (W1899)

User Revenue

\$130,000

CARRIED

8. Finance & Administration

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

Finance

8.1 Communications

There were no communications to consider.

8.2 Reports

- A) Region of Durham's Revised Program Delivery and Fiscal Plan for the Social Infrastructure Fund Program – Year 3 (2018-COW-45)

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

- A) That with respect to the Federal-Provincial Social Infrastructure Fund – Investment in Affordable Housing Program (SIF-IAH) – Year 3 Rental Housing Component:
- i) A Request For Proposal utilizing \$2,648,300 in 100 per cent federal-provincial capital funding under Year 3 of the Rental Housing Component of the SIF-IAH be issued to solicit eligible development proposals for the construction of approximately 16 to 20 affordable housing rental units;
 - ii) Municipal property taxes for approved projects be adjusted using the residential property tax rate for approved projects over the twenty-year affordability period of the program;
 - iii) Regional development charges, normally due at the time of building permit, be deferred from building permit issuance to occupancy permit issuance for any successful proposal awarded under the SIF-IAH Program – Year 3 Rental Housing Component;
- B) That no Regional administration costs be recovered from the Region's allocation of Year 3 SIF-IAH funding in order to maximize the funding available for the development of new affordable rental housing units; and

- C) That the Regional Chair and Regional Clerk be authorized to enter into an amending agreement with Habitat for Humanity Durham for the shared administration of the Home Ownership Component of the SIF-IAH and with eligible purchasers for down payment assistance of up to \$25,000 per household for four units to a maximum of \$100,000, in a manner consistent with the funds made available to the previous homeowners under the Investment in Affordable Housing programs.

CARRIED

- B) The Remuneration and Expenses in 2017 of Members of Regional Council and Regional Council Appointees to Local Boards, as Required by Section 284(1) of the Municipal Act, 2001, S.O. 2001, c. 25 ([2018-COW-46](#))
-

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

That Report #2018-COW-46 of the Commissioner of Finance be received for information.

CARRIED

Other Business – Finance

A) Clarification of Property Tax Collection

Councillor Drew requested clarification with regards to the following questions related to property tax: can property taxes be collected based on population or other service drivers; are residential or rural properties within the Greenbelt charged the same tax rate as properties outside the Greenbelt; and is it accurate and the most appropriate basis to use property tax rates to compare the competitiveness of residential properties between municipalities and regions.

B) Municipal Insurance Pool

Councillor Joe Neal inquired about frequent claims made to the municipal insurance pool and the effect on municipalities. He also inquired whether the municipal pool documents are publicly available.

Administration

8.3 Communications

There were no communications to consider.

8.4 Reports

- A) Delegation of Authority to initiate acceptance into the Apple and Google Developer Programs (2018-COW-38)
-

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

- A) That the Corporate Services – Information Technology division through the Chief Information Officer be authorized to accept, via online submission form, the Terms of Service required to participate in Apple Developer Program and Google Developer Program;
- B) That the Corporate Services – Information Technology division through the Chief Information Officer be authorized to execute, via online submission form, all legal agreements and amendments required to participate in Apple Developer Program and Google Play Developer Program subject to a review and acceptance of the terms by the Director of Legal Services;
- C) That Corporate Services – Information Technology division be authorized to develop, manage and support, Durham Region mobile application submissions to the Apple Store via Apple Developer Program and Google Play via Google Play Developer Program;
- D) That the annual fees required to participate in Apple Developer Program and Google Play Developer Program be funded through the operational accounts for Corporate Services – Information Technology; and
- E) That Corporate Services – Information Technology division through the Chief Information Officer be authorized to accept additional software developer programs that would be utilized by the Region of Durham, with support from Corporate Services – Legal Services.

CARRIED

- B) First Meeting of Regional Council following the 2018 Municipal Elections (2018-COW-39)
-

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

- A) That the Regional Clerk be directed to prepare a by-law to provide for the First Meeting of Regional Council to be held on Wednesday, December 5, 2018 at 10:00 A.M. in the Council Chambers, Regional Headquarters Building, Whitby; and
- B) That a copy of Report #2018-COW-39 of the Commissioner of Corporate Services be forwarded to the Clerks of the Area Municipalities for their information.

CARRIED

Other Business – Administration

A) Questionnaire Regarding Committee Governance Structure

Councillor Parish inquired when the results and recommendations from the Committee Governance Structure will be presented to Committee. D. Beaton advised a report would be brought back on this matter by May.

B) Policy regarding information available to Regional Councillors

Councillor Joe Neal inquired when a policy regarding Regional Councillors accessing certain information without having to submit Freedom of Information Requests would be brought forward. D. Beaton advised a report would be brought forward on this matter at the May Committee of the Whole meeting.

9. Other Business

There were no items of Other Business.

10. Confidential Matters

10.1 Reports

- A) Confidential Report from the Director of Legal Services - Corporate Services Department – Litigation/Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, and advice that is subject to solicitor-client privilege with respect to the transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa. (2018-COW-48)

10.2 Communications

- A) Confidential Memorandum from D. Beaton, Commissioner of Corporate Services and J. Hunt, Director, Legal Services, Corporate Services – Litigation/Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation and advice that is subject to solicitor-client privilege with respect to the transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa
-

Confidential Report #2018-COW-48 of the Director of Legal Services (Item 10.1 A) was considered in conjunction with the Confidential Memorandum (Item 10.2 A) from the Director of Legal Services.

Moved by Councillor Parish, Seconded by Councillor O'Connor,
That the meeting be closed to the public in order to discuss a matter that is subject to litigation/potential litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, and advice that is subject to solicitor-client privilege with respect to the transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Ballinger
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Smith

No

Councillor Aker
Councillor John Neal

Councillor Woo
Councillor Rowett, Acting Chair

Members Absent: Councillor Carter
Councillor Drumm
Councillor McQuaid-England
Regional Chair Anderson

Declarations of Interest: None

(Refer to the March 7, 2018 closed Committee of the Whole meeting minutes).

Moved by Councillor Parish, Seconded by Councillor McLean,
That the Committee rise from the Closed meeting and
report.

CARRIED

Acting Chair Rowett advised that in the closed meeting session, questions were raised regarding litigation and no direction was given to staff with respect to Confidential Report #2018-COW-48 and the Confidential Memorandum from the Director of Legal Services.

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

That an Ad Hoc Committee of Council be struck, consisting of seven members of Regional Council, to negotiate a settlement of the Transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa and report back to Council with a proposed settlement.

CARRIED LATER IN THE MEETING (SEE
FOLLOWING MOTIONS AND RECORDED
VOTE)

Discussion ensued with regards to holding a special meeting of Regional Council before the April 2, 2018 arbitration; the composition of an Ad Hoc committee; whether one municipality can be excluded from discussions; the mandate that will be given to the Ad Hoc committee; the notice requirements for a Special Council meeting; and the importance of any motion made to be ratified at a Special Council meeting before the scheduled Council meeting of March 21, 2018.

Moved by Councillor Chapman, Seconded by Councillor Collier,
That the question be now put.

CARRIED ON A 2/3rds VOTE

The foregoing motion of Councillors Joe Neal and Aker was then put
to a vote and was CARRIED ON THE FOLLOWING RECORDED
VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor McLean
Councillor Joe Neal
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Smith
Councillor Rowett, Acting Chair

No

Councillor Mitchell
Councillor Woo

Members Absent: Councillor Carter
Councillor Drumm
Councillor McQuaid-England
Councillor John Neal
Councillor Parish
Regional Chair Anderson

Declarations of Interest: None

Moved by Councillor Ryan, Seconded by Councillor Roy,
That we recommend to Council:

That the Mayors, or their designates, who are also members of Regional Council, from the Town of Ajax, the Township of Brock, the Municipality of Clarington, the City of Pickering, the Township of Scugog, the Township of Uxbridge, and the Town of Whitby be appointed to the Ad Hoc Committee, and that such members be available during the March Break.

CARRIED

Discussion ensued with regards to the importance of meeting to discuss the matter and the possibility of having the Special Council meeting on Friday, March 9, 2018 with the Ad Hoc Transit committee meeting immediately following the Special Council meeting.

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,
That in accordance with section 8.3 b) of the Rules of Procedure By-law, a special meeting of Regional Council be held on Friday, March 9, 2018 to consider the above-mentioned recommendations and that this vote be considered a petition to the Regional Clerk.

CARRIED

[Subsequent to this meeting, Report #2018-COW-48 of the Director of Legal Services and the Confidential Memorandum from the Director of Legal Services was considered at a Special Meeting of Regional Council and by the Transit Ad Hoc Committee.]

[Refer to minutes of the Special Meeting of Regional Council held on March 9, 2018, and minutes of the Transit Ad Hoc Committee meeting held on March 9, 2018.]

11. Date of Next Meeting

The next regularly scheduled Committee of the Whole meeting will be held on Wednesday, April 4, 2018 at 9:00 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

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

CARRIED

The meeting adjourned at 2:57 PM

Respectfully submitted,

Councillor Rowett, Acting Regional Chair

D. Pickles, Chair, Health & Social Services

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

N. Pidwerbecki, Chair, Works

B. Chapman, Chair, Finance & Administration

Committee Clerk

SECTION 1

MINUTES
SPECIAL MEETING OF
THE REGIONAL COUNCIL OF DURHAM
Friday, March 9, 2018

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 12:00 PM

Councillor O'Connor assumed the Chair in the absence of the Regional Chair.

Roll Call: All members of Council were present with the exception of Councillors Carter, Collier, Drumm, Jordan, McQuaid-England, Rowett, Roy and Regional Chair Anderson

Declarations of Interest

There were no declarations of interest.

Committee Reports

Third Report of the Committee of the Whole

1. Motion re: Striking of Ad Hoc Committee of Regional Council to negotiate a settlement with respect to the Transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa
[AMENDED]

That an Ad Hoc Committee of Council be struck, consisting of seven members of Regional Council, to negotiate a settlement of the Transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa and report back to Council with a proposed settlement.

Moved by Councillor Ryan, Seconded by Councillor McLean,

- (46) That the recommendation contained in Item 1 of the Third Report of the Committee of the Whole be adopted.

CARRIED AS AMENDED LATER IN THE
MEETING ON A RECORDED VOTE
(See Following Motions)

Moved by Councillor Mitchell, Seconded by Councillor Parish,
(47) That the foregoing motion (46) of Councillors Ryan and McLean to adopt the recommendation contained in Item 1 of the Third Report of the Committee of the Whole be amended as follows:

- In the second sentence by adding the words 'attempt to' after the words 'of Regional Council, to,'; and
- In the fourth sentence by adding the words 'by March 21, 2018' after the words 'back to Council' and deleting the words 'with a proposed settlement' at the end of the sentence.

CARRIED

The main motion (46) of Councillors Ryan and McLean was then put to a vote and
CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE.

Yes

Councillor Aker
Councillor Ashe
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Ryan
Councillor Smith
Councillor Woo
Councillor O'Connor, Acting Chair

No

Councillor Ballinger
Councillor Henry
Councillor John Neal
Councillor Sanders

Members Absent:

Councillor Carter
Councillor Collier
Councillor Drumm
Councillor Jordan
Councillor McQuaid-England
Councillor Rowett
Councillor Roy
Regional Chair Anderson

Declarations of Interest: None

2. Motion re: Appointment of Members to the Ad Hoc Committee of Regional Council to negotiate a settlement of the Transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa
-

That the Mayors, or their designates, who are also members of Regional Council, from the Town of Ajax, the Township of Brock, the Municipality of Clarington, the City of Pickering, the Township of Scugog, the Township of Uxbridge, and the Town of Whitby be appointed to the Ad Hoc Committee, and that such members be available during the March Break.

Moved by Councillor Ryan, Seconded by Councillor McLean,

- (48) That the recommendation contained in Item 2 of the Third Report of the Committee of the Whole be adopted.

CARRIED LATER IN THE MEETING
(See Following Motions)

Moved by Councillor John Neal, Seconded by Councillor Joe Neal,

- (49) That the foregoing motion (48) of Councillors Ryan and McLean to adopt the recommendation contained in Item 2 of the Third Report of the Committee of the Whole be amended to provide for the following:

‘Whereas the Region of Durham and the City of Oshawa wishes to pursue a resolution with respect to the unfunded liabilities litigation between the Region of Durham and the City of Oshawa, that the Council of the Region of Durham request a Senior Policy Advisor from Municipal Affairs or a Provincial Mediator be participant to the Region Transit Ad Hoc Committee.’

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor John Neal

No

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Ryan
Councillor Sanders

Councillor Smith
Councillor Woo
Councillor O'Connor, Acting Chair

Members Absent: Councillor Carter
Councillor Collier
Councillor Drumm
Councillor Jordan
Councillor McQuaid-England
Councillor Rowett
Councillor Roy
Regional Chair Anderson

Declarations of Interest: None

The main motion (48) of Councillors Ryan and McLean to adopt the recommendation contained in Item 2 of the Third Report of the Committee of the Whole was then put to a vote and CARRIED.

3. Confidential Report from the Director of Legal Services - Corporate Services Department – Litigation/Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, and advice that is subject to solicitor-client privilege with respect to the Transit unfunded liabilities litigation between the Region of Durham and the City of Oshawa (2018-COW-48)
-

Moved by Councillor Ryan, Seconded by Councillor Smith,
(50) That the recommendation contained in Item 3 of the Third Report of the Committee of the Whole, be referred to the Regional Transit Ad Hoc Committee for their consideration and recommendation.
CARRIED

Confirming By-law

11-2018 Being a by-law to confirm the proceedings of Regional Council at their special meeting held on March 9, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(51) That By-law Number 11-2018 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their special meeting held on March 9, 2018 be passed.

CARRIED

Adjournment

Moved by Councillor Joe Neal, Seconded by Councillor Sanders,
(52) That the meeting be adjourned.

CARRIED

The meeting adjourned at 12:19 PM

Gerri Lynn O'Connor, Acting Regional Chair

Ralph Walton, Regional Clerk

SUMMARY OF CORRESPONDENCE

March 21, 2018

Motion for Direction

There are no items to be considered.

Receive for Information

There are no items to be considered.

DELEGATIONS, MOTIONS, NOTICE OF MOTIONS

March 21, 2018

Delegations

1. Mr. Dave Nodwell, Deputy Chief, Planning and Program Development, Office of the Fire Marshal and Emergency Management, regarding the 2017 Provincial Nuclear Emergency Response Plan Master Plan Update.
2. Ms. Stephanie Mayell, Reverend Canon Christopher (Kit) Greaves, and Reverend Augusto Nunez, Durham Region Migrant Worker Network, regarding the Durham Region Migrant Worker Network's Annual Update.
3. Mr. Bob Broadstock, President, Quarter Racing Owners of Ontario Inc., regarding reaffirming Durham Region's support of the existing co-location of gaming and racetrack establishments.

Motions

1. Absence from Council Meetings

Councillors Henry and Ryan gave Notice that at the March 21, 2018 meeting, or subsequent meeting of Regional Council, they will present the following motion:

Whereas Section 259 (1) of the Municipal Act, 2001, provides that the office of a member of council of a municipality becomes vacant if the member, in part, is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;

Now therefor be it resolved that Durham Regional Council authorizes Regional Chairman Anderson to be so absent;

And be it further resolved that Durham Regional Council authorizes Regional Chairman Anderson to be absent should a further resolution be required under Section 259 (1) for an ongoing absence.

The Regional Municipality of Durham
Report #4 of the Committee of the Whole

for consideration by Regional Council

March 21, 2018

The Committee of the Whole recommends approval of the following:

Planning & Economic Development

1. Durham Trail Coordinating Committee (DTCC) Membership Appointment, File: 01-40 ([2018-COW-35](#))

- A) That the appointment of Mr. Phil Smith, as Area Municipal Citizen Volunteer from the Township of Uxbridge, be confirmed;
- B) That Mr. Smith be advised of his appointment; and
- C) That a copy of Report #2018-COW-35 of the Commissioner of Planning and Economic Development be forwarded to the Township of Uxbridge and Durham Trail Coordinating Committee.
2. Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe, File D12-01-20, Environmental Bill of Rights Registry #013-2016 ([2018-COW-44](#))

That Report #2018-COW-44 of the Commissioner of Planning and Economic Development, be endorsed and submitted to the Ministry of Municipal Affairs – Ontario Growth Secretariat as Durham Region's response to Environmental Bill of Rights Registry No. 013-2016 regarding the Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe, including the following key comments and recommendations:

- A) That the Province release any further guidance material for assessments or studies related to the Land Needs Methodology immediately to allow municipalities to align their municipal comprehensive review processes;
- B) That the land area and population density of rural settlement areas (undelineated Built-up Areas) not be factored into the designated Greenfield areas calculation, but rather form part of the rural areas calculation;
- C) That the Province provide clarification on the process, timing and required supporting documentation for municipalities that may wish to request an alternative density target;

- D) That the Province allow flexibility in the land needs assessment to enable housing unit mix to be considered through the Methodology;
- E) That the assumption related to turnover of housing stock owned by seniors aged 65+ in the Community Area Land need component of the land needs assessment be reconsidered;
- F) That the Province re-examine the rigidity of the requirement to consider employment land conversions prior to settlement area boundary expansions to accommodate additional Community Area Land need;
- G) That the Province consider undertaking further research and analysis regarding future employment trends for the benefit of all Greater Golden Horseshoe municipalities when undertaking their Employment Strategies;
- H) That the Province provide a commitment for the timely review and response of submitted material related to land needs assessments, in order for municipalities to comply with the province's timelines to achieve conformity with Provincial Plans; and
- I) That a copy of Report #2018-COW-44 of the Commissioner of Planning and Economic Development be forwarded to Durham's area municipalities.

3. Durham Region 2019 Ontario Parasport Games – Ontario Transfer Payment Agreement ([2018-COW-47](#))

That the Regional Chair and Regional Clerk be authorized to execute the Ontario Transfer Payment Agreement (TPA) between the Minister of Tourism, Culture and Sport (MTCS) and The Regional Municipality of Durham for the Durham Region 2019 Ontario Parasport Games.

Works

4. Approval to Award a Negotiated Sole Source Contract Extension with Miller Waste Systems for the Curbside Collection of Non-Hazardous Waste, Recyclables and Organic Waste from Residences and Multi-Residential Buildings in the Townships of Brock, Scugog and Uxbridge and the Municipality of Clarington ([2018-COW-43](#))

- A) That a sole source negotiated two year extension to Regional Contract C001801 be awarded to Miller Waste Systems for the Curbside Collection of Non-Hazardous Waste, Recyclables and Organic Waste from residences and multi-residential buildings in the Townships of Brock, Scugog, Uxbridge and the Municipality of Clarington at an estimated annual cost of \$9,140,000*; and

- B) That the Commissioner of Finance be authorized to execute the necessary amendments to the existing contract.
(*) before applicable taxes
5. Issuance of an Encroachment Agreement on Simcoe Street North (Regional Road 2), in the City of Oshawa (2018-COW-33)
- A) That the Encroachment Agreement negotiated with Dr. P.G. Riordan Building Limited permitting the encroachment of an existing pylon sign located at 973 Simcoe Street North, City of Oshawa extending 3.55 metres (11.64 feet) within the Simcoe Street (Regional Road 2) road allowance be approved; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with this agreement.
6. The Regional Municipality of Durham's Drinking Water Systems Annual 2017 Summary Report (2018-COW-34)
- A) That the 2017 Summary Report for the Regional Municipality of Durham Drinking Water Systems be received for information;
 - B) That receipt of this report be confirmed by resolution of Regional Council; and
 - C) That a copy of this resolution will be forwarded to the Ontario Ministry of the Environment and Climate Change's York-Durham District Office to indicate the conditions of Schedule 22 of Ontario Regulation 170/03 have been fulfilled.
7. Amendments to Regional Traffic and Parking By-laws (2018-COW-37)
- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Laws 46-2017, 77-2017 and 44-2006, generally in the form included as Attachment #1 to Report #2018-COW-37 of the Commissioner of Works, for presentation to Regional Council for passage; and
 - B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1 to Report #2018-COW-37.

8. Participation in the National Sciences and Engineering Research Council, Industrial Research Chair in Addressing Emerging Challenges in Drinking Water Treatment and Supply, at the University of Waterloo, Waterloo Ontario ([2018-COW-40](#))
-

- A) That the Regional Municipality of Durham renew the partnership agreement for continued participation as a municipal partner of the National Sciences and Engineering Research Council, Industrial Research Chair, in Advancing Treatment and Reducing Risk in Water Treatment, at the University of Waterloo at a cost of \$15,000 annually from 2018 to 2022 (\$75,000 in total);
- B) That financing in the amount of \$75,000 be provided from within the annual Water Supply System Operating Budgets from 2018 to 2022; and
- C) That the Regional Chair and Clerk be authorized to execute the partnership agreement.

9. Approval for Sole Source Procurement for the Supply of Equipment and Materials to be Specified within Proposed Regional Municipality of Durham Contract D2018-046, for the Upgrade of the Disinfection System at the Newcastle Water Supply Plant, in the Municipality of Clarington ([2018-COW-41](#))
-

That approval be granted to specify Trojan Technologies as the sole manufacturer and supplier of Ultra-Violet Disinfection equipment and materials for the upgrade of the disinfection system at the Newcastle Water Supply Plant, within the proposed Regional Municipality of Durham Contract D2018-046 (estimated value of \$350,000*).

(*) including disbursements and before applicable taxes

10. Approval for Unbudgeted Capital to Undertake Detailed Design of Watermain Replacement Along Kingston Road (Highway 2) As Part of the Bus Rapid Transit Program from Delta Boulevard to Merritton Road and from Dixie Road to Liverpool Road, in the City of Pickering ([2018-COW-42](#))
-

- A) That approval be granted for unbudgeted capital work in the amount of \$130,000 to undertake detailed design of watermain replacement along Kingston Road (Highway 2) as part of the Bus Rapid Transit Program from Delta Boulevard to Merritton Road and from Dixie Road to Liverpool Road in the City of Pickering; and

- B) That financing in the amount of \$130,000 for the detailed design of the proposed replacement of the watermain be provided as follows:

2018 Water Supply System Capital Budget

Item #17C – Town of Whitby Road Program (W1899)

User Revenue

\$130,000.

Finance & Administration

11. Region of Durham's Revised Program Delivery and Fiscal Plan for the Social Infrastructure Fund Program – Year 3 (2018-COW-45)

- A) That with respect to the Federal-Provincial Social Infrastructure Fund – Investment in Affordable Housing Program (SIF-IAH) – Year 3 Rental Housing Component:
- i) A Request For Proposal utilizing \$2,648,300 in 100 per cent federal-provincial capital funding under Year 3 of the Rental Housing Component of the SIF-IAH be issued to solicit eligible development proposals for the construction of approximately 16 to 20 affordable housing rental units;
 - ii) Municipal property taxes for approved projects be adjusted using the residential property tax rate for approved projects over the twenty-year affordability period of the program;
 - iii) Regional development charges, normally due at the time of building permit, be deferred from building permit issuance to occupancy permit issuance for any successful proposal awarded under the SIF-IAH Program – Year 3 Rental Housing Component;
- B) That no Regional administration costs be recovered from the Region's allocation of Year 3 SIF-IAH funding in order to maximize the funding available for the development of new affordable rental housing units; and
- C) That the Regional Chair and Regional Clerk be authorized to enter into an amending agreement with Habitat for Humanity Durham for the shared administration of the Home Ownership Component of the SIF-IAH and with eligible purchasers for down payment assistance of up to \$25,000 per household for four units to a maximum of \$100,000, in a manner consistent with the funds made available to the previous homeowners under the Investment in Affordable Housing programs.

12. The Remuneration and Expenses in 2017 of Members of Regional Council and Regional Council Appointees to Local Boards, as Required by Section 284(1) of the Municipal Act, 2001, S.O. 2001, c. 25 ([2018-COW-46](#))
-
- That Report #2018-COW-46 of the Commissioner of Finance be received for information.
13. Delegation of Authority to initiate acceptance into the Apple and Google Developer Programs ([2018-COW-38](#))
-
- A) That the Corporate Services – Information Technology division through the Chief Information Officer be authorized to accept, via online submission form, the Terms of Service required to participate in Apple Developer Program and Google Developer Program;
- B) That the Corporate Services – Information Technology division through the Chief Information Officer be authorized to execute, via online submission form, all legal agreements and amendments required to participate in Apple Developer Program and Google Play Developer Program subject to a review and acceptance of the terms by the Director of Legal Services;
- C) That Corporate Services – Information Technology division be authorized to develop, manage and support, Durham Region mobile application submissions to the Apple Store via Apple Developer Program and Google Play via Google Play Developer Program;
- D) That the annual fees required to participate in Apple Developer Program and Google Play Developer Program be funded through the operational accounts for Corporate Services – Information Technology; and
- E) That Corporate Services – Information Technology division through the Chief Information Officer be authorized to accept additional software developer programs that would be utilized by the Region of Durham, with support from Corporate Services – Legal Services.
14. First Meeting of Regional Council following the 2018 Municipal Elections ([2018-COW-39](#))
-
- A) That the Regional Clerk be directed to prepare a by-law to provide for the First Meeting of Regional Council to be held on Wednesday, December 5, 2018 at 10:00 A.M. in the Council Chambers, Regional Headquarters Building, Whitby; and

- B) That a copy of Report #2018-COW-39 of the Commissioner of Corporate Services be forwarded to the Clerks of the Area Municipalities for their information.

Respectfully submitted,
R.M. Anderson, Regional Chair and CEO

UNFINISHED BUSINESS, OTHER BUSINESS & BY-LAWS

March 21, 2018

Unfinished Business

Other Business

By-laws

- 12-2018 Being a by-law to hold the first meeting of Regional Council after the regular election.

This by-law implements the recommendations contained in Item #14 of the 4th Report of the Committee of the Whole presented to Regional Council on March 21, 2018.

- 13-2018 Being a by-law to amend By-laws 46-2017, 77-2017 and 44-2006 which regulate traffic and parking on roads under the jurisdiction of The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #7 of the 4th Report of the Committee of the Whole presented to Regional Council on March 21, 2018.

- 14-2018 Being a by-law to stop up and close as a public highway and to convey, that portion of Elsa Storry Avenue (formerly described as Brock Road) legally described as Part of Lots 18 & 19, Concession 5 and Part of the Road Allowance between Lots 18 & 19, Concession 5, described as 12, 13, 14, 15 and 16 on Registered Plan 40R29608, City of Pickering (the "Lands").

This by-law implements the recommendations contained in Item #25 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

Confirming By-law

- 15-2018 Being a by-law to confirm the proceedings of Regional Council at their meeting held on March 21, 2018.