



## **The Regional Municipality of Durham**

### **Committee of the Whole Agenda**

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

**Wednesday, April 4, 2018**

**9:00 AM**

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#### **1. Declarations of Interest**

#### **2. Statutory Public Meetings**

- 2.1 Application to Amend the Durham Regional Official Plan, submitted by Youngfield Farms Limited, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog, File: OPA-2018-01 ([2018-COW-49](#)) 8 - 14
- A) Presentation
1. Valerie Hendry, Project Planner, Planning Division
- B) Public Input
- C) Report
- 2.2 Proposed Regional Official Plan Amendment – Implementation of Key Transportation Network Changes Recommended in the Transportation Master Plan, File: OPA 2018-002. Modification to the Durham Regional Official Plan to Resolve Deferral 7 ([2018-COW-50](#)) 15 - 80
- A) Presentation
1. Chris Leitch, Principal Planner, Planning Division
- B) Public Input
- C) Report

#### **3. Delegations**

- 3.1 Bill Hodgson, Chair, and Janet Horner, Executive Director, Golden Horseshoe Food and Farming Alliance, re: Update from the Golden Horseshoe Food and Farming Alliance

- 3.2 Janet McPherson, Executive Director, Brock Community Health Centre, re: Update regarding capital project in Brock Township and to seek funding support for community spaces not currently funded by the Ministry of Health and Long Term Care

#### 4. Presentations

- 4.1 Steven Kemp, Manager, Traffic Engineering and Operations, Works Department, re: the Strategic Road Safety Action Plan for the Regional Municipality of Durham ([2018-INFO-44](#)) [Item 8.3 D)]

#### 5. Finance & Administration

##### Finance

##### 5.1 Communications

##### 5.2 Reports

- |  |           |
|--|-----------|
| A) The Province of Ontario's Development Charges Rebate Program ( <a href="#">2018-COW-61</a> )  | 81 - 94   |
| B) Confirmation of the Region's Triple "A" Credit Rating by S&P Global Ratings ( <a href="#">2018-COW-62</a> )   | 95 - 97   |
| C) Public Process for the Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and GO Transit Development Charge By-law No. 86-2001 ( <a href="#">2018-COW-63</a> )   | 98 - 101  |
| D) Sole-Source Negotiation and Approval of Standing Agreement for the Purchase of Proprietary Durham Region Transit Original Equipment Manufacturer (OEM) Bus, Farebox and Associated Parts, and Extended System Warranty and Support for GFI Fare Collection System ( <a href="#">2018-COW-65</a> ) | 102 - 104 |
| E) Extension of Standing Agreement C002324 with Neptune Technology Group (Canada) Ltd. for the Provision of Water Meters and Related Services ( <a href="#">2018-COW-67</a> )  | 105 - 107 |

Administration

5.3 Communications

- A) Information Report #[2018-INFO-36](#): Automating Legislative Process Elements 108 - 113  
**Pulled from March 2, 2018 Council Information Package by Councillor Joe Neal** Recommendation: Receive for Information
- B) Information Report #[2018-INFO-41](#) Provincial Nuclear Emergency Response Plan (PNERP) – Update 114 - 120  
**Pulled from March 9, 2018 Council Information Package by Councillor Jordan**

Recommendation: Receive for Information

5.4 Reports

- A) Declaring the Office of Regional Chair Vacant ([2018-COW-60](#)) 121 - 122
- B) Approval of 2018 to 2022 Meeting Schedule and Council Governance Structure ([2018-COW-70](#)) 123 - 143
- C) Filling the Vacancy for the Office of Regional Chair ([2018-COW-71](#)) 144 - 150

6. Health & Social Services

Health

6.1 Communications

6.2 Reports

There are no Health Reports to consider.

Social Services

6.3 Communications

6.4 Reports

- A) Donation of Children's Services Surplus Van to YMCA EarlyON program ([2018-COW-52](#)) 151 - 153

- |    |   |           |
|----|---|-----------|
| B) | An Update on the Financial Empowerment Framework/Poverty Reduction efforts underway within the Social Services Department and authorization to enter into a Memorandum of Understanding with the Durham Community Legal Clinic to create a centre for financial literacy and free year round low-income tax clinic<br>( <a href="#">2018-COW-53</a> ) | 154 - 166 |
| C) | Sole Source Purchase of a Cloud Based Electronic Health Care Record (eHCR) for the Region of Durham Long Term Care and Services for Seniors Division ( <a href="#">2018-COW-66</a> )  | 167 - 172 |
| D) | Increased Provincial Funding for Adult Protective Support Worker Investment ( <a href="#">2018-COW-69</a> )   | 173 - 178 |

## 7. Planning & Economic Development

### Planning

#### 7.1 Communications

#### 7.2 Reports

- |    |   |           |
|----|---|-----------|
| A) | Durham Region's Response to the Province's Draft Watershed Planning Guidance Document ( <a href="#">2018-COW-68</a> ) | 179 - 194 |
|----|---|-----------|

#### 7.3 Advisory Committee Resolutions

- |    |   |     |
|----|---|-----|
| A) | Durham Agricultural Advisory Committee resolution regarding Quarter Horse Racing Industry | 195 |
|----|---|-----|

### Economic Development

#### 7.4 Communications

#### 7.5 Reports

- |    |  |           |
|----|--|-----------|
| A) | Ontario Rural Economic Development Program Contribution Agreement Enabling By-law ( <a href="#">2018-COW-51</a> )                    | 196 - 203 |
| B) | Sole Source Funding for Consulting Services for the Nuremberg Investment Missions and Partnership<br>( <a href="#">2018-COW-59</a> ) | 204 - 208 |



## 8. Works

### Waste

#### 8.1 Communications

- A) Information Report #[2018-INFO-38](#): Durham York Energy  
Centre Ambient Air Monitoring Program 209 - 211

**Pulled from March 2, 2018 Council Information Package  
by Councillor Joe Neal**

Recommendation: Receive for Information

- B) [Memorandum from Susan Siopis, Commissioner of Works](#)  
– re: Staff Responses to Linda Gasser’s Delegation  
Presentation to the Committee of the Whole Meeting of  
January 10, 2018 212 - 214

**Pulled from March 23, 2018 Council Information  
Package by Councillor Joe Neal**

Recommendation: Receive for Information

#### 8.2 Reports

There are no Waste Reports to consider.

### Works

#### 8.3 Communications

- A) Information Report #[2018-INFO-31](#): Road Rationalization  
– Interim Report 215 - 237

**Pulled from March 2, 2018 Council Information  
Package by Councillor Joe Neal**

Recommendation: Receive for Information

- B) Information Report #[2018-INFO-32](#): Automated Speed  
Enforcement 238 - 241

**Pulled from March 2, 2018 Council Information  
Package by Councillor Joe Neal**

Recommendation: Receive for Information

- C) Information Report #[2018-INFO-33](#): Response to February 23, 2018 Letter from PACT-POW to the Honourable Chris Ballard, Minister of Environment and Climate Change 242 - 253  
**Pulled from March 2, 2018 Council Information Package by Councillor Joe Neal**  
Recommendation: Receive for Information
- D) Information Report #[2018-INFO-44](#): Strategic Road Safety Action Plan for the Regional Municipality of Durham 254 - 260  
**Pulled from March 9, 2018 Council Information Package by Councillor Jordan**  
Recommendation: Receive for Information

#### 8.4 Reports

- A) Approval to Negotiate a Sole Source Engineering Services Agreement for Detailed Design and Tender Documentation for the Proposed Sanitary Sewer on Highway 2 and Regional Road 57 in Bowmanville, in the Municipality of Clarington ([2018-COW-54](#)) 261 - 263
- B) Approval for the Unbudgeted Capital Construction of a 200-Milimetre Diameter Watermain at Cannington Municipal Well Number 4, in the Township of Brock ([2018-COW-55](#)) 264 - 266
- C) Reallocation of Savings Realized During the Construction of the Projects Approved Under the Clean Water and Wastewater Fund ([2018-COW-56](#)) 267 - 274
- D) Award of Request for Proposal #347-2017 for Sewer, Storm and Watermain Contracting Services Registry for Work at Various Locations within the Regional Municipality of Durham ([2018-COW-57](#)) 275 - 278
- E) Interim Improvements – Harmony Road/Bloor Street Intersection, City of Oshawa ([2018-COW-58](#)) 279 - 284
- F) Revisions to the Mattamy (Seaton) Limited Subdivision Agreement ([2018-COW-72](#)) 285 - 334

#### 9. Other Business

#### 10. Confidential Matters

There are no confidential matters to be considered.

**11. Date of Next Meeting**

Wednesday, May 2, 2018 at 9:00 AM

**12. Adjournment**



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Planning and Economic Development  
Report: #2018-COW-49  
Date: April 4, 2018

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**Subject:**

Public Meeting Report

Application to amend the Durham Regional Official Plan, submitted by Youngfield Farms Limited, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog, File: OPA-2018-01.

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**Recommendations:**

- A) That Commissioner's Report #2018-COW-49 be received for information; and
  - B) That all submissions received be referred to the Planning Division for consideration.
- 

**Report:**

**1. Purpose**

- 1.1 On January 22, 2018, Clark Consulting Services on behalf of Youngfield Farms Limited submitted an application to amend the Durham Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Scugog.
- 1.2 A "Notice of Complete Application and Public Meeting" regarding the application has been advertised in The Port Perry Star newspaper. Notice of this meeting has also been mailed to those who own land within 120 metres (400 feet) of the subject site. The report was made available to the public prior to the meeting.

## **2. Background**

- 2.1 The subject site is municipally known as 4031 Durham Road 57 and is located on the north side of Regional Road 57, generally south of Lake Scugog and south and east of Emerson Lane (refer to Attachment 1). The property is legally described as Part of Lot 17, Concession 9, in the Township of Scugog.
- 2.2 The subject site is generally rectangular in shape, and has access to Regional Road 57. It is approximately 38 hectares (94 acres) in size, of which approximately 29 hectares (72 acres) are being used for cultivation. A woodland is located on the northern portion of the site, while two watercourses traverse the south and northeastern parts of the site. The cultivated lands are generally flat, while the woodland slopes toward Lake Scugog. A residential dwelling with a small accessory structure (shed) and pond is located at the southern part of the site. A seasonal right-of-way (Emerson Lane) is located on the western and northern boundary of the subject site that provides access to abutting properties.
- 2.3 Surrounding land uses include:
- North – shoreline residential dwellings with waterfront access to Lake Scugog, accessed by Emerson Lane;
  - East – agricultural lands with a stream, woodland and wetland areas, rural and shoreline residential dwellings;
  - South - Regional Road 57 and agricultural lands with a stream, ponds, woodland, an art studio ("Studio By the Green"), and a Hydro sub-station; and
  - West – agricultural lands, with a stream, woodland, and rural and shoreline residential dwellings.
- 2.4 The proposed amendment to the ROP would facilitate the severance of a 0.725 hectare (1.8 acre) parcel with an existing dwelling, retaining a vacant 37.28 hectare (92.2 acre) farm parcel.

## **3. Reports Submitted in Support of the Application**

- 3.1 A Planning Justification/Agricultural Assessment Report, prepared by Clark Consulting Services dated January 2018, has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan,

the ROP, and the Township of Scugog Official Plan and Zoning By-law. The report also concludes the proposed severance will comply with the Minimum Distance Separation requirements. The applicant's consultant advises that the dwelling is not required by a farm employee and is surplus to the farm operation.

- 3.2 An Inventory of Land Holdings for Youngfield Farms Limited prepared by Clark Consulting Services was also submitted in support of the application. The inventory includes 29 properties owned by Youngfield Farms Limited comprising approximately 1,926 hectares (4,759 acres) of which 80 percent are located in the Township of Scugog and the balance are located in the City of Kawartha Lakes (refer to Attachment 3). There are 7 dwellings located on the farm properties in Durham Region. Five of the dwellings are presently rented to persons having no interest in or involvement with the farm. Two of the dwellings are occupied by the principal shareholders of the corporation.

#### **4. Provincial Policies**

- 4.1 The subject site is located within the Protected Countryside of the Greenbelt Plan. Both the Greenbelt Plan and the Provincial Policy Statement permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance.

#### **5. Durham Regional Official Plan**

- 5.1 The subject site is designated "Prime Agricultural Areas" and "Waterfront Areas" in the ROP with portions of the site containing Key Natural Heritage and/or Hydrologic Features (KNHMF). Severance applications for agricultural uses are considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 5.2 Policy 9.A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
- a) the dwelling is not needed for a farm employee;
  - b) the farm parcel is a size which is viable for farm operations;
  - c) for sites within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
  - d) the farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

## **6. Consultation**

- 6.1 The subject application has been circulated to a variety of commenting agencies including: the Ministry of Municipal Affairs; the Township of Scugog; the Kawartha Region Conservation Authority; and the Durham Agricultural Advisory Committee.

## **7. Public Participation**

- 7.1 Anyone who attends the Region's public meeting may present an oral submission and/or provide a written submission to the Committee of the Whole on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 7.2 If a person or public body does not make oral submissions at a public meeting or make written submissions to the Region of Durham before the proposed official plan amendment is adopted, the person or public body:
- a. is not entitled to appeal the decision of the Region of Durham to the Ontario Municipal Board (OMB) or Local Area Planning Tribunal (LPAT), as appropriate; and
  - b. may not be added as a party to the hearing of an appeal before the OMB or LPAT, as appropriate, unless in the opinion of the Board or Tribunal, there are reasonable grounds to add the person or public body as a party.
- 7.3 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP  
Commissioner of Planning and Economic Development  
Planning and Economic Development Department  
Regional Municipality of Durham  
Durham Region Headquarters  
605 Rossland Road East  
Whitby, ON L1N 6A3  
[Brian.Bridgeman@durham.ca](mailto:Brian.Bridgeman@durham.ca)

## **8. Future Regional Council Decision**

- 8.1 The Committee of the Whole will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's

decision will be final unless appealed.

- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Committee of the Whole and Regional Council at which the subject application will be considered.

## **9. Attachments**

Attachment #1: Location Sketch

Attachment #2: Other Agricultural Lands within Durham Region owned by Youngfield Farms Limited

Respectfully submitted,

Original signed by

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B.E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

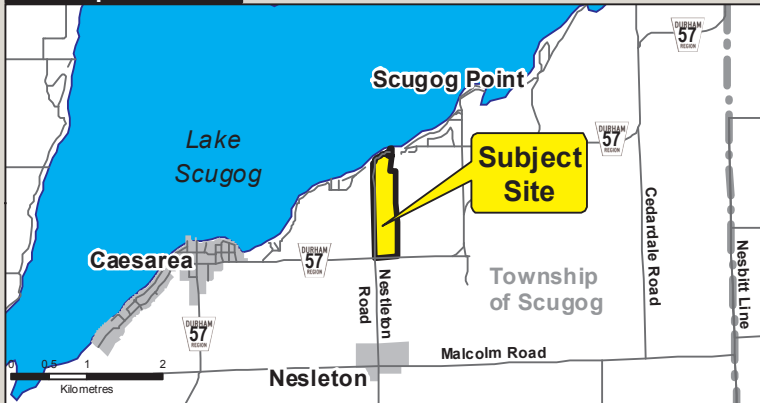
Original signed by

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G.H. Cubitt, MSW  
Chief Administrative Officer

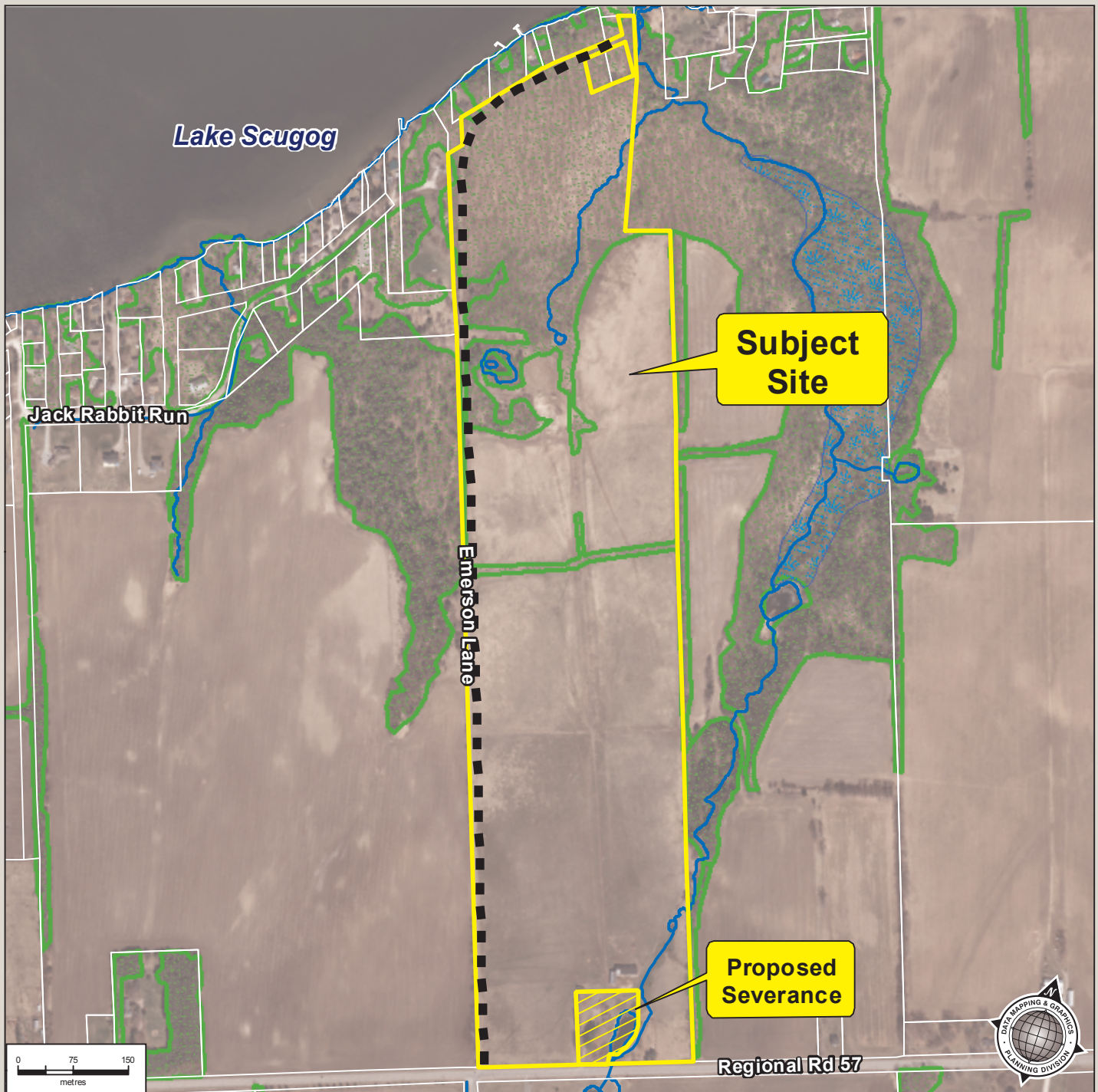
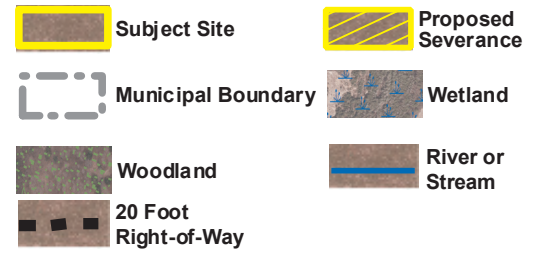


## Municipal Context

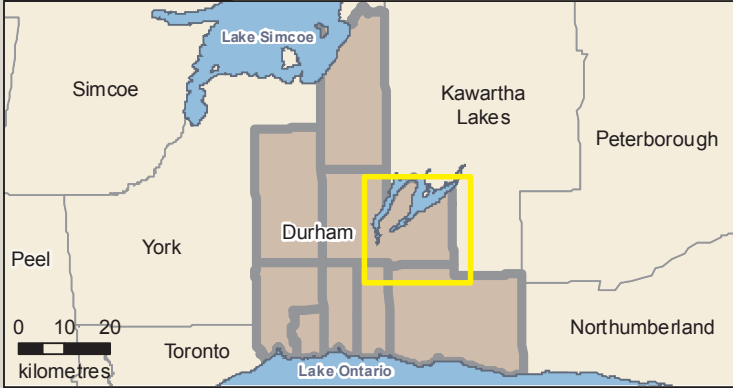


Attachment:1  
Commissioner's Report: #2018-COW-49  
File: OPA 2018-001  
Municipality: Township of Scugog

## Legend



## Municipal Context



Attachment:2  
 Commissioner's Report: #2018-COW-49  
 File: OPA 2018-001  
 Municipality: Township of Scugog

## Legend



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## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Planning and Economic Development  
Report: #2018-COW-50  
Date: April 4, 2018

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**Subject:**

Public Meeting Report

Proposed Regional Official Plan Amendment – Implementation of Key Transportation Network Changes Recommended in the Transportation Master Plan, File: OPA 2018-002

Modification to the Durham Regional Official Plan to Resolve Deferral 7

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**Recommendations:**

- A) That Public Meeting Report #2018-COW-50 be received for information; and
  - B) That all submissions received be referred to the Planning Division for consideration.
- 

**Report:**

**1. Purpose**

- 1.1 This report provides information on the proposed amendment to the Durham Regional Official Plan to implement a number of transportation network changes, as recommended through the Durham Transportation Master Plan (2017).
- 1.2 A “Notice of Public Meeting” has been advertised in the appropriate newspapers and posted on the Region’s website. This report was made available to the public prior to the meeting.

**2. Background**

- 2.1 On December 13, 2017, the Final Transportation Master Plan (TMP) was endorsed by Regional Council through Report #2017-COW-268. Regional Council also

authorized the Planning and Economic Development Department to initiate the amendment process to incorporate the relevant portions of the TMP into the Regional Official Plan (ROP).

- 2.2 The TMP update recommended additions, changes and deletions to the designations of arterial road sections on Maps 'C1' and 'C2' – Road Network in the ROP. There are almost 70 proposed changes to these road network maps in the ROP required to 2031, the current time horizon of the ROP. These proposed changes are included as part of this proposed amendment (refer to Section 3 and Attachment 1).
- 2.3 The TMP also recommends a Higher Order Transit Network for the Region and updates to the Region's Strategic Goods Movement Network. Accordingly, this amendment includes these network recommendations and incorporates them into proposed changes for the Transit Priority Network (Map 'C3') and Strategic Goods Movement Network (Map 'C4').
- 2.4 Further, this amendment proposes several changes to policies in Section 11 – Transportation System and Schedule 'E', Table 'E7' – Arterial Road Criteria in the ROP, which support the proposed network changes.
- 2.5 This report also proposes a resolution of Deferral 7, as it pertains to the deferred designation of Dixie Road in the City of Pickering as a Type B Arterial road (refer to Section 4 and Attachment 2).
- 2.6 There are several other actions recommended through the TMP that have implications on ROP policy, but are not included as part of this amendment. These actions will be addressed as part of the Region's upcoming Municipal Comprehensive Review (Official Plan Review), as they may have implications on other aspects of the ROP including land use designations and development review requirements to support transit.

### **3. Proposed Amendment**

- 3.1 Attachment 1 details the proposed changes to the transportation network schedules in the ROP, and implements key transportation network recommendations included in the TMP. Further, Attachment 1 also illustrates the proposed amendment to the Schedules through the following exhibits:
  - a) Schedule 'C', Maps 'C1' and 'C2' – Road Network amendments are demonstrated in Exhibits 1A, 1B, 1C and 1D:

- Exhibit 1A for the City of Pickering and Town of Ajax;
  - Exhibit 1B for Town of Whitby and City of Oshawa;
  - Exhibits 1B and 1C for the Municipality of Clarington; and
  - Exhibit 1D for the Townships of Uxbridge, Scugog and Brock.
- b) Schedule 'C', Map 'C3' – Priority Transit Network amendments are demonstrated in Exhibits 2A and 2B;
- c) Schedule 'C', Map 'C4' – Strategic Goods Movement Network amendments are demonstrated in Exhibit 3; and
- d) Schedule 'A', Map 'A4' – Regional Structure amendments are demonstrated in Exhibit 4.
- 3.2 More detailed information on the proposed changes to Schedule 'C', Maps 'C1 and 'C2 – Road Network, including the basis for these changes, is included in Attachment 3. This attachment is derived from Appendix A of the TMP.
- 3.3 This amendment also proposes several changes to policies in Section 11 – Transportation System and Schedule 'E', Table 'E7' – Arterial Road Criteria in the ROP, which can be summarized as follows:
- Updates to policies pertaining to the completion of Highways 407, 412 and 418;
  - Updates to policies recognizing the importance of the Provincial freeway and highway system;
  - Creation of new policies for the Transit Priority Network designations;
  - Clarification of the role in the Regional Cycling Plan in supporting active transportation and provision of sidewalks, multi-use paths and other cycling infrastructure;
  - Addition of policies to support road widening requirements for certain arterial road sections that correspond to the Transit Priority Network;
  - Clarification of policies pertaining to minimum intersection spacing and connectivity, and
  - Minor “housekeeping” updates or edits to several policies.

**4. Proposed Resolution to Provincial Deferral 7 (Dixie Road, Pickering)**

- 4.1 In order to implement the recommended networks within the TMP into the ROP, a resolution of Deferral 7 to the ROP is required. This deferral pertains to the designation of Dixie Road as a Type B Arterial, from Third Concession Road to Kingston Road, in the City of Pickering (refer to Attachment 2).
- 4.2 When the ROP was approved by the Minister of Municipal Affairs and Housing in November 1993, the designation of Dixie Road was deferred by the Minister as a result of an objection by the Liverpool West Community Association (Deferral 7). As such, further decision by the Minister of Municipal Affairs is necessary in order to modify the ROP and resolve the deferral.
- 4.3 Existing Dixie Road is also deferred in the Pickering Official Plan, but as a Type C Arterial (Deferrals 11, 12 and 44). If approved by the Minister, the ROP will be consistent with the intent of the Pickering Official Plan. Accordingly, the deferrals in the Pickering OP related to ROP Deferral 7 can be subsequently approved by the Commissioner of Planning and Economic Development as authorized by Regional Council (Report #97-P-89).
- 4.4 Excerpts of the ROP incorporating the proposed amendment (refer to Section 3 and Attachment 1) and the proposed resolution of Deferral 7, pending approval, is included in Attachment 4.

**5. Consultation**

- 5.1 This application has been circulated to a variety of agencies for review and comment, including: the Ministry of Municipal Affairs, the Ministry of Transportation, Metrolinx, Parks Canada, Durham Region area municipalities, neighbouring municipalities, local school boards, utility and gas companies, Mississaugas of Scugog Island First Nation and conservation authorities.

**6. Public Participation**

- 6.1 Anyone who attends the Region's public meeting may present an oral submission, and/or provide a written submission to the Committee of the Whole on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 6.2 If a person or public body does not make oral submissions at a public meeting, or does not make written submissions before the proposed official plan amendment is



adopted, the person or public body:

- Is not entitled to appeal the decision of the Ontario Municipal Board; and
- May not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

6.3 Anyone wishing to be notified of Regional Council's decision on the subject amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP  
Commissioner of Planning and Economic Development  
Planning and Economic Development Department  
Regional Municipality of Durham  
Durham Region Headquarters  
605 Rossland Road East  
Whitby, ON L1N 6A3  
[Brian.Bridgeman@durham.ca](mailto:Brian.Bridgeman@durham.ca)

## **7. Future Regional Council Decision**

- 7.1 The Committee of the Whole will consider the subject applications at a future meeting, and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 7.2 All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of the future meetings of Committee of the Whole and Regional Council at which the subject application will be considered.

## **8. Attachments**

Attachment #1: Proposed Amendment

Attachment #2: Proposed Modification to Resolve Deferral 7

Attachment #3: Details of Proposed Changes to Schedule 'C', Maps 'C1' and 'C2'  
– Road Network

Attachment #4 Excerpts of Regional Official Plan Incorporating the Proposed  
Amendment and Modification

Respectfully submitted,

Original signed by

---

B. E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

Original signed by

---

G.H. Cubitt, MSW  
Chief Administrative Officer



**Proposed Amendment**  
**Regional Official Plan Amendment Application 2018-002**

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**Introductory Statement:**

The following text, Tables 1 and 2, and attached maps identified as Exhibits 1A, 1B, 1C and 1D, Exhibits 2A and 2B, Exhibit 3 and Exhibit 4 constitute this amendment.

**Details of the Amendment:**

The Official Plan of The Regional Municipality of Durham is hereby amended as follows:

- 1) Several policies in Section 11 – Transportation System of the Plan are amended as per Table 1 attached hereto and forming part of this amendment.
- 2) Schedule 'C' – Transportation System, Maps 'C1' and 'C2' – Road Network as amended, is further amended as shown on Exhibits 1A, 1B, 1C and 1D attached hereto and forming part of this Amendment, by:
  - Renaming the designations for existing and future "Interchanges" to existing and future "Interchange";
  - Renaming the designation for "Existing Interchanges to be Removed" to "Existing Interchange to be Removed";
  - Deleting the "Future "Interchange" symbol at Highway 407/Sideline 14;
  - Replacing the "Existing Interchange to be Removed" symbol at Highway 401/Ritson Road with the existing "Interchange" symbol;
  - Adding certain "Type B Arterial" and "Type C Arterial" road designations;
  - Re-designating certain roads from "Type C Arterial" to "Type B Arterial";
  - Re-designating certain roads from "Type B Arterial" to "Type C Arterial";
  - Adding significant realignments of certain future "Type B Arterial" and "Type C Arterial" roads;
  - Adding "Type B Arterial" and "Type C Arterial" roads within Specific Policy Area A, consistent with the Central Pickering Development Plan and completed Environmental Assessment studies that set the alignments for these roads; and
  - Replacing the "Oshawa Airport" label with "Oshawa Executive Airport".

3) Schedule 'C' – Transportation System, Map 'C3' – Transit Priority Network as amended, is further amended as shown on Exhibits 2A and 2B attached hereto and forming part of this Amendment, by:

- Splitting the “Transit Spine” designation into three new, separate designations, being “Rapid Transit Spine”, “High Frequency Transit Network” and “Other Transit Connection” and, accordingly:
  - Re-designating certain arterial road sections from “Transit Spine” to “Rapid Transit Spine”, “High Frequency Transit Network” or “Other Transit Connection”;
  - Deleting certain “Transit Spine” designations;
  - Adding certain “High Frequency Transit Network” designations;
  - Adding certain “Other Transit Connection” designations;
- Deleting the “Transit Spine (Future Connection to East Durham Freeway Link) designation;
- Deleting certain “Freeway Transit” designations;
- Updating the locations of “Transportation Hub”, “Commuter Rail” and “Commuter Station” designations, consistent with the Oshawa to Bowmanville Rail Service Expansion and Rail Maintenance Facility Transit Project Assessment Process EA Study (2011), by:
  - Realigning the future “Commuter Rail” connection across Highway 401, between the CNR Kingston line to the CPR Belleville line, near the Oshawa/Whitby boundary;
  - Deleting the future “Transportation Hub” symbol on the CPR Belleville line from the formerly proposed site south of Gibb Street and east of Stevenson Road;
  - Adding a “Transportation Hub” symbol on the Central Oshawa GO Station site south of Olive Avenue, and east of Simcoe Street, in the City of Oshawa; and
  - Adding a future “Commuter Station” symbol at the Thornton’s Corners GO Station site, west of Thornton Road and north of Consumers Drive in the

City of Oshawa;

- Adding a future “Commuter Station” symbol at the Seaton GO Station site, east of Brock Road on the CPR Belleville line; and
  - Deleting a future “Commuter Rail” designation on the CPR Belleville Line from the Seaton GO Station site to the realigned Commuter Rail connection near the Oshawa/Whitby boundary.
- 4) Schedule ‘C’ – Transportation System, Map ‘C4’ – Strategic Goods Movement Network as amended, is further amended as shown on Exhibit 3 attached hereto and forming part of this Amendment, by:
- Adding certain “Arterial Road” designations.
- 5) Schedule ‘A’ – Regional Structure, Map ‘A4’ – Pickering, Ajax, Whitby, Oshawa, is updated as a result of the amendments to Schedule ‘C’ – Transit Priority Network, as follows and as shown on Exhibit 4 attached hereto:
- Realigning the future “GO Rail” connection across Highway 401, between the CNR Kingston line to the CPR Belleville line, near the Oshawa/Whitby boundary;
  - Deleting the future “GO Station” symbol on the CPR Belleville line from the formerly proposed site south of Gibb Street and east of Stevenson Road
  - Adding the future “GO Station” symbol to the Central Oshawa site located south of Olive Avenue, and east of Simcoe Street, in the City of Oshawa;
  - Adding a future “GO Station” at the Thornton’s Corners site, located west of Thornton Road and north of Consumers Drive in the City of Oshawa; and
  - Replace the “Oshawa Airport” label with “Oshawa Executive Airport”.
- 6) Schedule ‘E’ – Tables, Table ‘E7’ – Arterial Road Criteria is amended as shown in Table 2 attached hereto and forming part of this amendment, by:
- Updating the general Classification Criteria for Travel Speed and Minimum Intersection Spacing to reflect current practice;
  - Correcting the Travel Speed criterion for Type B Arterial roads;
  - Revising the Connectivity criteria for Type A Arterial and Type B Arterial roads to reflect current practice;

- Updating the Cycling and Pedestrian Provisions criteria for Type A Arterial, Type B Arterial and Type C Arterial roads; and
- Updating the Right-of-Way Width criteria for Type A Arterial and Type B Arterial roads to support planned Rapid Transit Spines and High Frequency Transit Network.

**Table 1**  
**Policy Amendments to Section 11 – Transportation System**

Item	Old Section Number	New Section Number	Details of Policy Amendment
1.	11.3.4 c)	11.3.4 c)	Add the word “roundabouts,” after the words “traffic control devices,”.
2.	11.3.7	11.3.7	In the first sentence of the first paragraph, add the words “412, 418 and” after “407” and delete the words “and 35” after the word “115”. In the second sentence of the first paragraph, add the words “and highway” after the word “freeway”.
3.	11.3.7 a)	11.3.7 a)	Delete the word “the” after the words “the extension of”; delete the words “freeway and transitway” after the words “Highway 407”; delete the words “two high speed” after the word “including” and replace with “the Highway 418”; delete the words “and transitway” after “freeway” and replace the following word “connections” with “connection”; add the words “and planned transitway on Highways 407, 412 and 418” after “Highway 401”.
4.	11.3.7 d)	11.3.7 d)	Delete the word “, and” after the words “Highways 7, 7A” and add the words “, 35 and 35/115; and” after the word “7/12”.
5.		11.3.7 e)	Add a new subsection as follows:  “modifications to the alignment of the Highway 7/12 intersection at Thicksen Road, subject to further study by the Town of Whitby and Ministry of Transportation, that may be updated without amendment to this Plan.”

Item	Old Section Number	New Section Number	Details of Policy Amendment
6.	11.3.7	11.3.7	In the second paragraph, delete the word “, freeways” “after “Although” and replace with “Provincial highways”.
7.	11.3.8	11.3.8	<p>Delete the wording of this policy, and replace with the following sentence:</p> <p>“The Region of Durham encourages the Ministry of Transportation to construct the Highway 407 interchanges at Westney Road, Salem Road and Thornton Road, Highway 412 interchange at Rossland Road, and complete the Highway 401/Lake Ridge Road interchange, which were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction.”</p>
8.	11.3.9	11.3.9	Add the words “the implementation of environmental” after the word “encourage”; replace the word “Highway” with “Highways”; delete the words “through planned Urban Areas to provide” and replace with “, 412 and 418, including the provision of”.
9.	11.3.10	11.3.10	In the first sentence, replace the word “freeway” with “arterial road; replace the words “Town of Markham” with “City of Markham”; replace the words “as part of a” with “to supplement the”; add the words “and Hamilton” after “Greater Toronto”.
10.	11.3.13	11.3.13	In the second sentence, replace the words “Rouge Park” with “Rouge National Urban Park”; replace the word “connection” with “existing connections.” Create a new third sentence starting as follows: “Additionally, Regional Council will protect for”; delete the word “of” before “realigned”; replace the words “Fifth Concession Road” with “Whitevale Road”; delete the last sentence of the policy.

Item	Old Section Number	New Section Number	Details of Policy Amendment
11.	11.3.17	11.3.17	In the second sentence, add the words “, which provides inter-regional and inter-municipal service,” after the words “Transit Priority Network”.
12.	11.3.17 a)	11.3.17 a)	Replace the words “Transit Spines” with “Rapid Transit Spine”; replace the words “facilitate inter-regional and inter-municipal services along arterial roads” with “is planned to provide dedicated transit lanes in most arterial road sections”.
13.		11.3.17 b)	Add a new policy subsection to read as follows:  ““High Frequency Transit Network” that consists of buses in planned High Occupancy Vehicle (HOV) lanes, or buses or in mixed traffic, with transit signal priority at major intersections and other measures to ensure fast and reliable transit service. Planned HOV lanes may be converted to dedicated bus lanes as growth in ridership warrants;”
14.		11.3.17 c)	Add a new policy subsection to read as follows:  ““Other Transit Connections” that facilitate longer-distance trips, providing direct links to Transportation Hubs and Commuter Stations from smaller urban and rural areas;”
15.	11.3.17 b)	11.3.17 d)	Replace the words “commuter stations” with “Transportation Hubs and Commuter Stations”.
16.	11.3.17 c)	11.3.17 e)	

Item	Old Section Number	New Section Number	Details of Policy Amendment
17.	11.3.17 d)	11.3.17 f)	<p>In the first sentence, delete the words “longer-distance” and replace with “long-distance” after the word “facilitate”; delete the words “and link to commuter stations providing transfer points to other transit services and transportation modes” and replace with “within the Highway 407, 412 and 418 right-of-way”.</p> <p>Add the following sentence to the end of the subsection:</p> <p>“The designation of Freeway Transit supports the implementation of frequent bus service, with dedicated commuter parking lots and transit terminals at interchanges, which is planned to evolve to a dedicated transitway facility beside the freeway in the long-term.”</p>
18.	11.3.18	11.3.18	Replace the words “Transportation Hubs, Commuter Stations and Transit Spines” with “Transportation Hub, Commuter Station, Rapid Transit Spine and the High Frequency Transit Network”.
19.	11.3.18 a)	11.3.18 a)	Replace the words “transit spines are” with “a Rapid Transit Spine or the High Frequency Transit Network is”.
20.	11.3.19	11.3.19	<p>Delete the first sentence of the policy.</p> <p>In the second sentence, replace “These corridors” with “Centres and Corridors that correspond to a Rapid Transit Spine, as designated on Schedule ‘C’ – Map ‘C3’, Transit Priority Network,”.</p>



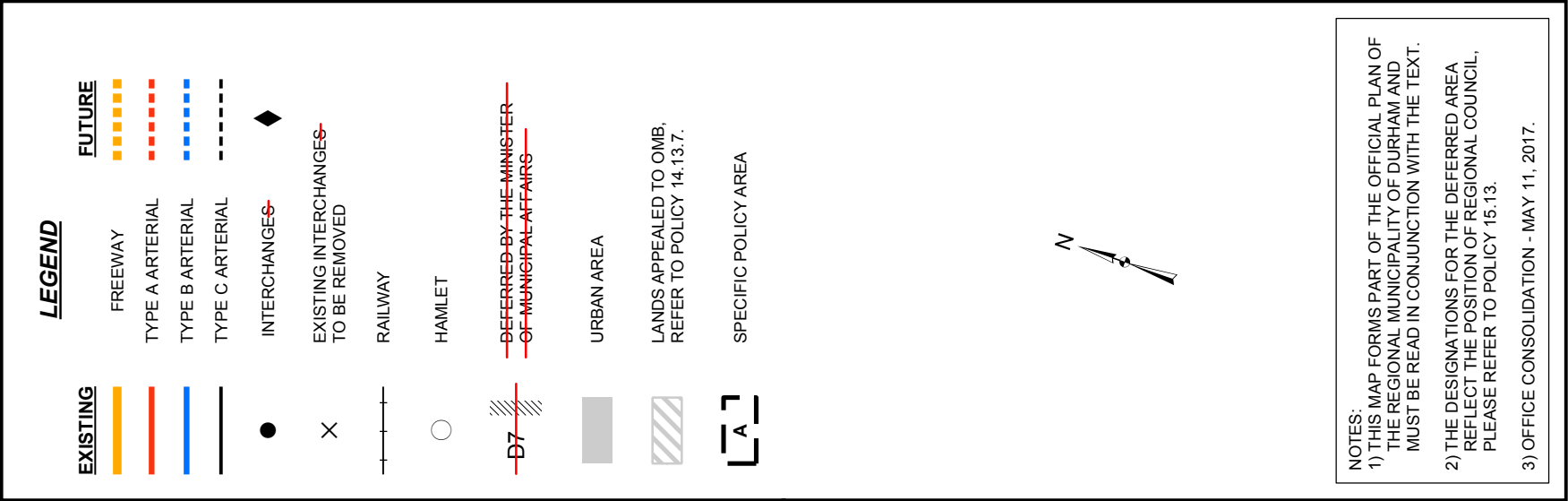
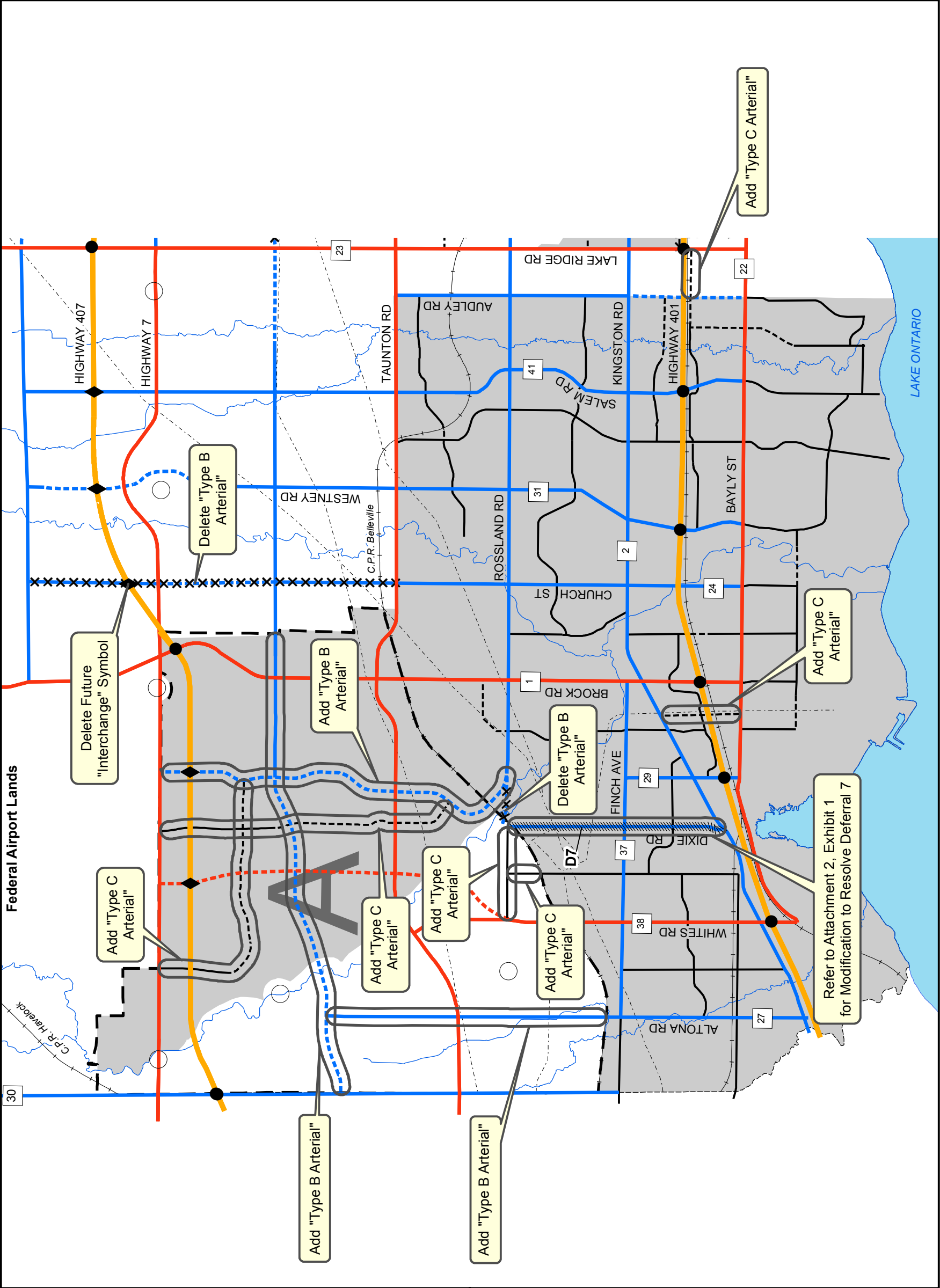
Item	Old Section Number	New Section Number	Details of Policy Amendment
21.	11.3.24	11.3.24	Replace the word “walking” with “ <i>active transportation</i> ” and replace the words “pedestrian conditions” with “connections”.
22.	11.3.28	11.3.28	In the first sentence, replace the words “Oshawa Airport” with “Oshawa Executive Airport”. In the second sentence, replace the reference to “Schedule ‘C’ – Map ‘C4’, Strategic Goods Movement Network” with “Schedule ‘C’ – Map ‘C2’, Road Network.

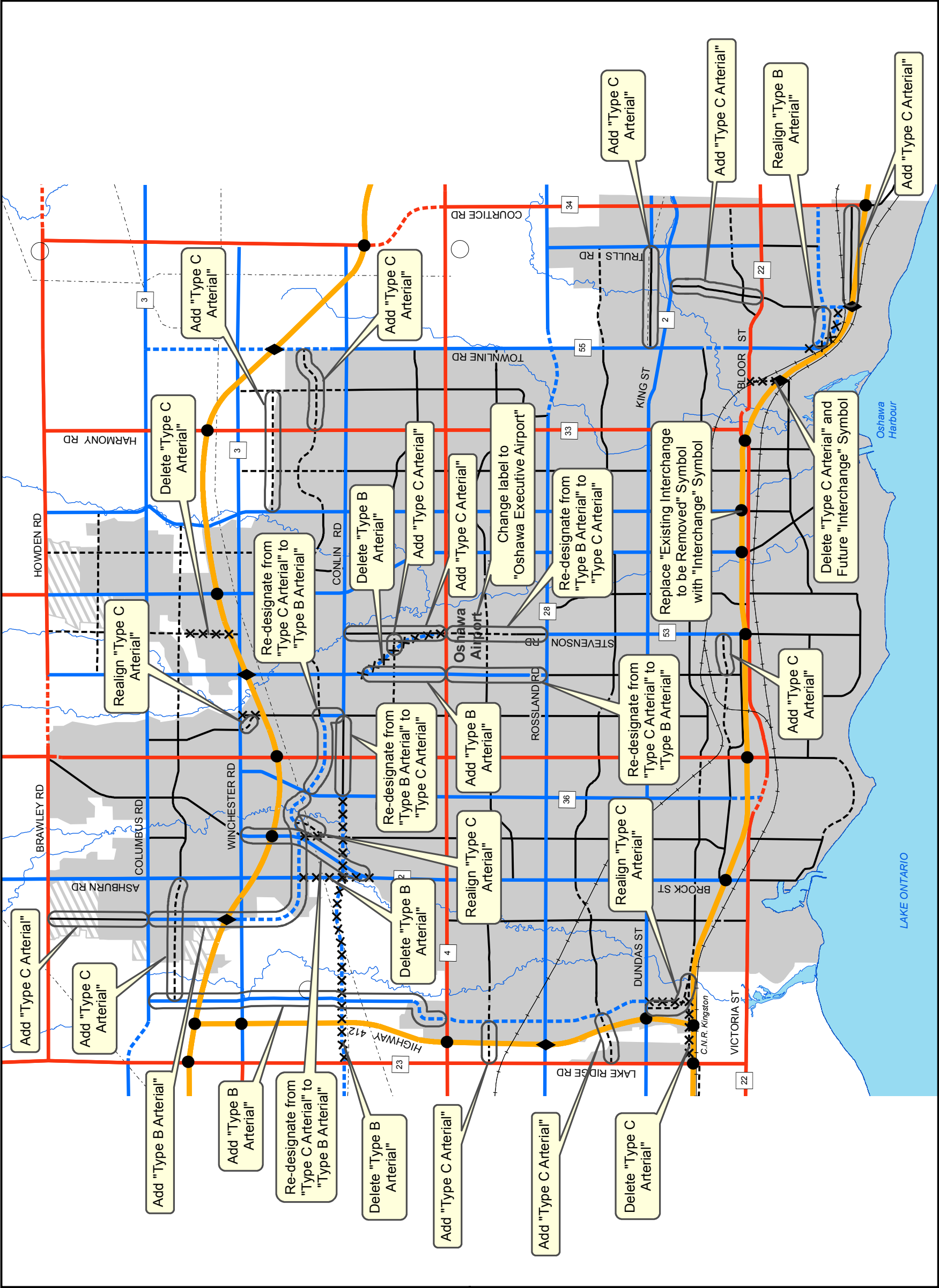
**Table 2****Policy Amendments to Schedule 'E' – Table 'E7' – Arterial Road Criteria**

<b>Item</b>	<b>Criteria</b>	<b>Details of Policy Amendment</b>
1.	Classification Criteria – Travel Speed	Under the Definition column, delete the second sentence.
2.	Classification Criteria – Minimum Intersection Spacing	Under the Definition column, in the first sentence, replace the words “should not be” with “a minimum of lower class road intersections”, and delete the words “intersected by lower class roads” at the end of the sentence.
3.	Travel Speed	Under the Type B Arterial column, replace “70 km/h Urban Area” with “60 km/h Urban Area”.
4.	Connectivity	<p>Under the Type A Arterial column, delete the word “and” and replace with “,” following “freeways”; add the words “and collectors” after the word “arterials”.</p> <p>Under the Type B Arterial column, delete the word “and” and replace with “,” following arterials; add the words “and minimal local road access” after the word “collectors”.</p>
5.	Transit	<p>Under the Type A Arterial column, replace the words “regional transit spines” with “Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections”.</p> <p>Under the Type B Arterial column, replace the words “regional transit spines” with “Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections”.</p> <p>Under the Type C Arterial column, replace the words “local transit corridors and connectors to regional transit spines” with “High Frequency Transit Network”.</p>

Item	Criteria	Details of Policy Amendment
6.	Cycling and Pedestrian Provisions	<p>Under the Type A Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, add the words “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p> <p>Under the Type B Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, add the words “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p> <p>Under the Type C Arterial column, in the first criterion, replace the words “to be determined subsequent to the completion of the” with “identified in the”; replace the word “Study” with the words “and corridor specific Environmental Assessment studies. In the second criterion, replace the word “Sidewalks” with “Sidewalk”; replace the words “however, may not be required in Employment Areas” with “; a multi-use path may be provided as an alternative to a sidewalk” after “pedestrians”.</p>

Item	Criteria	Details of Policy Amendment
7.	Right-of-Way Width	<p>Under the Type A Arterial column, in the first criterion, add “***” to refer to the exemption policy after “36-45 m right-of-way”. In the third criterion, replace the word “channelized” with “left and”. In the fourth criterion, add the words “, including planned High Occupancy Vehicle (HOV) or bus lanes” after the words “cross-section”. In the last criterion, replace “2-4 lanes” with “2-6 lanes”.</p> <p>Under the Type B Arterial column, in the first criterion, change the first criterion from “30-36 m*** right-of-way” to “30-45 m*** right-of-way”; add new criteria following the second criterion (“36 m for ultimate 4-lane cross-section”) as follows:</p> <p>“45 m for ultimate 6-lane cross-section on a Rapid Transit Spine or on the High Frequency Transit Network in the following sections:</p> <ul style="list-style-type: none"> <li>• Kingston Road (Toronto/Durham boundary to Elizabeth Street)</li> <li>• Kingston Road/Dundas Street (Rotherglen Road to Cochrane Street)</li> <li>• Dundas Street/King Street (Garden Street to Thornton Road)</li> <li>• Regional Highway 2 (Centerfield Drive to Highway 418)</li> <li>• Simcoe Street (Conlin Road to Winchester Road)</li> <li>• Liverpool Road (Kingston Road to Highway 401)</li> <li>• Westney Road (Kingston Road to Bayly Street)</li> </ul> <p>40 m for ultimate 6-lane cross-section on a Rapid Transit Spine in the following section:</p> <ul style="list-style-type: none"> <li>• King Street/Regional Highway 2 (Harmony Road to Centerfield Drive”</li> </ul> <p>Under the last criterion, add the words “With the exception of the above sections,” before the words “4 lanes”.</p>

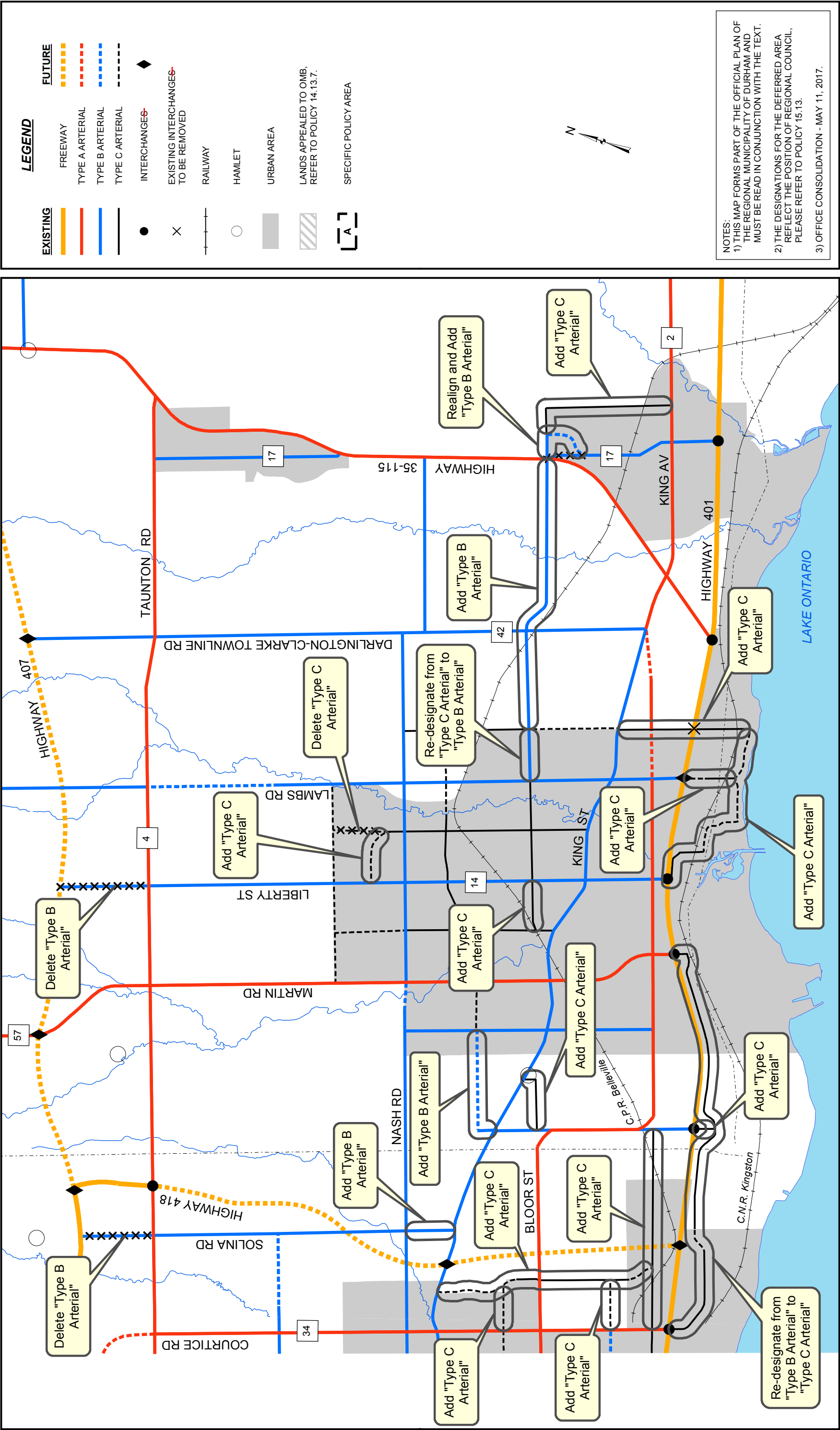




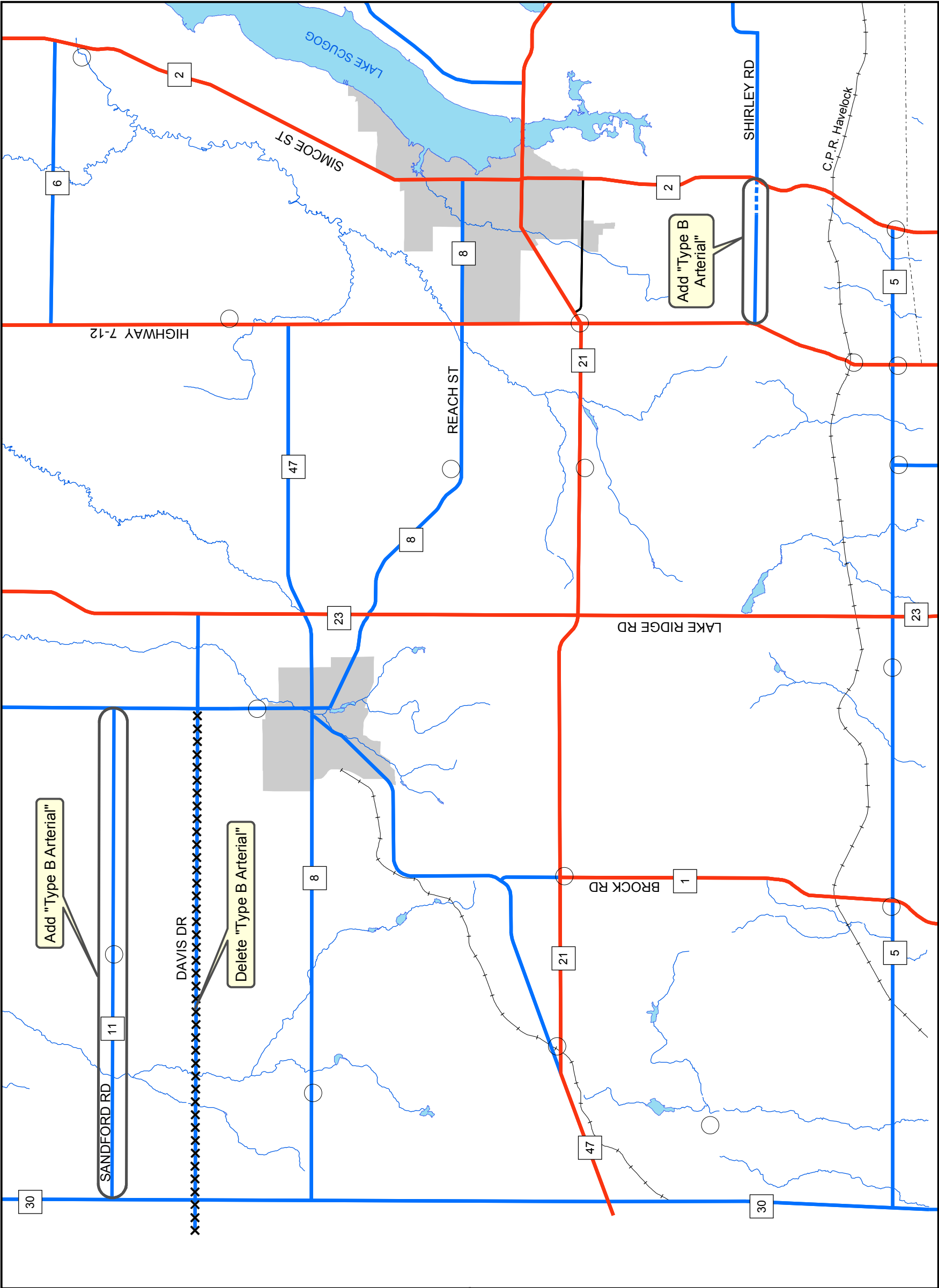
LEGEND	
<b>EXISTING</b>	<b>FUTURE</b>



NOTES:  
1) THIS MAP FORMS PART OF THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM AND MUST BE READ IN CONJUNCTION WITH THE TEXT.  
2) THE DESIGNATIONS FOR THE DEFERRED AREA REFLECT THE POSITION OF REGIONAL COUNCIL, PLEASE REFER TO POLICY 15.13.  
3) OFFICE CONSOLIDATION - MAY 11, 2017.





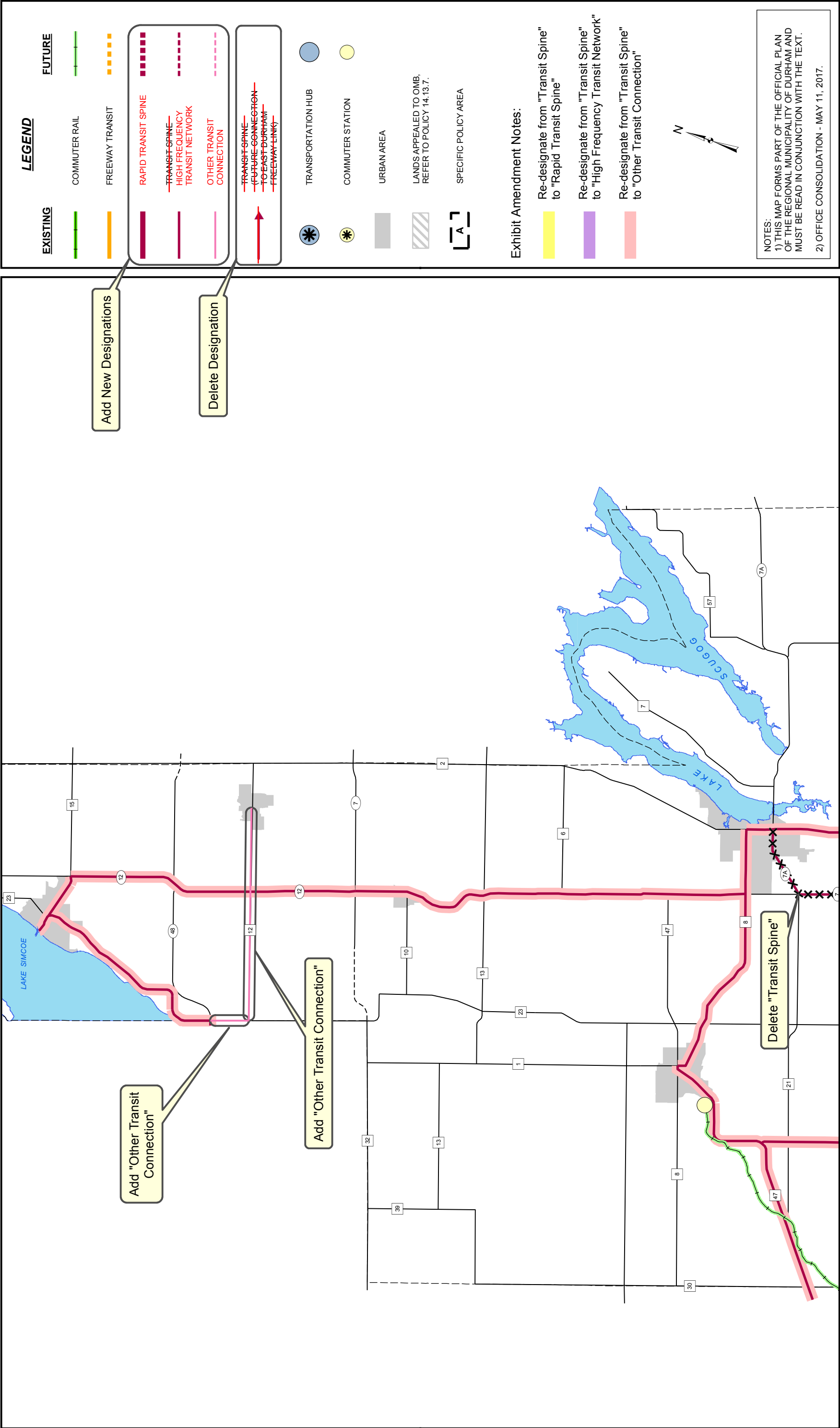


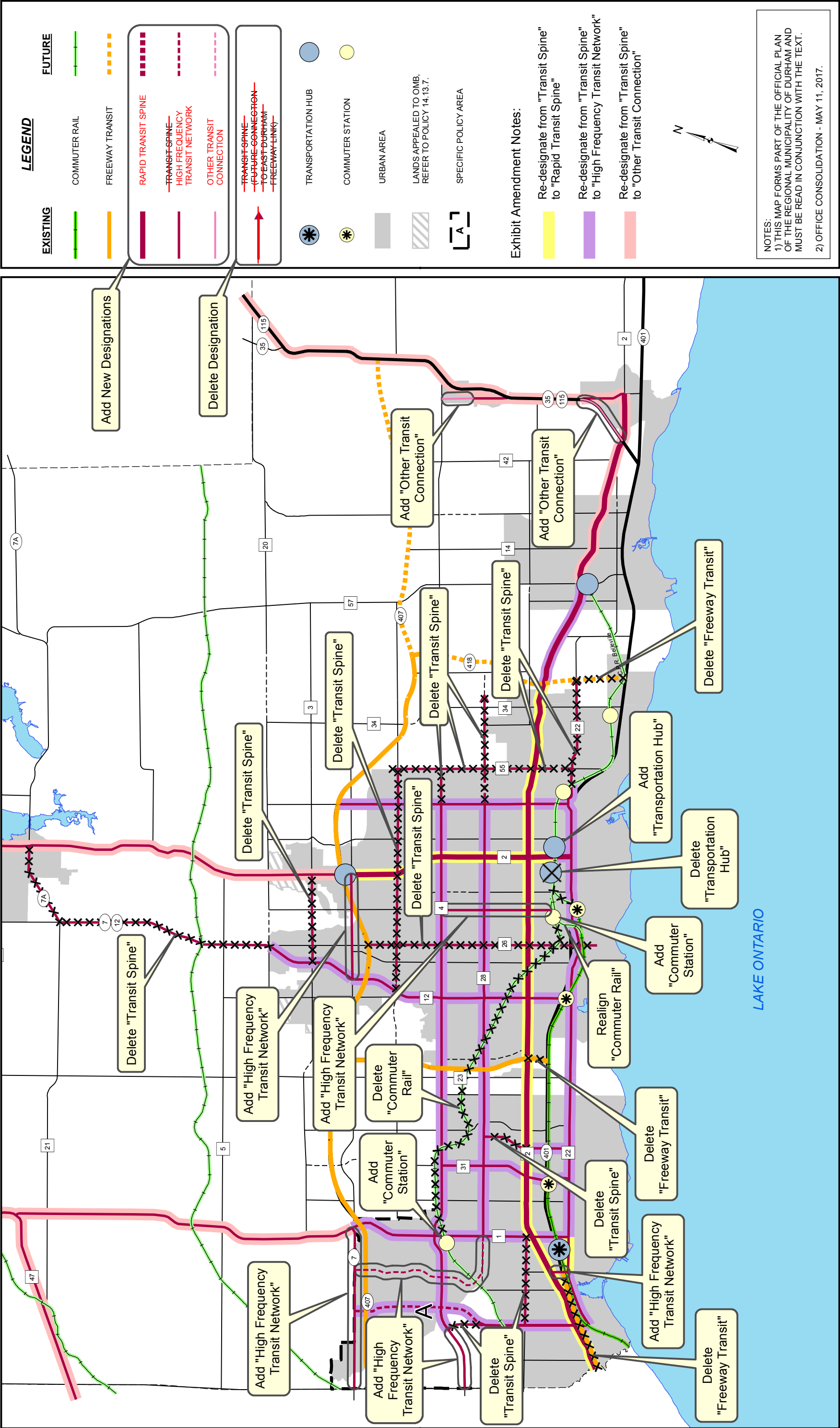
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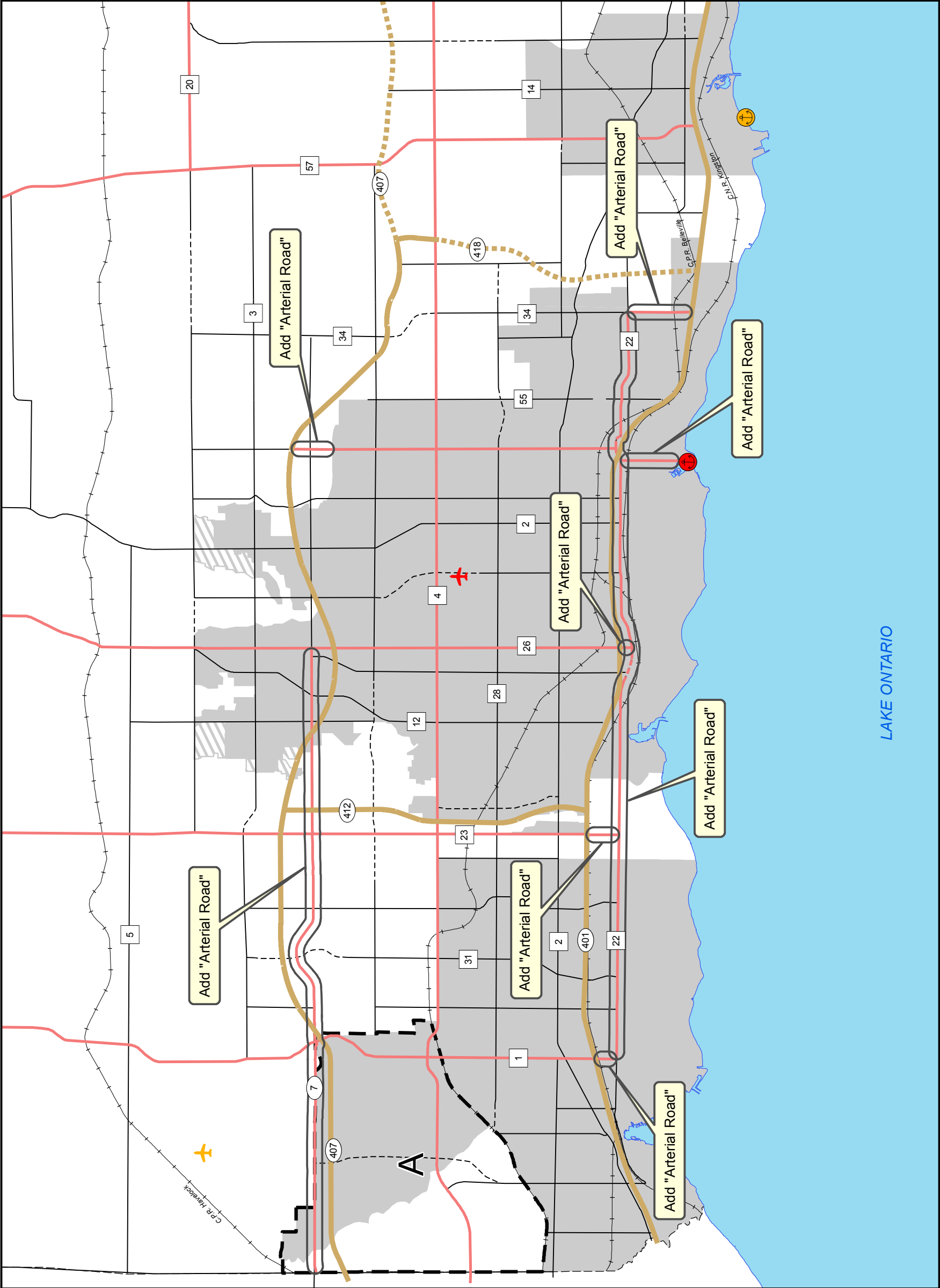


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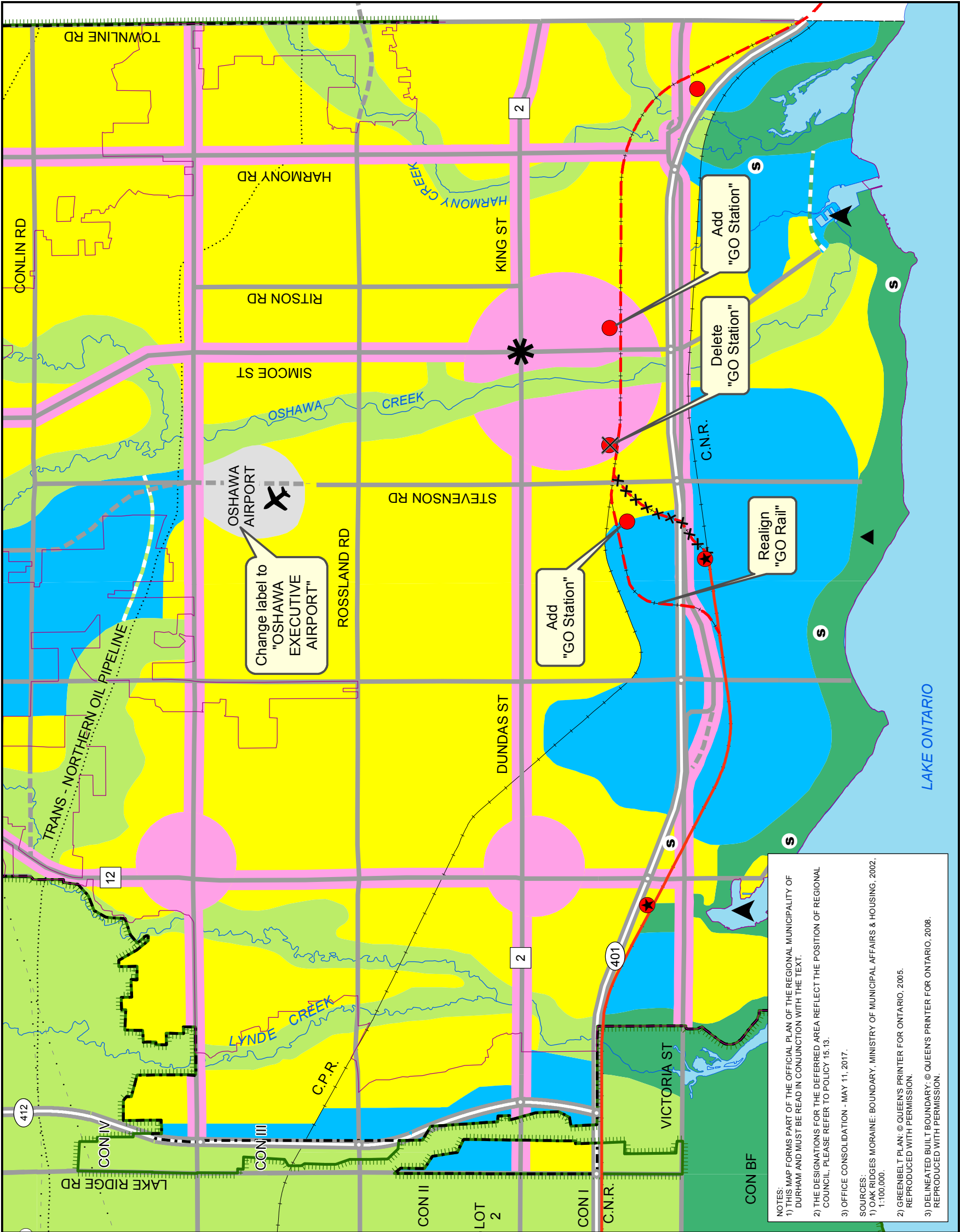








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## **Proposed Modification to Resolve Deferral 7 Durham Regional Official Plan**

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### **Purpose:**

The purpose of this Modification is to resolve Deferral 7, which pertains to the designation of Dixie Road as an existing Type B Arterial from Third Concession Road to Kingston Road in the City of Pickering. The modification resolves Deferral 7 by designating this section of Dixie Road as an existing Type C Arterial.

### **Basis:**

The designation of Dixie Road as a Type B Arterial was deferred by the Minister of Municipal Affairs and Housing when the Regional Official Plan was approved by the province in 1993. The deferral stems from an objection made by the Liverpool West Community Association to the proposed designation of Dixie Road in the Regional Official Plan.

The Transportation Master Plan update was endorsed by Regional Council in December 2017. The Transportation Master Plan recommends that Dixie Road be designated as an existing Type C Arterial. This designation is consistent with the City of Pickering's requested designation for Dixie Road (reflected by Deferrals 11, 12 and 44 in the Pickering Official Plan), and the request made by the Liverpool West Community Association to downgrade the intended function of this road in the Region's transportation network.

### **Actual Modification:**

The Durham Regional Official Plan is hereby modified by amending Schedule 'C', Map 'C2' – Road Network, as indicated on Exhibit 1 attached to this Modification.

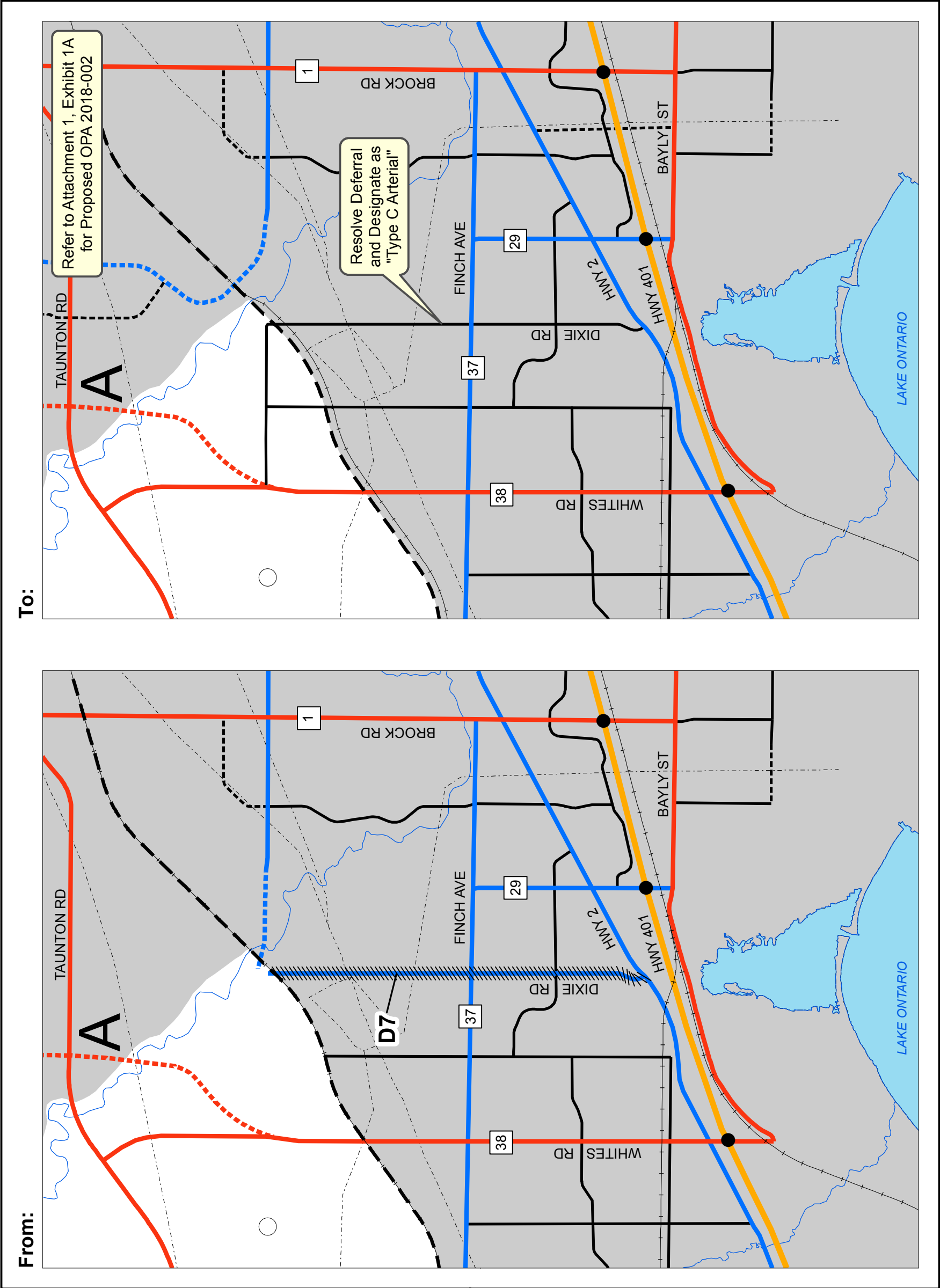
### **Implementation:**

The provisions set forth in the Durham Regional Official Plan, as amended, regarding the implementation of the Plan shall apply to this Modification.

### **Interpretation:**

The provisions set forth in the Durham Regional Official Plan, as amended, regarding the interpretation of the Plan shall apply to this Modification.





**Details of Proposed Changes to Schedule 'C', Maps 'C1' and 'C2' – Road Network  
Regional Official Plan Amendment Application 2018-002**

**Table 1  
Proposed Changes in Exhibit 1A – Pickering/Ajax on Map 'C2' – Road Network**

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
1.	Achilles Road extension	Audley Road to Lake Ridge Road	Add Type C Arterial	Recommended through the Town of Ajax Transportation Master Plan (2013) to provide an additional east-west connection, and provide relief to the Highway 401/Salem Road interchange, particularly for goods movement.
2.	Altona Road	Within Specific Policy Area A (Central Pickering Development Plan area)	Add Type B Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (City of Pickering Official Plan Amendment 22) and the Central Pickering Development Plan.
3.	Church Street/ Sideline 14	Seventh Concession Road to Taunton Road	Delete Type B Arterial	Recommended through the Town of Ajax Transportation Master Plan (2013) and supported by the Toronto and Region Conservation Authority to enable comprehensive planning for the Greenwood Conservation Lands.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
4.	Fairport Road	Within Specific Policy Area A (Central Pickering Development Plan area)	Add Type C Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the Central Pickering Development Plan.
5.	Future North-South Arterial in Downtown Pickering	Kingston Road to Bayly Street	Add Type C Arterial	Recommended by Pickering OPA 26 (Downtown Pickering Intensification Study), and provides an additional crossing of Highway 401 to help relieve congestion on parallel arterials (e.g. Brock Road to the east and Liverpool Road to the west) and provide for active transportation.
6.	Highway 407/Sideline 14 Future Interchange		Delete Future Interchange symbol	This interchange was part of the 1990s technically recommended route for Highway 407, but was not included as part of the Highway 407 East Environmental Assessment study (2009). Its deletion was missed in Amendment #128 (the Region's Growth Plan Conformity Amendment) when the mapping for Highways 407, 412 and 418 was updated in the ROP.
7.	North Road/East-West Residential Arterial (proposed Nathaniel Hastings Drive)	Highway 7 to Rossland Road Extension (proposed Peter Matthews Drive)	Add Type C Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the the and the Central Pickering Development Plan.



<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
8.	Rossland Road Extension (proposed Peter Matthews Drive)	Highway 7 to west of Valley Farm Road	Add Type B Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the and the Central Pickering Development Plan.
9.	Rossland Road/Third Concession Road Connection	Dixie Road to west of Valley Farm Road	Delete Type B Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the and the Central Pickering Development Plan.
10.	Sideline 24 (proposed Burkholder Drive)	Highway 7 to Rossland Road Extension (proposed Peter Matthews Drive)	Add Type C Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the and the Central Pickering Development Plan.
11.	Third Concession Road	Whites Road to Dixie Road	Add Type C Arterial	Include Type B Arterial and Type C Arterial designations in Specific Policy Area A in Schedule 'C', Map 'C2' – Road Network, consistent with the Seaton Conformity Amendment (Pickering OPA 22) and the Central Pickering Development Plan.

**Table 2**  
**Proposed Changes in Exhibit 1B – Whitby/Oshawa on Map ‘C2’ – Road Network**

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
12.	Ashburn Road	Mid-block Type B Arterial to Baldwin Street	Delete Type B Arterial	The TMP identified that this connection was not required from a capacity perspective, consistent with the recommended network in the Whitby TMP (2010) and given the proposed road network in the Brooklin Secondary Plan area. Constructability of link across environmentally sensitive lands and the hydro corridor would be very difficult to achieve.
13.	Baldwin Street	Highway 7/Winchester Road to north of Sonley Drive/Sleepy Hollow Place	Re-designate from Type C Arterial to Type B Arterial	Upgrade to Type B Arterial designation, given the function of the roadway with connection to Highway 407, and corresponding deletion of the continuous Ashburn Road/Baldwin Street Type B Arterial road designation.
14.	Bonacord Avenue extension	Lake Ridge Road to Des Newman Boulevard	Add Type C Arterial	Recommended by the West Whitby Secondary Plan (Whitby OPA 91) to protect for an alternative crossing of Highway 412. Allows for the resolution of Deferral 1 in the Whitby Official Plan, following approval of this amendment.
15.	Britannia Avenue extension	Harmony Road to Townline Road	Add Type C Arterial	Recommended by the Kedron Part II Plan (Oshawa OPA 167).

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
16.	Burns Street extension	West of Michael Boulevard to Dundas Street	Realign Type C Arterial, and delete future extension to Lake Ridge Road	Recommended by the West Whitby Secondary Plan (Whitby OPA 91), replacing the previous extension of Burns Street to Lake Ridge Road across the Highway 401/412 interchange. Allows for the resolution of Deferral 2 in the Whitby Official Plan, following approval of this amendment.
17.	Carnwith Drive extension	Coronation Road to Ashburn Road	Add Type C Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108) and Whitby TMP (2010).
18.	Cochrane Street	Brawley Road to Columbus Road	Add Type C Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).
19.	Cochrane Street	Columbus Road to Highway 7	Add Type B Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).
20.	Cochrane Street/ Midblock Type B Arterial	Highway 7 to Garrard Road	Add Type B Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).
21.	Garrard Road	Mid-block Type B Arterial to Conlin Road	Re-designate from Type C Arterial to Type B Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
22.	Garrard Road	Winchester Road/Cachet Boulevard to south of Highway 407	Realign Type C Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108). Eliminates jog in Type C Arterial at Winchester Road for Garrard Road and Cachet Boulevard, as designated in ROP.
23.	Conlin Road/ Lyndebrook Road connection	Extension from Lake Ridge Road to Anderson Street	Delete as Type B Arterial	The TMP identified that this connection was not required from a capacity perspective, consistent with the recommended network in the Whitby TMP (2010) and given the proposed road network in the Brooklin Secondary Plan area. Constructability of link across Heber Down Conservation Area would have significant environmental impacts. East-west capacity deficiencies between Whitby and Ajax/Pickering can be accommodated through widening of other roads (Highway 407, Highway 7, Taunton Road) and increased transit services proposed in this amendment for the Priority Transit Network.
24.	Conlin Road	Anderson Street to Garrard Road	Re-designate from Type B Arterial to Type C Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
25.	Consumers Drive (proposed Stellar Drive) extension	Thornton Road to Stevenson Road, via Laval Drive	Add Type C Arterial	The TMP recommended protecting for this corridor, given the future Thornton's Corners GO Station, development proposed in the surrounding area and limitations in widening Champlain Avenue to the south. A feasibility study is also recommended by the TMP for this corridor to further investigate potential transportation benefits and costs/constraints (e.g. crossing the existing CPR north-south spur line).
26.	Coronation Road/Des Newman Boulevard	Columbus Road to Taunton Road	Add Type B Arterial	Recommended by Whitby TMP (2010) and West Whitby Class Environmental Assessment Study. The northerly extension of Des Newman Boulevard north of Taunton Road as Type B Arterial, connecting to existing Coronation Road northerly to Columbus Road, maintains a good arterial grid in northwest Whitby. This corridor will connect nearby Brooklin and West Whitby, with a grade separation over Highway 407.
27.	Future East-West Type C Arterial	East of Thornton Road to Stevenson Road	Add Type C Arterial	Recommended by the Northwood Employment Area amendment (Oshawa OPA 159). With the proposed deletion of the Stevenson Road realignment, this road needs to be extended further east to Stevenson Road to be consistent with the Oshawa Official Plan.
28.	Future East-West Type C Arterial	Ritson Road to Grandview Street	Add Type B Arterial	Recommended by the Kedron Part II Plan (Oshawa OPA 167).

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
29.	Garden Street extension	North of Robert Attersley Drive to East-West Type B Arterial	Realign Type C Arterial	Recommended by the Brooklin Secondary Plan (Whitby OPA 108).
30.	Highway 401/Colonel Sam Drive Interchange and North-South Type C Arterial	Bloor Street to Colonel Sam Drive	Delete Future Interchange symbol and Type C Arterial	The TMP recommended deleting this future interchange and associated access road (i.e. Type C Arterial). Given the planned reconfiguration of the adjacent Harmony Road interchange to the west by MTO, planned interchange at Prestonvale Road to the east, along with physical and environmental constraints in the area, this interchange cannot be justified from a long-term transportation planning perspective.
31.	Highway 401/Ritson Road Interchange		Replace Existing Interchange to be Removed symbol with Interchange Symbol	The Highway 401 (Brock Road to Courice Road) Class EA and Preliminary Design Study (2014) recommended the reconfiguration of the Ritson Road interchange with new ramps, replacing the existing ramps at Drew Street and at Bloor Street. Accordingly, the interchange will be upgraded, rather than removed, and will supplement planned reconstruction of the Simcoe Street interchange.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
32.	North-South Type C Arterial west of Simcoe Street	East-west Type C Arterial to Winchester Road	Delete Type C Arterial	The City of Oshawa, through its Growth Plan Conformity amendment (OPA 179) recommended deletion of the portion of this planned road crossing Highway 407. The TMP determined that the ability to construct this road over Highway 407 is constrained, given close proximity of Winchester Road to Highway 407 and environmental constraints to the north in the Columbus Part II Plan area. Its deletion from the ROP will allow for part of Deferral 5 to the Oshawa Official Plan be resolved following approval of this amendment.
33.	Stevenson Road realignment	South of Conlin Road to Taunton Road	Delete Type B Arterial	Recommended by the Northwood Employment Area amendment (Oshawa OPA 159).
34.	Stevenson Road	Conlin Road to Taunton Road	Add Type C Arterial	Recommended by the Northwood Employment Area amendment (Oshawa OPA 159).
35.	Stevenson Road and extension	Taunton Road to Rossland Road	Re-designate from Type B Arterial to Type C Arterial	Without the planned realignment of Stevenson Road to connect to Thornton Road through the Oshawa Executive Airport lands and Northwood Employment Area, the TMP recommended that the Type C Arterial designation is more appropriate for this section of existing Stevenson Road.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
36.	Thornton Road	South of Conlin Road to Taunton Road	Add Type B Arterial	Recommended by the Northwood Employment Area amendment (Oshawa OPA 159).
37.	Thornton Road	Taunton Road to Rossland Road	Re-designate from Type C Arterial to Type B Arterial	The TMP recommended upgrading this section to a Type B Arterial designation, with the proposed elimination of Stevenson Road realignment. The re-designation allows for a Type B Arterial connection between Highways 401 and 407 via Stevenson Road, Rossland Road and Thornton Road.
38.	Twin Streams Road extension	Lake Ridge Road to Des Newmar Boulevard	Add Type C Arterial	Recommended by the West Whitby Secondary Plan (Whitby OPA 91) to protect for an alternative crossing of Highway 412. Allows for the resolution of Deferral 1 in the Whitby Official Plan, following approval of this amendment.



**Table 3**  
**Proposed Changes in Exhibits 1B and 1C – Clarington on Maps ‘C1’ and ‘C2’ – Road Network**

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
39.	Arthur Street/ Concession Road 3	North Street realignment to King Avenue (Regional Highway 2)	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP. Realignment of North Street recommended by the Clarington Official Plan Review amendment (Clarington OPA 107).
40.	Baseline Road	Prestonvale Road to Courtice Road	Add Type C Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107), from Prestonvale Road to Trulls Road. Portion between Trulls Road and Courtice Road was already in the Clarington Official Plan but not included in the ROP. Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
41.	Baseline Road	Courtice Road to Holt Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
42.	Bennett Road	Regional Highway 2 to East Beach Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
43.	Bloor Street	Holt Road to Maple Grove Road, and portion of Maple Grove Road from Bloor Street to Regional Highway 2	Add Type C Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107) as a Type C Arterial due to intended function of this road. Allows for the resolution of a portion of Deferral 2 in the Clarington Official Plan, following approval of this amendment.
44.	Concession Street	Scugog Street to Liberty Street	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
45.	Concession Street	Lambs Road to Providence Road	Re-designate from Type C Arterial to Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
46.	Concession Street/Concession Road 3	Providence Road to Highway 35/115	Add Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
47.	East Beach Road (new alignment)	Port Darlington Road to Bennett Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP. Alignment updated through the Clarington Official Plan Review Amendment (Clarington OPA 107).

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
48.	Energy Drive, Courtice Road, and Waverley Road	Energy Drive (Courtice Road to Waverley Road); Courtice Road (Highway 401 to Energy Drive); Waverley Road (Highway 401 to Energy Drive)	Re-designate from Type B to Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan. ROPA #114 (the Region's Official Plan Review amendment) added the designation of South Service Road as a Type B Arterial. The TMP recommended that the role and function of this road be more appropriately designated as a Type C Arterial. The road is also realigned to show sections of existing and future Energy Drive. Allows for the resolution of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
49.	Future East-West Type C Arterial	Courtice Road to Hancock Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP. Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
50.	Hancock Road	Regional Highway 2 to Bloor Street	Add Type C Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
51.	Holt Road	Longworth Avenue extension to Regional Highway 2	Add Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107) and Clarington TMP (2016). Allows for the resolution of a portion of Deferral 2 in the Clarington Official Plan, following approval of this amendment.
52.	Holt Road	Highway 401 to Energy Drive	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
53.	Lake Road	Liberty Street to Port Darlington Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
54.	Lambs Road extension	Highway 401 to East Beach Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
55.	Liberty Street	Highway 407 to Taunton Road	Delete Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Liberty Street not required as an arterial road connection, as an interchange is no longer planned on Highway 407.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
56.	Longworth Avenue extension	Holt Road to Green Road	Add Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107) and Clarington TMP (2016). Allows for the resolution of a portion of Deferral 2 in the Clarington Official Plan, following approval of this amendment. An EA study in progress to determine the preferred alignment.
57.	Nash Road	Townline Road to Trulls Road	Add Type C Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
58.	Meadowglade Road extension	Courtice Road to Hancock Road	Add Type C Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
59.	Mearns Avenue extension	East-West Type C Arterial to Concession Road 3	Re-align Type C Arterial and delete extension	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
60.	North Street/Concession Road 3	Highway 35/115 to north of CPR Belleville crossing	Add and Realign Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
61.	Prestonvale Road	Regional Highway 2 to Bloor Street	Add Type C Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Allows for the resolution of a portion of Deferral 1 in the Clarington Official Plan, following approval of this amendment.
62.	Solina Road	Highway 407 to Taunton Road	Delete Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107). Liberty Street not required as an arterial road connection, as an interchange is no longer planned on Highway 407.
63.	Solina Road	Nash Road to Regional Highway 2	Add Type B Arterial	This road is designated as a Type C Arterial in the Clarington Official Plan, but it was not included in the ROP.
64.	Townline Road/Future East-West Type B Arterial	Southport Drive (Oshawa) to Prestonvale Road	Realign Type B Arterial	Recommended by the Clarington Official Plan Review amendment (Clarington OPA 107) and Clarington TMP (2016). Provides an updated alignment for the Townline Road connection to Prestonvale Road and its continuous extension as a Type B Arterial corridor to Courtice Road. Prestonvale Road would also have a Type B Arterial designation from the Townline Road/Future East-West Type B Arterial to Highway 401.

**Table 4**  
**Proposed Changes in Exhibits 1D – Uxbridge/Scugog on Map ‘C1’ – Road Network**

<b>Item</b>	<b>Road Name</b>	<b>Limits</b>	<b>Change</b>	<b>Basis</b>
65.	Davis Drive	York-Durham Line to Concession 7 (Regional Road 1)	Delete Type B Arterial	Recommended through TMP as road would require significant upgrades to a Regional road standard. Road is currently designated as a Type B Arterial because it is continuous with York Region, but Region is best to focus efforts on upgrades to Sandford Road, which is already constructed to a higher standard, than take jurisdiction over Davis Drive. However, the section of Davis Drive between Concession 7 and Lake Ridge Road is still included as a Type B Arterial for network connectivity.
66.	Sandford Road	York-Durham Line to Concession 7 (Regional Road 1)	Add Type B Arterial	Recommended through TMP, as road provides east-west connectivity and reflects its current function.
67.	Scugog Line 2 and extension	Highway 7/12 to Simcoe Street (at Shirley Road)	Add Type B Arterial	Recommended through TMP, and provides a by-pass of Simcoe Street and Highway 7A through Port Perry. Requires reconstruction and extension of road in corridor to fulfill a Type B Arterial function. The TMP also recommends that a feasibility study be undertaken for this corridor to better define capital costs and environmental impacts.

### **Excerpts of Durham Regional Official Plan Incorporating the Proposed Amendment and Modification**

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The amended policies and modification proposed to the Regional Official Plan are contained herein, and in Exhibits 1 to 6, for reference purposes only.

#### **List of Active Deferrals to the 1993 Regional Official Plan Approval as of May 11, 2017**

(from Page iii)

Reference	Request From	Location	Parts of Plan Affected
D1	Port Darlington Community Association	St. Marys Cement Corporation (Formerly Blue Circle Canada Inc.), Municipality of Clarington	<ul style="list-style-type: none"> <li>• Policy 13.2.2 (Specific Policy Area 'B')</li> <li>• Schedule 'A' – Map 'A5'</li> </ul>
D4	Ministry of Municipal Affairs and Housing	East Orono Employment Area, Municipality of Clarington	<ul style="list-style-type: none"> <li>• Schedule 'A' – Map 'A5'</li> </ul>

This is a list of outstanding deferrals to the 1993 Regional Official Plan Approval as of May 11, 2017. Policy 13.2.2 which is deferred, hence not yet approved, is indicated with an asterisk (\*) followed by a reference to Deferral D1.



## Section 11

### Transportation System

#### 11.3 Policies

##### ROAD NETWORK AND DESIGN

11.3.4 In the consideration of *development* applications abutting arterial roads identified on Schedule 'C' – Maps 'C1' and 'C2', Road Network, Regional Council shall require that lands be dedicated for road widenings. The dedication of land shall take into account the following:

- a) the extent of the right-of-way that may be required in accordance with Policy 11.3.3;
- b) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, grade separation, channelization or existing *development*, make the taking of equal widenings impractical;
- c) the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, roundabouts, sight triangles at intersections, including intersections of an arterial road and a railway line, railway grade separations and freeway interchanges. The extent of the widening shall be based on the specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria; and
- d) the need to provide bicycle lanes and/or bus lanes.

11.3.7 The Region recognizes the importance of the Provincial freeway system, including Highways 401, 404, 407, 412, 418 and 115, in fostering continued economic development and reducing the Transportation System capacity deficiencies at the western limit of the Region. To improve the Provincial freeway and highway network, Regional Council supports the accelerated implementation of:

- a) the extension of Highway 407 to Highway 35/115, including the Highway 418 freeway connection to Highway 401 and planned transitway on Highways 407, 412 and 418;
- b) the expansion of Highway 401, including the construction of new or improved interchanges;
- c) the extension of Highway 404 and the related widening of Highways 12 and 48;

- d) improvements to Highways 7, 7A, 7/12, 35 and 35/115; and
- e) modifications to the alignment of the Highway 7/12 intersection at Thickson Road, subject to further study by the Town of Whitby and Ministry of Transportation, that may be updated without amendment to this Plan.

Although Provincial highways are shown on Schedule 'C' – Maps 'C1' and 'C2', Road Network, these highways are under the jurisdiction of the Ministry of Transportation, which has sole responsibility for such matters as standards, design criteria and widening requirements.

- 11.3.8 The Region of Durham encourages the Ministry of Transportation to construct the Highway 407 interchanges at Westney Road, Salem Road and Thornton Road, Highway 412 interchange at Rossland Road, and complete the Highway 401/Lake Ridge Road interchange, which were approved in the Highway 407 East Environmental Assessment study but deferred from initial construction.
- 11.3.9 The Region of Durham shall formally request and encourage the implementation of environmental design standards for Highways 407, 412 and 418, including the provision of treed and landscaped buffer strips within the right-of-way along each side of the highway and within the interchanges.
- 11.3.10 Regional Council recognizes the importance of providing a north/south freeway connection between Highway 401 and Highway 407 in the City of Toronto and the City of Markham to supplement the grid network of freeways throughout the Greater Toronto and Hamilton Area. Furthermore, Council shall oppose any decision, *development* proposal or other action which seriously compromises the ability to protect and implement such a facility.
- 11.3.13 Regional Council recognizes the need to improve east-west transportation linkages at the west Durham boundary and will continue to explore opportunities with the affected jurisdictions to enhance inter-Regional connections between the Region and the municipalities to the west. Although policies regarding the Rouge National Urban Park preclude additional inter-Regional arterial road connections south of Steeles Avenue, Regional Council will protect for the existing connections. Additionally, Regional Council will protect for the realigned Whitevale Road in Pickering to 14<sup>th</sup> Avenue in the Region of York and shall work with the affected municipalities to ensure that the proposed road connection is implemented.

#### TRANSIT PRIORITY NETWORK

- 11.3.17 This Plan supports the planning, design and operation of an integrated and coordinated Transit Priority Network, as designated on Schedule 'C' – Map 'C3', Transit Priority Network. The Transit Priority Network, which provides

inter-regional and inter-municipal service, is comprised of the following elements:

- a) "Rapid Transit Spine" that is planned to provide dedicated transit lanes in most arterial road sections and intersect with local transit services;
- b) "High Frequency Transit Network" that consists of buses in planned High Occupancy Vehicle (HOV) lanes, or buses or in mixed traffic, with transit signal priority at major intersections and other measures to ensure fast and reliable transit service. Planned HOV lanes may be converted to dedicated bus lanes as growth in ridership warrants;
- c) "Other Transit Connection" that facilitates longer-distance trips, providing direct links to Transportation Hubs and Commuter Stations from smaller urban and rural areas;
- d) "Commuter Rail" service that carries passengers at high rates of speed over longer distances and link to Transportation Hubs and Commuter Stations, providing transfer points to other transit services and transportation modes;
- e) "Transportation Hubs" that are major travel destinations and facilitate transfers between different modes of travel or between transit services; and
- f) "Freeway Transit" services that facilitate long distance inter-regional and inter-municipal transit trips within the Highway 407, 412 and 418 right-of-way. The designation of Freeway Transit supports the implementation of frequent bus service, with dedicated commuter parking lots and transit terminals at interchanges, which is planned to evolve to a dedicated transitway facility beside the freeway in the long-term.

11.3.18 In support of existing and future transit services, *development* adjacent to a Transportation Hub, Commuter Station, Rapid Transit Spine and the High Frequency Transit Network designated on Schedule 'C' – Map 'C3', Transit Priority Network, shall provide for:

- a) complementary higher density and mixed uses at an appropriate scale and context in accordance with Policy 8A.2.2 for Transportation Hubs and Commuter Stations and Policy 8A.2.9, where a Rapid Transit Spine or the High Frequency Transit Network is within Regional Corridors;
- b) buildings oriented towards the street, to reduce walking distances to transit facilities;

- c) facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other pedestrian and cycling facilities; and
- d) limited surface parking and the potential *redevelopment* of existing surface parking.

For the purposes of this Policy, development adjacent to a Transportation Hub or Commuter Station generally means an area within an approximate 500 metre radius of the station, representing about a 10-minute walk. The extent and delineation of the boundaries and land-use designations to implement the intent of this policy shall be detailed in area municipal official plans.

- 11.3.19 Centres and Corridors that correspond to a Rapid Transit Spine, as designated on Schedule 'C' – Map 'C3', Transit Priority Network, should be developed to their fullest potential in accordance with Sub-Section 8A of this Plan.

#### REGIONAL CYCLING PLAN

- 11.3.24 This Plan supports an urban environment and infrastructure that encourages and supports *active transportation* throughout the Region through policies and practices that ensure safe, direct, comfortable, attractive and convenient connections.

#### GOODS MOVEMENT

- 11.3.28 The Oshawa Executive Airport shall be developed to its fullest potential until such time as a new airport is established in the City of Pickering. Once the Pickering Airport has been established, the policies of Section 8, as well as the extension of Stevenson Road and Beatrice Street shown on Schedule 'C' – Map 'C2', Road Network, shall apply to this area without amendment to this Plan.

## **Schedule E – Table 'E7'**

### **Arterial Road Criteria**

#### **Classification Criteria**

<b>Criteria</b>	<b>Definition</b>
<b>Traffic Service Objective</b>	Roads of higher classification should serve inter-regional and regional traffic movements over relatively longer distances. Lower order classifications should cater to local traffic movements over shorter distances and provide access to abutting property.
<b>Land Service/Access</b>	Direct access from adjoining properties to roads of higher classification should be limited or restricted in recognition of their through traffic function, and for traffic safety and flow reasons. Lower order classifications should provide direct access to abutting lands where required, assuming the entranceway can be positioned in a safe location.
<b>Traffic Volume</b>	Roads of higher classification being the principal routes between traffic generating centres should accommodate higher traffic usage relative to roads of a lower classification, taking into account urban and rural differences.
<b>Flow Characteristics</b>	Roads primarily serving traffic movement should have traffic control and design characteristics that permit uninterrupted flow. On lower classification roads, drivers should expect interrupted flow due to the frequency of accesses and intersections, and the presence of more traffic control devices, parked vehicles and pedestrian crossings.
<b>Travel Speed</b>	The road cross-section and the roadside environment generally determine the operating speeds on a roadway. Roads of higher classification with emphasis on long distance travel should be designed to accommodate higher operating speeds than roads of lower classification.
<b>Goods Movement</b>	Long distance commercial vehicle operation should occur on roads of higher classification and be discouraged on local roads.
<b>Connectivity</b>	Roads should connect to other roads with the same or similar functions, and to roads that are directly above or below them in the hierarchy.

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

**Classification Criteria**

<b>Criteria</b>	<b>Definition</b>
Transit	Roads of higher classification should be the focus of more frequent and higher-order transit service, including express bus operations. Lower classes of road should accommodate bus operations of a more local nature.
Cycling and Pedestrian Provisions	On roads of higher classification, cycling and pedestrian activity should be restricted or provided for in separate facilities. On lower classes of roads, cycling and pedestrian activity should be encouraged, but would not require dedicated facilities.
Parking	Parking should be prohibited or restricted on roads of higher classification to provide for clearway conditions, while curbside parking may be accommodated on lower road classes.
Minimum Intersection Spacing	Roads of higher classification should have limited, appropriately spaced side road connections and a minimum of lower class road intersections. They may be grade separated or controlled at grade by well co-ordinated traffic control signals. More frequent intersection spacing is acceptable on lower classes of road. These intersections may be controlled at grade using regulatory signs and other traffic control mechanisms, including traffic calming measures.
Right-of-way width	The cross-section of roads can range from divided, multi-lane facilities for higher classifications, through to two-lane undivided facilities for lower classes of road. This criterion is related to route capacity as well as maneuverability of heavy vehicles. The ultimate cross-section for a road generally evolves over time as traffic volumes increase. As such, right-of-ways should be of sufficient width to accommodate the ultimate cross-section.

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

**Classification Criteria**

<b>Criteria</b>	<b>Definition</b>
Continuity	Roads of higher classification have longer continuous road sections, serve inter-municipal or inter-regional traffic and are characterized by higher volumes of through traffic. On the other hand, lower order roads have shorter, discontinuous road sections, serving shorter local trips and playing a key role in providing access to adjacent properties.
Cross-Section Features	Roads of higher classification tend to be higher capacity routes with relatively higher operating speeds and traffic volumes, with enhanced features such as acceleration/deceleration lanes, climbing and passing lanes, and intersection turn bays to improve traffic flow. Lower classes tend to have lower capacities with lower operating speeds and traffic volumes.
Vehicle Priority	Roads of higher classification are likely to provide priority capacity for particular modes/uses by way of bus lanes, truck lanes or transit lanes. Lower road classes generally provide for mixed traffic.
Network Spacing	The spacing of roads in the hierarchy normally relates to the density of activity occurring in the area. Roads of higher classification will be spaced more widely apart than the lower road classes, which provide for a completed grid to enable efficient traffic circulation.

<b>Criteria</b>	<b>Arterial Classes</b>		
	<b>Type A Arterial</b>	<b>Type B Arterial</b>	<b>Type C Arterial</b>
Traffic Service Objective	Traffic movement primary consideration Predominantly serves inter-regional and inter-municipal trips	Traffic movement major consideration Predominantly serves inter- and intra-municipal trips	Traffic movement slightly more important than land access Predominantly serves intra-municipal trips

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

<b>Criteria</b>	<b>Arterial Classes</b>		
	<b>Type A Arterial</b>	<b>Type B Arterial</b>	<b>Type C Arterial</b>
<b>Land Service/Access</b>	<p>Rigid/Progressive access control</p> <p>Permit private access generally located a minimum of 200 metres apart in Urban Areas</p> <p>Permit large scale commercial and industrial developments, mixed use developments and higher density developments with shared or combined access</p>	<p>Incremental/Progressive access control</p> <p>Permit private access generally located a minimum of 80 metres apart in Urban Areas</p> <p>Promote higher densities with shared or combined access</p>	<p>Limited access control</p> <p>Promote higher densities with shared or combined access, or limit to single detached dwelling unit frontage</p>
<b>Typical Daily Traffic Volume</b>	>10,000 AADT	5,000-40,000 AADT	4,000-20,000 AADT
<b>Flow Characteristics</b>	Uninterrupted flow except at traffic control signals	Uninterrupted flow except at traffic control signals	Uninterrupted flow except at traffic control signals and pedestrian crossings
<b>Travel Speed</b>	70 km/h Urban Area, 80 km/h outside Urban Areas	60 km/h Urban Area, 80 km/h outside Urban Areas	50-60 km/h
<b>Goods Movement</b>	Generally no restrictions	Generally no restrictions	Generally no restrictions.



**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

<b>Criteria</b>	<b>Arterial Classes</b>		
	<b>Type A Arterial</b>	<b>Type B Arterial</b>	<b>Type C Arterial</b>
<b>Connectivity</b>	Connects with freeways, arterials and collectors	Connects with freeways, arterials, collectors and minimal local road access	Connects with arterials, collectors and limited local road access
<b>Transit</b>	May serve as Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections	May serve as Rapid Transit Spines, High Frequency Transit Network and Other Transit Connections	May serve as High Frequency Transit Network
<b>Cycling and Pedestrian Provisions</b>	<p>Cycling provisions identified in the Regional Cycling Plan and corridor specific Environmental Assessment studies</p> <p>Sidewalk on both sides with separation from traffic lane preferred for pedestrians; a multi-use path may be provided as alternative to a sidewalk</p>	<p>Cycling provisions identified in Regional Cycling Plan and corridor specific Environmental Assessment studies</p> <p>Sidewalk on both sides for pedestrians; multi-use path may be provided as alternative to a sidewalk</p>	<p>Cycling provisions identified in Regional Cycling Plan and corridor specific Environmental Assessment studies</p> <p>Sidewalk on both sides for pedestrians; multi-use path may be provided as alternative to sidewalk</p>
<b>Parking</b>	Prohibited or peak hour restrictions	Prohibited or peak hour restrictions	Not recommended where traffic movement is impacted or it becomes a safety issue

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Minimum Intersection Spacing	<p>700 m intersection spacing in north-south direction</p> <p>*300 m/500 m intersection spacing in east-west direction</p> <p>Signalized intersections where required</p>	<p>525 m major intersection spacing in north-south direction</p> <p>*300 m/500 m major intersection spacing in east-west direction</p> <p>Some minor intersections (T-type) mid-block subject to possible future control, if necessary to maintain corridor progression</p> <p>Signalized intersections where required</p>	<p>300 m intersection spacing</p> <p>Some minor intersections with future control provisions, if necessary due to capacity and queuing considerations</p> <p>Signalized intersections where required but not at consecutive intersections</p>
Right-of-Way Width	<p>36-45 m right-of-way**</p> <p>36 m for ultimate 2-4 lane cross section</p> <p>40 m for ultimate 4-lane cross-section with left and right turn lanes at intersections</p> <p>45 m for ultimate 6-lane cross-section, including planned High Occupancy Vehicle (HOV) or bus lanes</p> <p>Maintain width through corridor for alignment of utilities and boulevard features</p>	<p>30-45 m**&amp;*** right-of-way</p> <p>36 m for ultimate 4-lane cross-section</p> <p>45 m for ultimate 6-lane cross-section on a Rapid Transit Spine or on the High Frequency Transit Network in the following sections:</p> <ul style="list-style-type: none"> <li>• Kingston Road (Toronto/Durham boundary to Elizabeth Street)</li> <li>• Kingston Road/Dundas Street (Rotherglen Road to Cochrane Street)</li> </ul>	<p>26-30 m** right-of-way, dependent on transit facilities, on street parking and established development (i.e. downtown)</p> <p>2-4 lane cross-section within the Urban Area</p>

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

Criteria	Arterial Classes		
	Type A Arterial	Type B Arterial	Type C Arterial
Right-of-Way Width (cont'd)	4-6 lanes within the Urban Area and 2-6 lanes outside the Urban Area	<ul style="list-style-type: none"> <li>• Dundas Street/King Street (Garden Street to Thornton Road)</li> <li>• Regional Highway 2 (Centerfield Drive to Highway 418)</li> <li>• Simcoe Street (Conlin Road to Winchester Road)</li> <li>• Liverpool Road (Kingston Road to Highway 401)</li> <li>• Westney Road (Kingston Road to Bayly Street)</li> </ul> <p>40 m for ultimate 6-lane cross-section on a Rapid Transit Spine in the following section:</p> <ul style="list-style-type: none"> <li>• King Street/Regional Highway 2 (Harmony Road to Centerfield Drive)</li> </ul> <p>With the exception of the above sections, 4 lanes within the Urban Area and 2-4 lanes outside the Urban Area</p>	

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

<b>Criteria</b>	<b>Arterial Classes</b>		
	<b>Type A Arterial</b>	<b>Type B Arterial</b>	<b>Type C Arterial</b>
<b>Continuity</b>	Continuous across regional areas or larger municipal areas	Typically continuous across several municipalities	Typically continuous within a single municipality with few spanning two or more; may be shorter and discontinuous sections when serving major traffic generators
<b>Cross Section Features</b>	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes	Enhanced through development of supporting circulation system, roadway widening, raised medians, coordination of traffic signals, consolidation of private accesses, reducing and controlling local residential street intersections, adding auxiliary lanes at intersections, channelized non-traversable medians, improved curb radii, and provision of right turn lanes

**Schedule E – Table 'E7' – cont'd**

**Arterial Road Criteria**

<b>Criteria</b>	<b>Arterial Classes</b>		
	<b>Type A Arterial</b>	<b>Type B Arterial</b>	<b>Type C Arterial</b>
<b>Vehicle Priority</b>	To be considered as part of strategic goods movement network  Consideration may be given for transit priority measures including dedicated transit lanes, queue jump lanes, and priority signals	To be considered for goods movement  Consideration may be given for transit priority measures including queue jump lanes, and priority signals	Predominantly passenger and service vehicles, low to moderate truck traffic (except in Centres and Employment Areas)
<b>Network Spacing</b>	Generally 6.5 km between north/south and east/west arterials	Generally 1.6 km between north/south arterials and 2.0 km between east/west arterials	Generally, no less than 0.8 km between north/south and east/west arterials

**Exceptions:**

\* In some cases, spacing for east-west arterials can be reduced to 300 m if signals are "coupled" provided adjacent intersections are a minimum of 500 m away.

\*\* Reduced right-of-way widths will only be considered in locations identified as exceptions in the Area Municipal Official Plans in accordance with Regional Policy.

\*\*\* Wider rights-of-way may be required to accommodate intersection improvements and other facilities such as transit, utilities, noise attenuation installation, bikeways and landscaping. For new streets, the immediate provision of wider rights-of-way may be considered to accommodate such facilities.

Unless otherwise identified by another appropriate comprehensive planning process or Official Plan, a corridor study or Environmental Assessment shall be undertaken to identify any exceptions to the right-of-way widths identified in this Table.

## **Schedule E – Table 'E7' – cont'd**

### **Arterial Road Criteria**

#### **Exceptions:**

Outside of Centres and Hamlets, the right-of-way widths, speeds and access spacing requirements shall generally apply to the arterial roads shown on Schedule 'C' – Maps 'C1' and 'C2'. However, if the intent of this Plan is adhered to, and following adequate study to the effect that such provisions are impractical and cannot be implemented precisely, the authority having jurisdiction on such roads may deviate from these provisions without the need for an amendment to this Plan. Within Centres and Hamlets, speed and access spacing requirements shall not apply to arterial roads. The right-of-way width requirements shall apply, unless it can be demonstrated, in consultation with the Region, that exceptions to the right-of-way widths are appropriate for specific sections of arterial roads. The exceptions shall be incorporated into the area municipal official plan.

## SCHEDULE 'C' - MAP 'C1' ROAD NETWORK

**EXISTING**

FREEWAY

TYPE A ARTERIAL

TYPE B ARTERIAL

TYPE C ARTERIAL

INTERCHANGE

EXISTING INTERCHANGE TO BE REMOVED

RAILWAY

HAMLET

URBAN AREA

SPECIFIC POLICY AREA

## FUTURE

FREEWAY

TYPE A ARTERIAL

TYPE B ARTERIAL

INTERCHANGE

EXISTING INTERCHANGE TO BE REMOVED

RAILWAY

HAMLET

URBAN AREA

SPECIFIC POLICY AREA

LAKE ONTARIO

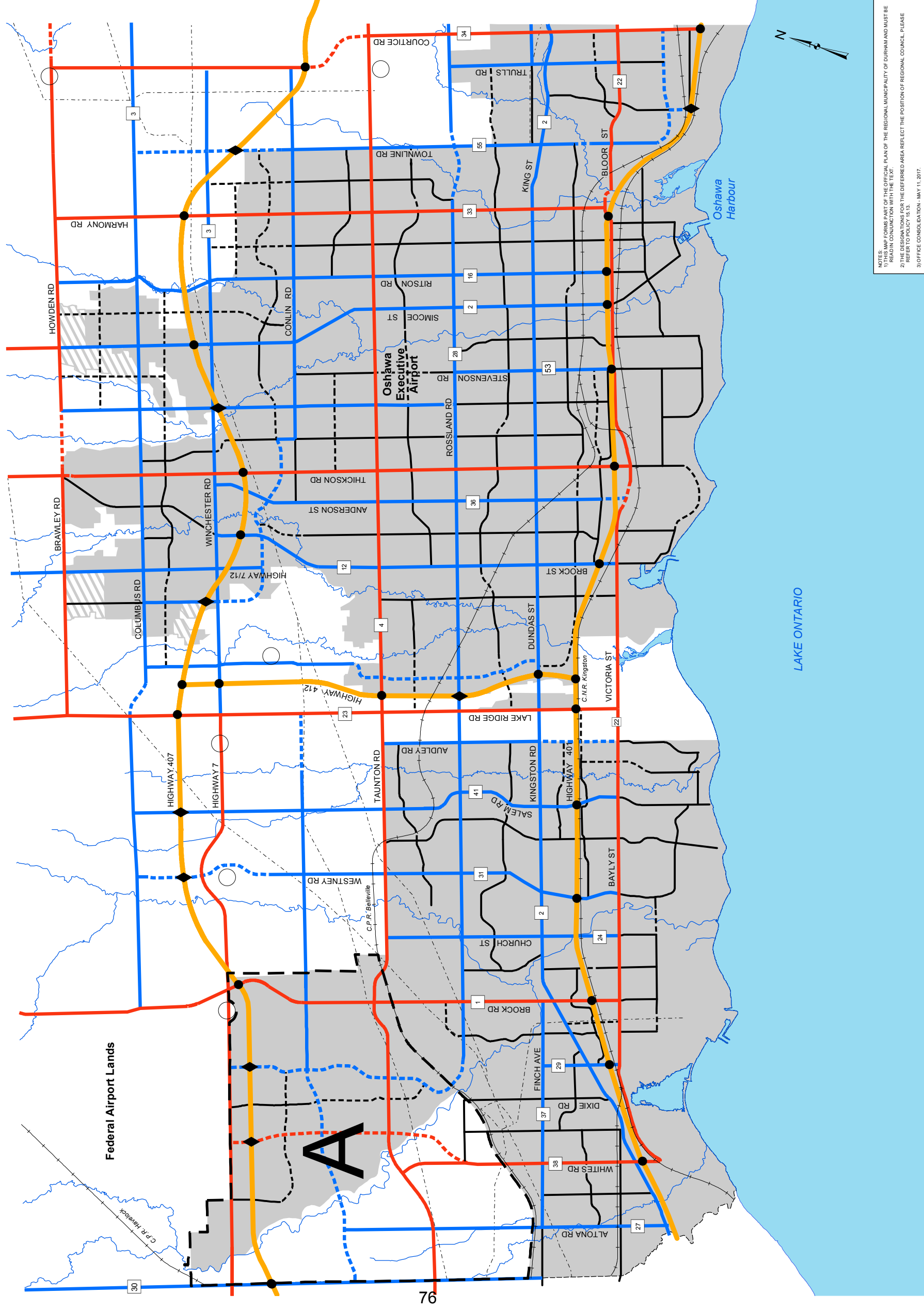
NOTES:

1) THIS MAP FORMS PART OF THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM AND MUST BE READ IN CONJUNCTION WITH THE TEXT.

2) THE DESIGNATIONS FOR THE DEFERRED AREA REFLECT THE POSITION OF REGIONAL COUNCIL, PLEASE REFER TO POLICY 15.13.

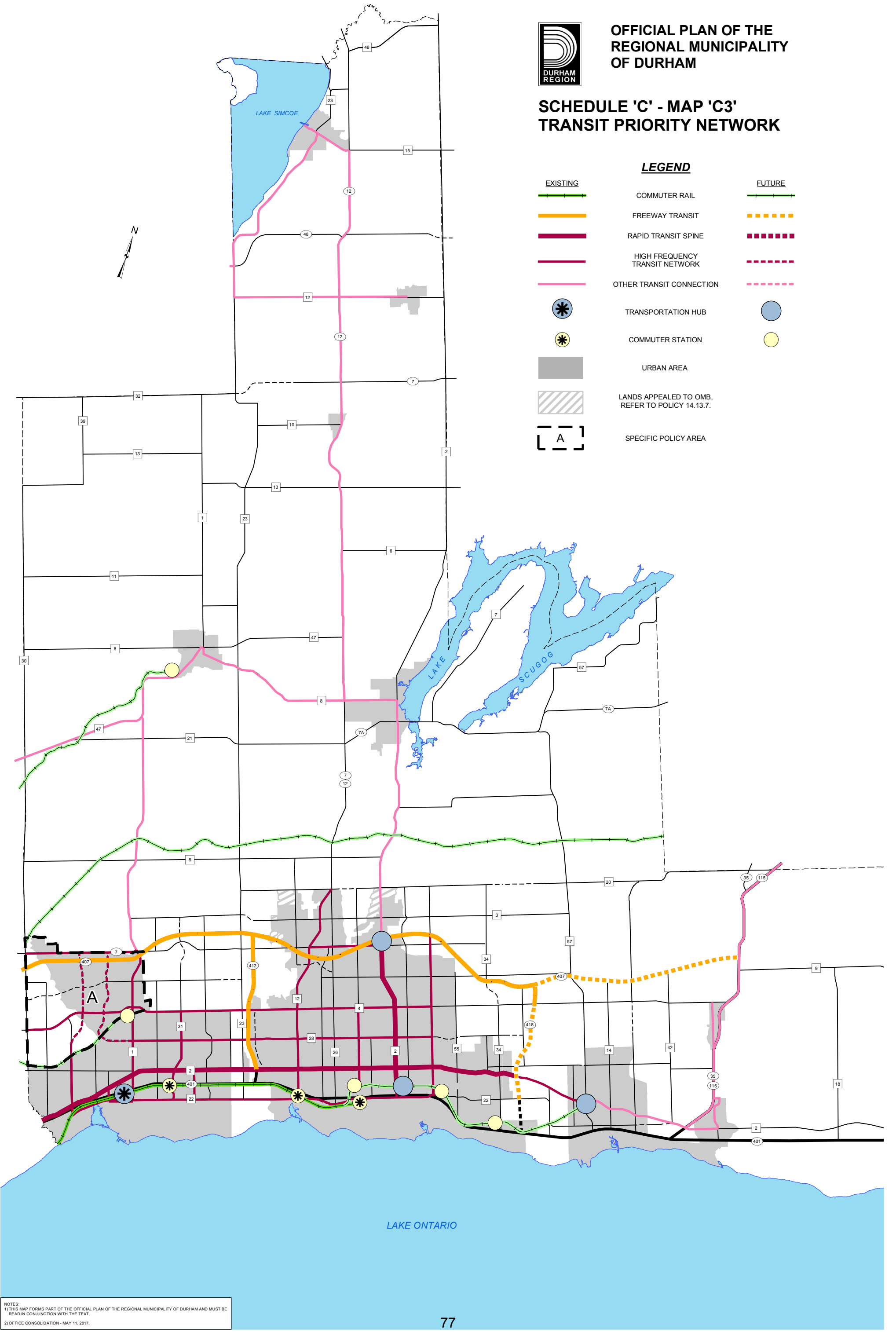
3) OFFICE CONSOLIDATION - MAY 11, 2017.

**SCHEDULE 'C' - MAP 'C2'  
ROAD NETWORK**  
PICKERING, AJAX, WHITBY,  
OSHAWA, COURTOISE



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3) OFFICE CONSOLIDATION - MAY 11, 2017.





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OFFICIAL PLAN OF THE  
REGIONAL MUNICIPALITY  
OF DURHAM

SCHEDULE 'C' - MAP 'C4'  
STRATEGIC GOODS MOVEMENT NETWORK

LEGEND

EXISTING

FUTURE



AIRPORT



ARTERIAL ROAD



FREEWAY



HARBOUR



RAILWAY



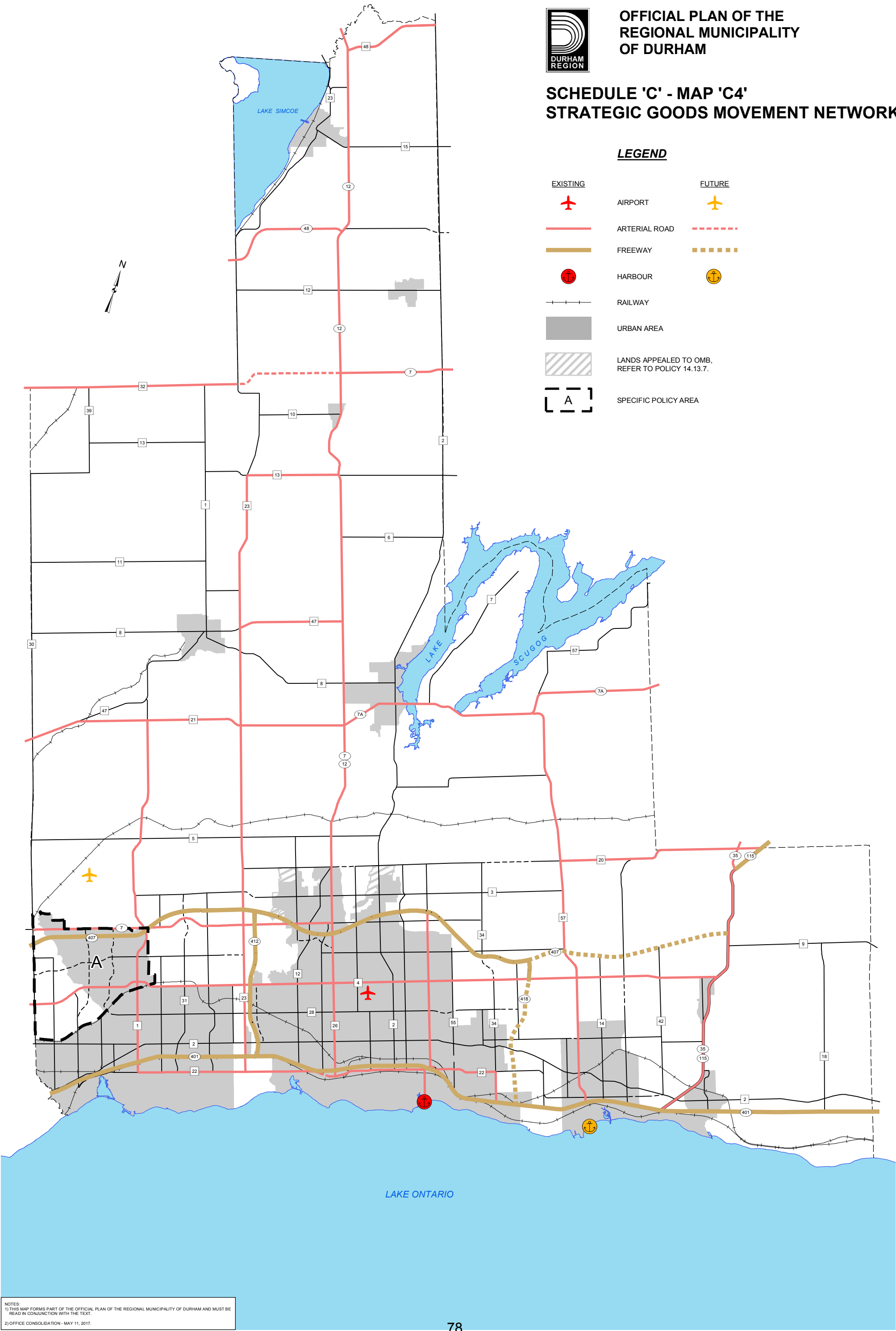
URBAN AREA



LANDS APPEALED TO OMB,  
REFER TO POLICY 14.13.7.



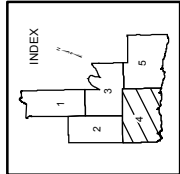
SPECIFIC POLICY AREA



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OFFICIAL PLAN OF THE  
REGIONAL MUNICIPALITY  
OF DURHAM



SCHEDULE 'A' - MAP 'A4'  
REGIONAL STRUCTURE

LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- URBAN GROWTH CENTRE
- LIVING AREAS
- AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- MUNICIPAL SERVICE
- REGIONAL CENTRE
- REGIONAL CORRIDOR
- EMPLOYMENT AREAS
- AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
- BUILT BOUNDARY

RURAL SYSTEM

- PRIME AGRICULTURAL AREAS
- RURAL SETTLEMENTS:
  - HAMLET
  - RURAL EMPLOYMENT AREA (SEE TABLE E3 FOR DESCRIPTION)
  - REGIONAL NODE (SEE SECTION 9C FOR DESCRIPTION)
  - AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)
- COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE E2 FOR DESCRIPTION)
- SHORELINE RESIDENTIAL

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- TOURIST ACTIVITY/ RECREATIONAL NODE
- OPEN SPACE LINKAGE
- OAK RIDGES MORaine AREAS
- GREENBELT BOUNDARY
- WATERFRONT PLACE
- WATERFRONT LINKS

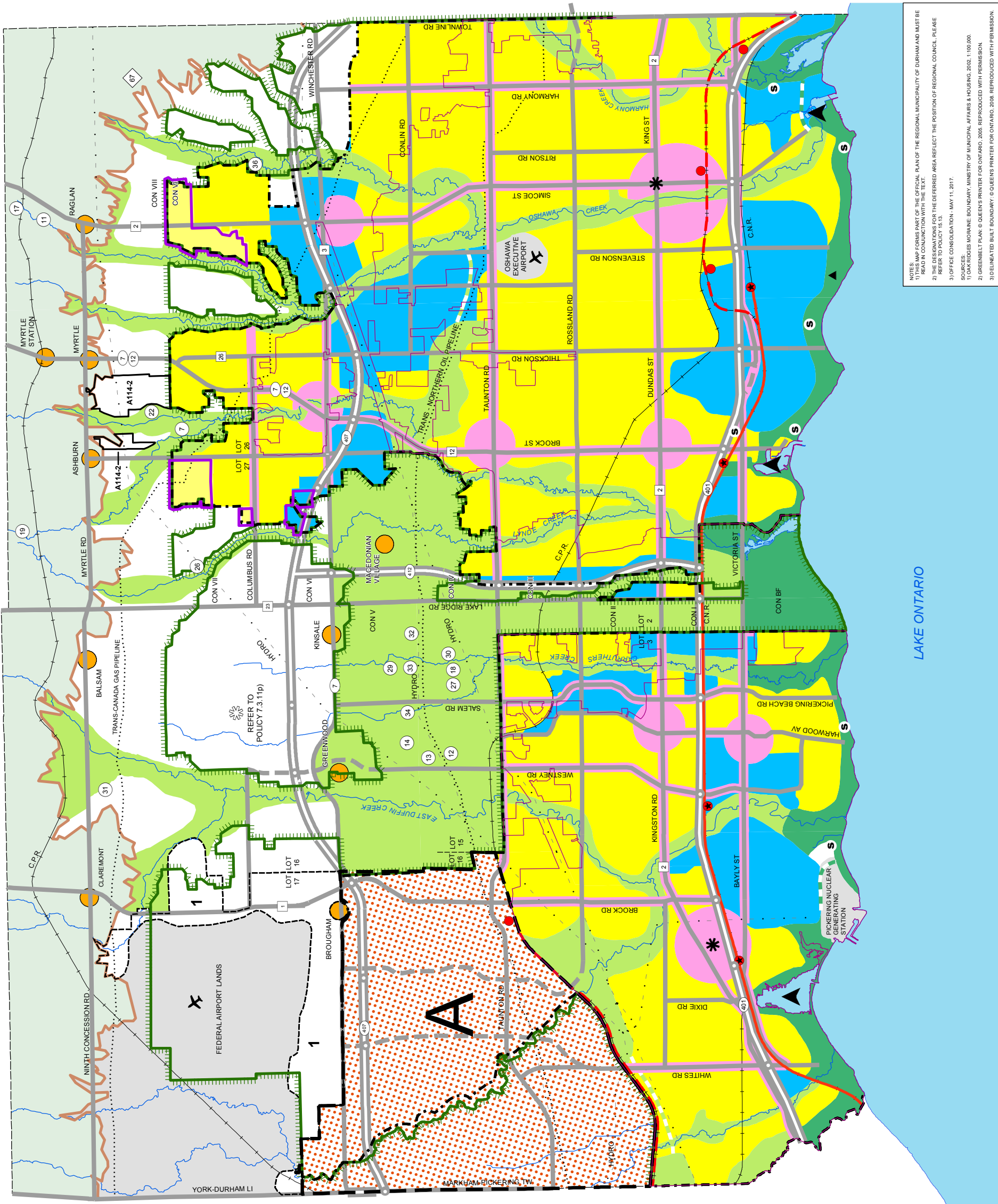
TRANSPORTATION SYSTEM

SEE SCHEDULE C FOR DESIGNATIONS  
THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

- EXISTING
  - ARTERIAL ROAD
  - FREEWAY
  - INTERCHANGE
  - GO RAIL
  - GO STATION
- FUTURE
  - ARTERIAL ROAD
  - FREEWAY
  - INTERCHANGE
  - GO RAIL
  - GO STATION

SPECIAL AREAS

- SPECIAL STUDY AREA
- DEFERRED BY MINISTER OF MUNICIPAL AFFAIRS
- REFER TO POLICY 7.3.11p)
- SPECIFIC POLICY AREA
- APPEALED TO O.M.B.
- LANDS APPEALED TO OMB, REFER TO POLICY 14.13.7



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3) OFFICE CONSOLIDATION. MAY 11, 2017.  
SOURCES:  
1) OAK RIDGES MORaine BOUNDARY. MINISTRY OF MUNICIPAL AFFAIRS & HOUSING, 2002. 1:100,000.  
2) GREENBELT PLAN. © QUEEN'S PRINTER FOR ONTARIO, 2005. REPRODUCED WITH PERMISSION.  
3) DELINEATED BUILT BOUNDARY. © QUEEN'S PRINTER FOR ONTARIO, 2008. REPRODUCED WITH PERMISSION.





SCHEDULE 'A'  
REGIONAL STRUCTURE

LEGEND

URBAN SYSTEM

- URBAN AREA BOUNDARY
- URBAN AREA BOUNDARY DEFERRED
- REGIONAL CENTRE
- URBAN GROWTH CENTRE
- REGIONAL CORRIDOR
- LIVING AREAS
- EMPLOYMENT AREAS
- MUNICIPAL SERVICE
- AREAS DEVELOPABLE ON FULL/PARTIAL MUNICIPAL SERVICES
- AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS & PRIVATE WASTE DISPOSAL SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & MUNICIPAL SEWER SYSTEMS
- AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
- BUILT BOUNDARY

RURAL SYSTEM

- PRIME AGRICULTURAL AREAS

RURAL SETTLEMENTS :

- HAMLET
- RURAL EMPLOYMENT AREA (SEE TABLE E3 FOR DESCRIPTION)
- COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE E2 FOR DESCRIPTION)
- SHORELINE RESIDENTIAL

- REGIONAL NODE (SEE SECTION 9C FOR DESCRIPTION)
- AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)

GREENLANDS SYSTEM

- MAJOR OPEN SPACE AREAS
- WATERFRONT AREAS
- OAK RIDGES MORaine BOUNDARY
- TOURIST ACTIVITY / RECREATIONAL NODE
- OPEN SPACE LINKAGE
- OAK RIDGES MORaine AREAS
- GREENBELT BOUNDARY
- WATERFRONT PLACE
- WATERFRONT LINKS

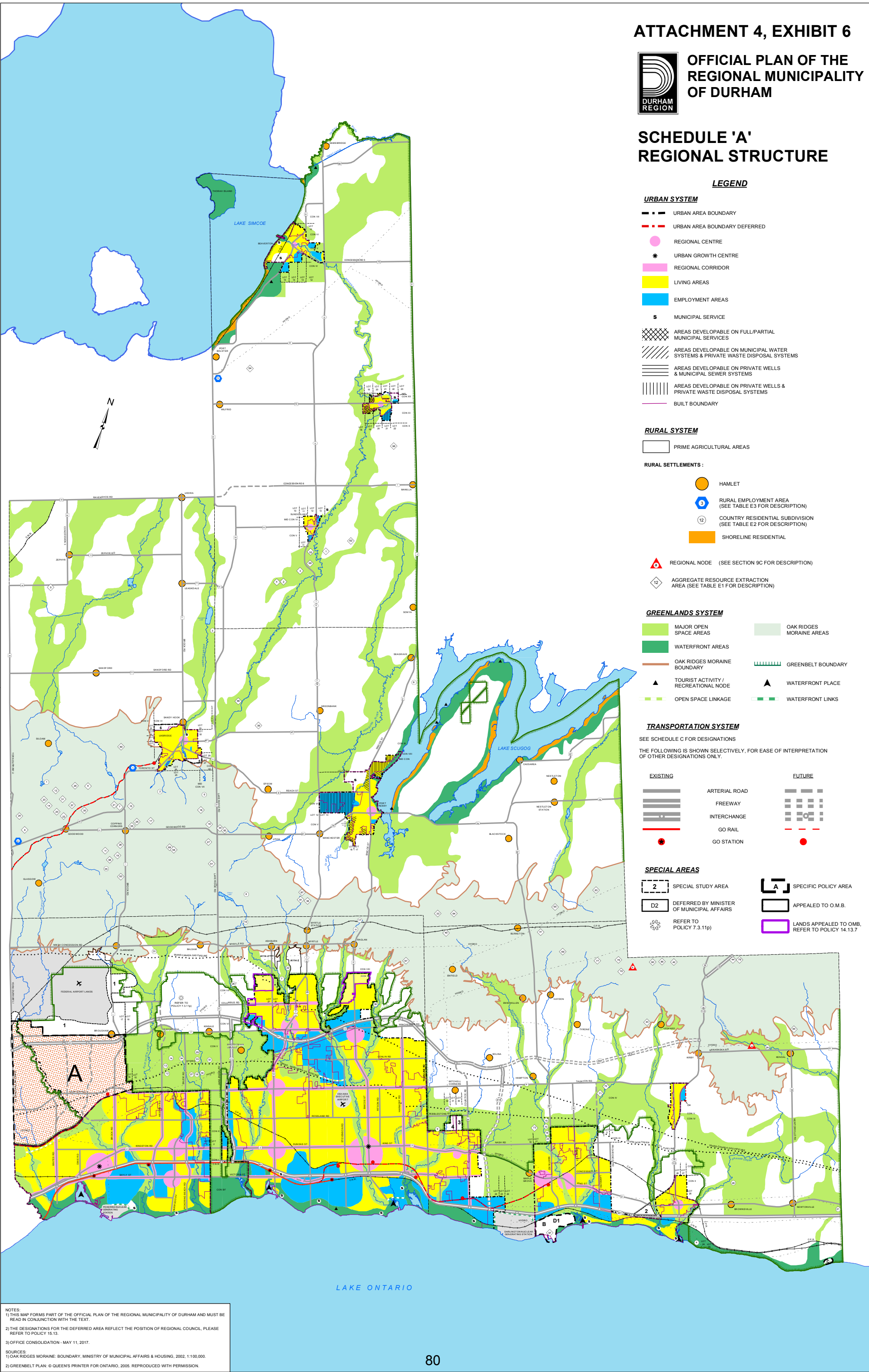
TRANSPORTATION SYSTEM

SEE SCHEDULE C FOR DESIGNATIONS  
THE FOLLOWING IS SHOWN SELECTIVELY, FOR EASE OF INTERPRETATION OF OTHER DESIGNATIONS ONLY.

- EXISTING
- ARTERIAL ROAD
- FREEWAY
- INTERCHANGE
- GO RAIL
- GO STATION
- FUTURE

SPECIAL AREAS

- SPECIAL STUDY AREA
- DEFERRED BY MINISTER OF MUNICIPAL AFFAIRS
- REFER TO POLICY 7.3.11(p)
- SPECIFIC POLICY AREA
- APPEALED TO O.M.B.
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## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Social Services and Commissioner of Finance  
Report: #2018-COW-61  
Date: April 4, 2018

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**Subject:**

The Province of Ontario's Development Charges Rebate Program

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**Recommendations:**

That the Committee of Whole recommends to Regional Council:

- A) That the Region be authorized to assume the role of program administrator under the Province of Ontario's Development Charges Rebate Program, subject to an eligible area municipality being allocated Provincial funding and designating the Region as program administrator through an Area Municipal Council resolution, wherein the Region must undertake ongoing administrative responsibilities on behalf of the area municipality, including, but not limited to:
- i. Entering into a Transfer Payment Agreement (TPA) with Ministry of Housing (MHO) on behalf of the area municipality;
  - ii. Administering the Program in compliance with the TPA and the Program Guidelines;
  - iii. Planning activities related to program delivery, which may include assessing local housing needs and planning processes;
  - iv. Identifying rental housing developments and units eligible to receive a rebate under the Program;
  - v. Determining the amount of rebates on a project by project basis;
  - vi. Determining key milestones for payment of the rebate;
  - vii. Developing and entering into required agreements with developers of rental housing developments and units receiving provincial rebates to set out a procedure to receive provincial rebates and monitor progress;
  - viii. Flowing provincial rebates to eligible rental housing developments and units;
  - ix. Completing and submit take-up plans to MHO, as indicated in the TPA; and
  - x. Monitoring progress and providing annual reports to MHO, as indicated in the TPA.

- B) That subject to an eligible area municipality being allocated Provincial funding, the Regional Chair and Regional Clerk be authorized to enter into agreements with the Ministry of Housing in order to administer the Province of Ontario's Development Charges Rebate Program on behalf of the Town of Ajax, the Township of Uxbridge and the Municipality of Clarington (and any other area municipality who designates the Region as program administrator through an Area Municipal Council resolution);
  - C) That no administration costs be recovered from the Provincial allocations to participating area municipalities in order to maximize the funding available for development charge rebates to increase the supply of purpose-built market rental development in the Region of Durham; and
  - D) That the Regional Chair and Regional Clerk be authorized to execute necessary agreements and documentation in order to enable the Region to administer the Province's Development Charges Rebate Program.
- 

## **Report:**

### **1. Purpose**

- 1.1 The purpose of this report is to inform Regional Council of the details of the recently announced provincial Development Charges Rebate Program, as well as identify six area municipalities in Durham that were invited to submit an Expression of Interest (EOI) and the potential role of the Region of Durham as program administrator for one or more area municipalities.

### **2. Background**

- 2.1 On April 20, 2017, the Ontario government announced its Fair Housing Plan, a plan of 16 measures that aims to improve housing affordability, address demand, protect renters and buyers, increase the supply of housing, and improve information sharing.
- 2.2 The Development Charges Rebate Program ('the Program') is one of the measures that was introduced to increase the supply of purpose-built rental housing. The program will provide provincially-funded rebates for development charges (including local, Regional and/or education charges) paid by the developer, thereby reducing construction costs for an eligible development.

### **3. Program Requirements**

#### Eligible municipalities

- 3.1 The Program is targeted to single and lower-tier municipalities. The Ministry of Housing (MHO) invited select municipalities to submit an expression of interest (EOI). Only municipalities meeting one or more of the following criteria were invited to participate:
- municipalities with a vacancy rate of 3 per cent or less;
  - municipalities with a high tenant population (i.e. 20 per cent or more of all households are rental households); and
  - municipalities with opportunities to approve rental housing developments within an approximate 500-800 metre radius of a major transit station area.
- 3.2 According to this provincial criteria, the following six area municipalities in Durham were invited by the Province to submit an EOI under the Program: Oshawa, Whitby, Ajax, Clarington, Pickering and Uxbridge.
- 3.3 The Program is application-based and selected municipalities may only apply once.
- 3.4 MHO will announce participating municipalities and their notional allocations in early spring 2018.

#### Role of municipalities

- 3.5 Participating municipalities will administer the Program based on the local need, changing market conditions and demand for rental housing in their communities. They have the flexibility to determine built-form of projects, unit sizes, and the amount and timing of the DC rebate on a project by project basis. The Province is encouraging eligible municipalities to work with their housing service managers to ensure alignment with local planning and housing policies and to coordinate municipal incentives (where applicable).
- 3.6 As program administrator, single and/or lower-tier municipalities will have to develop and enter into required agreements with developers, monitor progress and provide annual reports to the Province. Municipalities also have the option to designate their service manager as program administrator.

#### Role of housing service manager as program administrator

- 3.7 As service manager, the Region of Durham is not eligible to participate directly in the Program. However, given its status of a Service Manager, it may act as program administrator at the request of an area municipality.

3.8 The service manager, as program administrator, would be responsible for:

- Entering into a TPA with MHO on behalf of the area municipality;
- Administering the Program in compliance with the TPA and the Program Guidelines;
- Planning activities related to program delivery, which may include assessing local housing needs and planning processes;
- Identifying rental housing developments and units eligible to receive a rebate under the Program;
- Determining the amount of rebates on a project by project basis;
- Determining key milestones for payment of the rebate;
- Developing and entering into required agreements with developers of rental housing projects and units to set out a procedure to receive provincial rebates and monitor progress;
- Flowing provincial rebates to eligible rental housing projects and units;
- Completion and submission of take-up plans to MHO, as indicated in the TPA; and
- Monitoring progress and providing annual reports to MHO, as indicated in the TPA.

#### Funding

- 3.9 The Program is 100 per cent funded by the Province. The Province has allocated up to \$125 million over five years for municipalities under the Program, starting in 2018-19. This represents an annual allocation of \$25 million per year across the Province.
- 3.10 There are no requirements for participating municipalities to contribute financially to the Program. Participating municipalities (or their designated program administrator) may use up to five per cent of their allocation to cover administration costs.
- 3.11 The Ministry will advance funding directly to municipalities (or their designated program administrator) who will be responsible for rebating development charges for eligible developments and units.
- 3.12 Program funding, if approved, will be provided according to the terms and conditions of a TPA between the Province and the participating municipality (or its designated program administrator).

#### Eligible Projects and Units

- 3.13 Participating municipalities (or their designated program administrator) have flexibility to determine eligible rental housing projects and units within the following broad provincial criteria:
- Projects must be consistent with the Provincial Policy Statement (PPS) and conform with the Growth Plan
  - Projects must align with other provincial priorities and lead to net new additional



public good (rental housing, family-sized units, senior-friendly, close to transit and transit hubs)

- Projects and units receiving provincial rebates must remain rental for a minimum of 20 years
- Projects must contain non-luxury rental units, where starting rents do not exceed 175 per cent of average market rent (AMR) as published by the Canada Mortgage and Housing Corporation (CMHC). Municipalities have the ability to set a lower threshold based on local circumstances and housing policies.

3.14 There are no long-term affordability requirements for units beyond the threshold for starting market rents, subject to rent increase guidelines under the *Residential Tenancies Act, 2006*.

#### Ineligible Projects

3.15 The following types of developments are not eligible under the Provincial Program:

- Single and semi-detached homes, duplexes/triplexes, and retirement homes
- Units receiving provincial capital subsidies under housing supply programs (e.g., under the Investment in Affordable Housing Program (IAH) – Rental Component)
- Luxury market rental units, where starting rents exceed 175 per cent of CMHC average market rents
- Market rental developments receiving deferral of or exemption from payment of development charges.

3.16 Funding under the Program may be combined with funding from other provincial housing programs only if some additional public good is created (e.g. new market rental units that were not previously planned).

#### Take-up Plans

3.17 Based on their notional allocations, participating municipalities (or their program administrator) will be required to submit a take-up plan to MHO for approval in the first quarter of each fiscal year for all years of the Program. The take-up plan for a particular fiscal year will be informed by rental housing developments that have come forward for planning approvals and that meet program eligibility criteria.

3.18 To accommodate for potential delays in the planning approval processes for developments proposed in the initial take-up plans, municipalities have two years to rebate eligible developments. The two years start at the beginning of each Provincial fiscal year, when municipalities receive MHO approval on their initial (first quarter) spending plans.

### Timelines

- 3.19 The deadline to submit an EOI was March 2, 2018, and all six area municipalities in Durham that were invited to participate in the Program submitted an EOI.
- 3.20 MHO will be reviewing submissions and selecting eligible municipalities between March and April of 2018 and will announce participating municipalities and their notional allocations in early spring of 2018.
- 3.21 Participating municipalities, or their designated program administrator, will be required to enter into a TPA with the Province and will be required to submit an initial spending plan in late spring/early summer of 2018.

## **4. Engagement with Area Municipal Staff**

- 4.1 In January, staff from the Finance Department arranged a conference call with area treasurers to discuss program requirements, gauge interest in the Program and communicate the tight provincial timelines so that area municipalities did not miss the opportunity to apply.
- 4.2 Subsequently, Regional staff from the Housing Services Division, the Planning Division, and the Finance Department have been actively engaged with local municipal staff to support them in completing their EOIs by the Provincial deadline. Staff provided a summary of Regional housing policies and priorities and relevant statistical information to all area municipalities invited to submit an EOI.
- 4.3 All six area municipalities eligible to participate have now submitted their EOIs to MHO. Regional staff will continue to provide support to any local municipalities who receive a notional allocation, as requested by the area municipality.

## **5. Region of Durham as Program Administrator**

- 5.1 Both At Home in Durham, the Durham Housing Plan 2014-2024, and the recommendations of the Affordable and Seniors' Housing Task Force recognize the importance of partnerships and collaboration in meeting local housing needs. The Program offers an opportunity for area municipalities to partner with the Region as program administrator – leveraging the Region's experience as service manager in administering social housing and other housing-related programs.
- 5.2 Three area municipalities – the Town of Ajax, the Township of Uxbridge and the Municipality of Clarington – have passed resolutions authorizing the Region of Durham to act as its program administrator, subject to a partnership agreement with the Region. The Town of Whitby has not passed such a resolution, but municipal staff have advised that they have indicated in their EOI to MHO that they reserve the right to do so prior to signing a TPA (see Attachment #1 for Area Municipal Council Resolutions).

- 5.3 The Cities of Oshawa and Pickering have submitted EOIs and do not intend to designate the Region as Program Administrator.
- 5.4 Should the Towns of Ajax and Whitby, the Township of Uxbridge or the Municipality of Clarington receive a notional allocation, they will require written confirmation of the Region's willingness to act as program administrator, prior to the execution of the TPA with MHO.
- 5.5 As program administrator, the Region would partner with successful area municipalities to engage the development community to identify rental housing developments and units eligible to receive a rebate under the Program (e.g. undertaking competitive procurement processes, where appropriate and applicable, and/or run advertisements). Further, the Region would work co-operatively with successful area municipalities to select projects, determine development charges rebate amounts on a project by project basis, and determine key milestones for payment of the rebate.

## **6. Financial Implications**

- 6.1 To date, three of six eligible area municipalities have expressed an interest in designating the Region as program administrator for the Program (as indicated in their Area Municipal Council resolutions). According to the Provincial guidelines, if designated program administrator, the Region would need to undertake ongoing administrative responsibilities, which are outlined in section 3.8 of this report.
- 6.2 The TPA will set out accountability requirements between the Province (through MHO) and the Region of Durham, as program administrator for the participating municipality, and outline the roles and responsibilities of both parties. The TPA will require the Region of Durham to develop formal contribution agreements with eligible developers on behalf of the participating area municipality.
- 6.3 As program administrator, the Region will incur administrative costs over the twenty-year term of the program, including costs related to mandatory reporting obligations to the Province, completion of take-up plans and monitoring program compliance of eligible developers over the life of the program.
- 6.4 While the Province has indicated that program administrators may use up to 5 per cent of a participating area municipality's funding allocation to cover administration costs, it is recommended that no administration costs be recovered from the Provincial allocations to participating area municipalities in order to maximize the funding available for development charge rebates to increase the supply of purpose-built market rental housing in the Region of Durham. Any administrative costs incurred will be accommodated within the annual business plans and budgets.

## **7. Conclusion**

- 7.1 The Ontario Development Charges Rebate Program is one of the initiatives under the Fair Housing Plan to increase the supply of purpose-built rental housing. Under the program, eligible market rental housing developments will receive a provincial rebate of development charges collected by municipalities. The program will be administered by municipalities and will target priority projects in those communities that are most in need of new purpose-built rental housing.
- 7.2 Six area municipalities in Durham were invited to participate in the Program. MHO will announce participating municipalities and notional allocations in early spring 2018. This report recommends that the Region be authorized to assume the role of program administrator under the Province of Ontario's Development Charges Rebate Program, subject to an eligible area municipality's being allocated Provincial funding, and designating the Region as program administrator through an area municipal Council resolution.
- 7.3 It is also recommended that, subject to an eligible area municipality being allocated Provincial funding, the Regional Chair and Regional Clerk be authorized to enter into agreements with the MHO in order to administer the Province of Ontario's Development Charges Rebate Program on behalf of the Town of Ajax, the Township of Uxbridge and the Municipality of Clarington (and any other area municipality who intends to designate the Region as program administrator through an Area Municipal Council resolution) and develop formal contribution agreements with any developers approved to receive provincial development charges rebates for the purpose of meeting program objectives and/or addressing obligations under the Program.
- 7.4 Further, it is recommended that no administration costs be recovered from the Provincial allocations to participating area municipalities in order to maximize the funding available for development charge rebates to increase the supply of purpose-built market rental housing in the Region of Durham. Any administrative costs incurred will be accommodated within the annual business plans and budgets.
- 7.5 This report has been prepared in consultation with the Planning and Economic Development Department.

## **8. Attachments**

Attachment #1: Area Municipal Council Resolutions re: the Development Charges Rebate Program.

Respectfully submitted,

Original signed by Dr. Hugh Drouin

---

Dr. Hugh Drouin  
Commissioner of Social Services

Original signed by R.J. Clapp

---

R.J. Clapp, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original signed by G.H. Cubitt

---

G.H. Cubitt, MSW  
Chief Administrative Officer



## Extract of the Minutes of Council February 20, 2018

*The following is a recommendation from the February 20, 2018 General Government Committee meeting ratified by Council of the Town of Ajax at its Meeting of Council held on February 20, 2018.*

### 4.7 Participation in the Ontario Ministry of Housing's Development Charges Rebate Program

Moved by: C. Jordan

- 1) That Council authorize Town staff to submit an Expression of Interest and enter into a Transfer Payment Agreement with the Province to facilitate participation in the Ontario Ministry of Housing's Development Charges Rebate Program; and
- 2) That, subject to an agreeable partnership being arranged between the Town of Ajax and the Regional Municipality of Durham, that Council authorize the Regional Municipality of Durham to:
  - i) Serve as the Town of Ajax's program administrator for the Ontario Ministry of Housing's Development Charges Rebate Program; and
  - ii) Enter into a Transfer Payment Agreement with the Province on behalf of the Town to facilitate participation in the Development Charges Rebate Program.

CARRIED

Alexander Harras, D-Clerk

# Clarington

If this information is required in an alternate format, please contact the Accessibility  
Co-ordinator at 905-623-3379 ext. 2131

March 2, 2018

Alan Robin, Acting Director of Housing Services  
Region of Durham  
605 Rossland Road E.  
Whitby, ON L1N 6A3

VIA: Interoffice Courier

Dear Mr. Robin:

**Re:** Participating in the Ontario Ministry of Housing's Development  
Charge Rebate Program

**File Number:** FI.01.07. Development Charges

---

At a meeting held on February 26, 2018, the Council of the Municipality of Clarington  
passed the following Resolution #C-073-18:

That Report PSD-021-18 be received;

That Council authorize staff to submit an Expression of Interest and enter into a  
Transfer Payment Agreement with the Province to facilitate participation in the  
Ontario Ministry of Housing's Development Charge Rebate Program;

That, subject to a partnership arrangement between the Municipality of  
Clarington and the Region of Durham, Council authorize the Regional  
Municipality of Durham to:

- a) Serve as the Municipality of Clarington's program administrator for the  
Ontario Ministry of Housing's Development Charge Rebate Program;  
and

Alan Robin

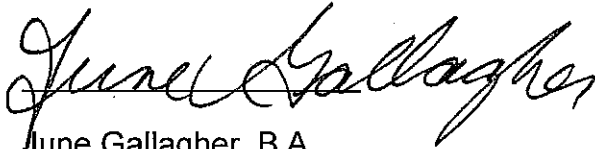
2

March 2, 2018

- b) Enter into a Transfer Payment Agreement on behalf of the Municipality of Clarington with the Province to facilitate participation in the Ontario Ministry of Housing's Development Charge Rebate Program; and

That all interested parties listed in Report PSD-021-18 and any delegations be advised of Council's decision.

Yours truly,



June Gallagher, B.A.  
Deputy Clerk

JG/lp

- c: D. Crome, Director of Planning  
N. Taylor, Director of Finance/Treasurer  
C. Pellarin, Manager of Development Review





In The Regional Municipality of Durham

The Corporation of the

**Township  
of  
Uxbridge**

2018-COW-61  
Attachment #1 Page 4 of 5  
Town Hall  
51 Toronto Street South  
P.O. Box 190  
Uxbridge, ON L9P 1T1  
Telephone (905) 852-9181  
Facsimile (905) 852-9674  
Web www.town.uxbridge.on.ca

## RESOLUTION

**RESOLUTION NO. 2018-04**

**DATE: February 26, 2018**

**MOVED BY: Councillor Bryan**

**SECONDED BY: Councillor Beach**

**WHEREAS** the Canada Mortgage and Housing Corporation (CMHC) showed that the Toronto region's vacancy rate has hit a 16-year low of 1 per cent, down from 1.3 per cent in 2016;

**AND WHEREAS** The Township of Uxbridge recognizes that there is a significant shortfall in affordable rental stock across the Region of Durham;

**AND WHEREAS** actions to address the demand for housing, increase housing supply, protect renters and homebuyers, and increase information sharing requires all levels of government working collaboratively, as well as both flexible and discretionary tools for municipal governments;

**AND WHEREAS** the Township supports the new Provincial Development Charges Rebate Program that was introduced in Ontario's Fair Housing Plan as a way to stimulate investment and opportunities for increased affordable rental stock;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Uxbridge wishes to participate in the \$125 million provincial rebate program for development charges in communities most in need of purpose-built rental;

**AND THAT** Council designates the Housing Service Manager from the Region of Durham as the Program Administrator on behalf of the Township of Uxbridge for the Development Charge Rebate Program that has been established by the Ontario Ministry of Housing;

**AND THAT** the Township submit an Expression of Interest (EOI) to the Ministry of Housing (MHO) in accordance with the program guidelines;

**AND THAT** Council authorizes Durham Region to enter into a Transfer Payment Agreement with the MHO on the municipality's behalf;

**AND FURTHER THAT** staff forward a copy of this resolutions to the Region of Durham and the Ontario Ministry of Housing by the deadline of March 2, 2018.

  
Mayor



**Town of Whitby**  
**Office of the Town Clerk**

575 Rossland Road East, Whitby, ON L1N 2M8  
www.whitby.ca

February 26, 2018

The Honourable Peter Milczyn  
Ministry of Housing  
17th Floor - 777 Bay Street  
Toronto, Ontario M5G 2E5

Re: Planning and Development Department and Corporate Services Department  
Joint Report, PL 14-18  
Provincial Development Charges Rebate Program Expression of Interest

Please be advised that at a special meeting held on February 26, 2018 the Council of the Town of Whitby adopted the following recommendation as Resolution #55-18:

1. That Council authorize Staff to submit an Expression of Interest (EOI) to the Ministry of Housing (MHO) for the Development Charges Rebate Program, on behalf of the Town;
2. That Council authorize Staff to enter into a Transfer Payment Agreement with the MHO on behalf of the Town if approved; and,
3. That the Clerk forward a copy of Council's resolution to the Region of Durham and the MHO before the EOI Deadline of March 2, 2018.

Should you require further information, please do not hesitate to contact the Planning and Development Department at 905-430-4306.

  
Christopher Harris  
Town Clerk

Copy: Ralph Walton, Regional Clerk, Region of Durham  
R. Saunders, Commissioner of Planning and Development

Attach. PL 14-18



# The Regional Municipality of Durham Report

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From: Commissioner of Finance  
Report: #2018-COW-62  
Date: April 4, 2018

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**Subject:**

Confirmation of the Region's Triple "A" Credit Rating by S&P Global Ratings

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**Recommendation:**

That the Committee of the Whole recommend to Regional Council that the following report be received for information.

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to inform Regional Council of S&P Global Ratings' confirmation of the Region's Triple "A" Credit Rating.

**2. Background**

- 2.1 On December 11, 2017, staff of the Region's Finance Department met with representatives of S&P Global Ratings (S&P) to review the credit fundamentals of the Regional Municipality of Durham and their impact on the Region's Triple "A" credit rating.
- 2.2 Based upon their recent review, S&P affirmed the Region's Triple "A" credit rating with stable outlook in a report released on February 15, 2018. According to S&P, Durham's Triple "A" credit profile continues to reflect its very strong financial management, very strong budgetary performance and very low and manageable debt burden. Durham Region is one of seven municipalities in Canada currently maintaining a Triple "A" credit rating by S&P.

### 3. Highlights of Durham's Major Credit Strengths as Identified by S&P

- 3.1 S&P continues to rate the Regional Municipality of Durham at the high end of Canadian Municipalities. According to S&P, Durham's Triple "A" credit rating continues to reflect Durham's very strong financial management practices and a long-standing commitment by Regional Council to long-term financial planning.

*"In our view, Durham's credit profile benefits from very strong financial management. The regional administration is experienced and works with the region's council to enact policies and undertake long-term financial planning to achieve fiscal sustainability."*

*"Annual user rate and property tax-supported service and financing studies drive Durham's well established long-term financial planning process to allow it meet fiscal challenges, which feed into annual budgets, which we view as detailed and realistic."*

- 3.2 The Triple "A" rating for Durham by S&P is supported by the Region's adherence to prudent financial policies which have culminated a track record of positive operating results. Such policies serve as best practices, ensuring the Region is able to meet expenditures and financial obligations, while keeping debt levels very manageable.

*"The Regional Municipality of Durham has a track record of posting favorable budgetary performance and its debt level remains manageable."*

*"The stable outlook reflects our expectation that, in the next two years, Durham will continue posting favorable budgetary performance on average, tax-supported debt will increase but remain manageable ... and liquidity will remain robust."*

*"We believe the region has systems in place to monitor expenditures and has a demonstrated culture of controlling costs. We view its debt and liquidity policies as prudent. Examples include the region's "growth-pays-for-growth" development policy and its "pay-as-you-go" financing policy."*

### 4. Conclusion

- 4.1 Maintaining this Triple "A" credit rating is an important achievement for the Region. Maintenance of the highest possible credit rating not only provides confidence to Regional stakeholders, but also provides an opportunity for the Region and the lower-tier municipalities to capitalize on low borrowing costs when there is a requirement for debt financing for a portion of its capital expenditures.

- 4.2 The confirmation of the Region's Triple "A" credit rating by S&P complements an earlier announcement by Moody's Investors Service reaffirming the Region's Triple "A" rating.
- 4.3 The Region's Business Planning and Budget process reflects the credit principles that are fundamental to the Region's Triple "A" credit rating. The rating is also a testament to Regional Council's long-standing commitment to supporting prudent financial policies and plans that maximize the up-front financing of capital infrastructure projects, minimize debt issuance and maintain adequate reserves and reserve funds to fund liabilities, contingencies and capital infrastructure. These strategies assist the Region in ensuring financial flexibility and funding for risk mitigation and/or unforeseen expenditures, thereby avoiding property tax or user rate increases.

Respectfully submitted,

Original signed by R.J. Clapp

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R.J. Clapp, CPA, CA  
Commissioner of Finance



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Finance  
Report: #2018-COW-63  
Date: April 4, 2018

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### **Subject:**

Public Process For The Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and GO Transit Development Charge By-law No. 86-2001

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That a Statutory Public Meetings of Regional Council, as required by the Development Charges Act, 1997 be held on May 9, 2018 in the Regional Council Chambers at the beginning of the regular Regional Council meeting to consider the proposed amendments to Regional Transit Development Charge By-law No. 81-2017 and GO Transit Development Charge By-law No. 86-2001 (the purpose of the proposed amendments is to align these by-laws with the proposed Region-wide development charge by-law to be presented at the Public Meeting on April 11, 2018);
  - B) That the proposed Regional Transit and GO Transit Development Charge By-law Amendments and Background Studies as required by the Development Charges Act, 1997 be released to the Public at no charge upon request to the Regional Clerk's Department, commencing April 13, 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 Transit and GO Transit Development Charge By-law amendments and Background Studies.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to seek authorization to proceed with the public process to amend the policies of the Region's Transit and GO Transit Development Charge



(DC) By-laws, in order to ensure alignment with the policies in the pending 2018 Regional DC By-law.

- 1.2 Durham Region Council passed the Regional Transit DC By-law (No. 81-2017) on December 13, 2017 (effective January 1, 2018) and the GO Transit DC By-law (No. 86-2001) became effective on December 5, 2001.
- 1.3 The Region-wide DC By-law (No. 16-2013) expires on June 30, 2018. As part of the development charge review process, a number of new policies are being considered in the new Region-wide DC By-law that will replace By-law No. 16-2013. These proposed policy changes will be identified in the Development Charge Background Study released to the Public on March 27, 2018. Staff recommend proceeding with the public process to amend the policies of the Regional Transit and GO Transit DC By-laws to ensure the new policies align with the proposed Region-wide DC By-law.
- 1.4 Accordingly, the purpose of this report is to seek authorization to place the notification necessary to advise all interested parties of the recommended Statutory Public Meetings of Council on May 9, 2018 and the pending release of the proposed Regional Transit and GO Transit DC By-law amendments and associated Background Studies, as required by the Development Charges Act, 1997 (DCA, 1997).

## 2. Timeframe for Regional Transit Development Charge Study

- 2.1 The following schedule provides the target dates for the amendments to the Regional Transit and GO Transit DC By-laws.

<b><u>TASK</u></b>	<b><u>REGIONAL TRANSIT &amp; GO TRANSIT DC AMENDMENTS</u></b>
Background Development Charge Review	March - April 2018
Consultation with development industry and area municipalities	March - April 2018
Background Studies to Councillors and Public	April 13, 2018
Public meetings of Regional Council to Review the Background Study and proposed By-law amendments	May 9, 2018
Input from public, local development industry and area municipalities	April – May 2018
Report to Committee of the Whole	June 6, 2018
Report to Council to Recommend DC By-law Amendments	June 13, 2018
Implementation of New DC By-law Amendments	July 1, 2018

### **3. Requirements of DCA, 1997 and Associated Regulations Regarding Public Process**

#### Public Meeting

- 3.1 The DCA, 1997 and associated regulations require that Regional Council hold at least one public meeting to receive public representation on the proposed Development Charge By-law and Background Study. The required public meeting is recommended to be held at the beginning of the Regional Council meeting on May 9, 2018 in the Regional Council Chambers. In addition, the Committee of the Whole meeting scheduled for June 6, 2018 and Regional Council Meeting scheduled for June 13, 2018 will consider the final by-law amendments and is open to the public.

#### Notice of Public Meeting

- 3.2 Regional Council is required to give at least 20 days notice of the public meeting. Therefore, the Regional Clerk will by April 18, 2018, advertise a notice in newspapers of sufficient general circulation in Durham Region and on the Regional web-site, the date, time, location and purpose of the Statutory Public Meetings and the date and contact for the release of the proposed By-law and Background Study.

#### Release of Proposed DC By-law Amendments and Background Studies

- 3.3 Further, the DCA, 1997 and associated regulations require that the proposed By-law amendments and Background Studies be made available to the public at least two weeks prior to the public meeting and 60 days prior to the passing of the DC By-law. Accordingly, the proposed Regional Transit and GO Transit DC By-laws and Background Studies supporting the amendments will be available on the Regional website and at the Regional Clerk's office at no charge upon request as of April 13, 2018.

### **4. Public Input**

- 4.1 Staff will contact the local development industry, the local business community and the area municipalities prior to the Public Meeting to offer to meet and discuss the proposed DC By-law amendments.
- 4.2 The statutory public meetings of Council on May 9, 2018 will permit public representations related to the proposed by-law amendments from any person who attends the meeting, as required under the DCA, 1997 and associated regulations. The public submissions, both at the public meeting and those received in writing will be considered by staff in preparing the final Regional Transit and GO Transit DC By-law amendments which will be presented to Committee of the Whole on June 6, 2018 and Regional Council on June 13, 2018, concurrent with the final recommendations regarding the Regional DC By-law.



## **5. Conclusion**

- 5.1 This report seeks staff authorization to undertake the necessary tasks to initiate the public process for the proposed Regional Transit and Go Transit DC By-law amendments to ensure the policies align with the proposed Region-wide DC By-law, in accordance with the provisions of the DCA, 1997 and associated regulations and provides appropriate time for public submissions.
- 5.2 This report has been reviewed by staff of the Transit, Works, Planning and Economic Development and Legal Departments who concur with the above recommendations.

Respectfully submitted,

Original signed by R.J. Clapp

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R.J. Clapp, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original signed by G.H. Cubitt

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Finance  
Report: #2018-COW-65  
Date: April 4, 2018

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**Subject:**

Sole-Source Negotiation and Approval of Standing Agreement for the Purchase of Proprietary Durham Region Transit Original Equipment Manufacturer (OEM) Bus, Farebox and Associated Parts, and Extended System Warranty and Support for GFI Fare Collection System

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That a three-year extension from July 1, 2018 to June 30, 2021 to the existing standing agreements be negotiated and awarded to New Flyer Industries and Prevost (Nova Bus) to continue the sole source purchases of proprietary bus parts at an estimated annual cost of up to \$800,000 for New Flyer Industries, and \$200,000 for Prevost;
  - B) That a three-year extension from July 1, 2018 to June 30, 2021 to the existing standing agreement be negotiated and awarded to Garival to continue to sole source the purchase, repairs, required proprietary parts and equipment for fareboxes at an estimated annual cost of up to \$75,000;
  - C) That a three-year extension from July 1, 2018 to June 30, 2021 to the existing standing agreement be negotiated and awarded to Garival to continue to sole source for system warranty and support for the GFI system at an estimated annual cost of up to \$45,000; and
  - D) That the Commissioner of Finance be authorized to execute the agreements.
-

## **Report**

### **1. Purpose**

- 1.1 The purpose of this report is to seek approval to negotiate and execute sole source standing agreements with these principal vendors to allow for timely procurement of proprietary parts that are not available in the competitive after-market bus and farebox components supply chain, and the provision of system warranty and support for the GFI system.
- 1.2 A similar report was presented to the Transit Executive Committee on March 22, 2018.

### **2. Discussion**

- 2.1 Since the inception of Durham Region Transit (DRT), standing agreements have been created by Durham Region for various suppliers. New Flyer Industries, Prevost (Nova Bus) and Garival are still identified as vendors which are required for DRT to maintain and operate its fleet on an on-going basis.
- 2.2 DRT currently has a fleet of 195 conventional buses. Both Nova Bus and New Flyer use exclusive authorized distributors for various proprietary Original Equipment Manufacturer (OEM) parts for their respective bus models.
- 2.3 Garival is the certified exclusive OEM authorized distributor and parts/service provider for the GFI brand of fareboxes and associated hardware which are installed throughout the conventional fleet. No other source of parts is available and a long-term commitment is desirable through a negotiated standing agreement.
- 2.4 Each of the current standing agreements with New Flyer, Prevost (Nova Bus) and Garival respectively is set to expire on June 30, 2018.

### **Sole Source Justification**

- 2.5 Timely procurement of parts is critical to maintain fleet availability and the delivery of scheduled service to customers. Mitigating bus downtime is a key element toward achieving the service delivery objective and the supply of transit bus and fare collection equipment parts in a highly specialized area. The identified OEMs provide timely turnaround for the required critical and unique parts. Also, New Flyer, Prevost (Nova Bus) and Garival are certified exclusive suppliers of the required parts.

- 2.6 New Flyer and Nova Bus vehicles have been purchased in recent years. Garival fare handling equipment will continue to be used in the conventional buses for the foreseeable future. Standing agreements with these OEM vendors will support efficient operation and maintenance of DRT equipment.

### **3. Financial Implications**

- 3.1 The Region's Purchasing By-Law 68-2000, Section 8.1.1 and 8.1.8 permits that in cases where there is only one known source of supply, and there is a requirement for an on-going maintenance and repair service requirement for operating equipment and the Regions' fleet of vehicles, the acquisition of goods and services can be made through a negotiation process.
- 3.2 Continued funding for the annual expenditures under these standing agreements with New Flyer (\$800,000), Prevost (\$200,000) and Garival (\$75,000 for parts and equipment and \$45,000 for warranty and support ) is provided for in DRT's 2018 operating budget for Auto Materials and Supplies in the total amount of \$3,223,612.

### **4. Conclusions and Next Steps**

- 4.1 It is recommended that approval be granted to negotiate and award a three-year extension to each of the current standing agreements to continue to sole source with New Flyer and Prevost for the purchase of proprietary bus component parts and with Garival for the proprietary equipment, parts, warranty and service for GFI fareboxes.
- 4.2 A similar report was presented to the Transit Executive Committee on March 22, 2018.

Respectfully submitted,

Original signed by R.J. Clapp

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R.J. Clapp, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original signed by G.H. Cubitt

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Finance  
Report: #2018-COW-67  
Date: April 4, 2018

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### **Subject:**

Extension of Standing Agreement C002324 with Neptune Technology Group (Canada) Ltd. for the Provision of Water Meters and Related Services

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### **Recommendation:**

That the Committee of the Whole recommends to Regional Council:

- A) That the current Standing Agreement C002324 with Neptune Technology Group (Canada) Limited for the provision of Water Meters and Related Services be extended from October 31, 2018, to October 31, 2021; and,
  - B) That the Commissioner of Finance be authorized to execute the documents related to the contract extension.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to obtain approval to extend the current Standing Agreement C002324 issued to Neptune Technology Group (Canada) Ltd. (Neptune) from October 31, 2018 to October 31, 2021. The extension of the standing agreement will allow services provided under this contract to continue for residential and non-residential water meters and related hardware; water meter replacement installation; water meter reading; water meter testing and repairs until the new water and sewer billing system is operational and the full review of water meters and services can be undertaken.

#### **2. Extension of Standing Agreement**

- 2.1 In 2016, the Committee of the Whole Report #2016-COW-39 recommended to Regional Council to extend Standing Agreement C002324 issued to Neptune Technology Group (Canada) Ltd. (Neptune) from October 16, 2016 to October 31, 2018. Neptune provides a turn-key solution for the Region based on the standardized Neptune water meters.

- 2.2 At this time, the implementation of the new Water Billing Customer Information Solution (WBCIS) is underway. Not only is this a large, complex project directly impacting the Region's 175,000 water and sanitary sewer customers, it includes integrations with systems and business processes that track water meters, meter specifications (e.g. meter size, register data and remote reading specifics) and physical locations (down to positions within premises) and consumption information as recorded on the meters.
- 2.3 Switching water meter suppliers and the associated business processes around the collection of readings at this time would negatively impact the WBCIS project. Not only would the WBCIS need to consider system integrations from potentially multiple suppliers, the results of the selection process would not be known for some time, significantly delaying the WBCIS implementation and introducing an unacceptable element of risk. The current legacy system would also have to be modified and the ability to do so is doubtful because of the age of the technology.
- 2.4 The implementation of the WBCIS project is expected to take upwards of two years. Therefore it is recommended that the existing contract be extended for three years as a contingency until the new system is implemented and stabilized.

### **3. Financial Implications**

- 3.1 Section 8.1.4 of the Region's Purchasing By-law 68-2000 (Amended), permits acquisition of goods and services through negotiations where the extension of an existing contract would prove more cost effective or beneficial. The by-law requires Regional Council approval for any negotiated purchase exceeding \$125,000 in value.
- 3.2 By sole sourcing both the water meter supply and services, the Region has one contact point for all issues and will not become entangled in a consortium of service providers, especially with the development of the new Water and Sewer Billing Customer Information System.
- 3.3 Financing for the estimated annual cost of \$2,500,000 for the supply, delivery, and services of water meters will be funded from the annual business plans and budgets.

### **4. Conclusion**

- 4.1 The extension of the existing standing agreement with Neptune Technology Group (Canada) Ltd. will allow the supply of water meters and related hardware services provided under this contract to continue uninterrupted during the development of the new system.

- 4.2 Services supplied by Neptune Technology Group (Canada) Ltd. continue to prove reliable in meeting the performance expectations of the Regional Municipality of Durham. The full package of services provides an efficient and coordinated approach to the water meter replacement program for the Region and the water and sewer customers. Upon completion and implementation of the new water and sewer billing customer information system, the provision for water meters and service contracts will be reviewed and reported back to Committee and Council.
- 4.3 This report has been reviewed by staff of the Works Department who concur with the above recommendations.

Respectfully submitted,

Original signed by R.J. Clapp

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R.J. Clapp, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original signed by G.H. Cubitt

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Information Report

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From: Commissioner of Corporate Services  
Report: #2018-INFO-36  
Date: March 2, 2018

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**Subject:**

Automating Legislative Process Elements

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**Recommendation:**

Receive for information

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide an update on the E-Agenda project/automating legislative process elements as a follow-up to the December 1, 2017 report and to announce implementation.

**2. Background**

- 2.1 As noted in the December 2017 Report, the second RFP for the E-Agenda closed on September 12, 2017 and no proposals were received. Following the close of the RFP staff conducted an evaluation to consider possibilities moving forward and reviewed a range of potential options.
- 2.2 After reviewing the options, it appeared that an in-house pdf approach was the best option for a number of reasons including:
- a. Council's desire to have an electronic method for viewing agenda material.
  - b. Opportunities to leverage the new durham.ca website.
  - c. Employing the existing skillsets of internal staff in managing the Agenda process and accessibility requirements.
  - d. The cost savings that could be realized by not purchasing a separate E-Agenda software solution.
  - e. The current pilot Committee of the Whole system which centralized agenda preparation within the Corporate Services - Legislative Services division.

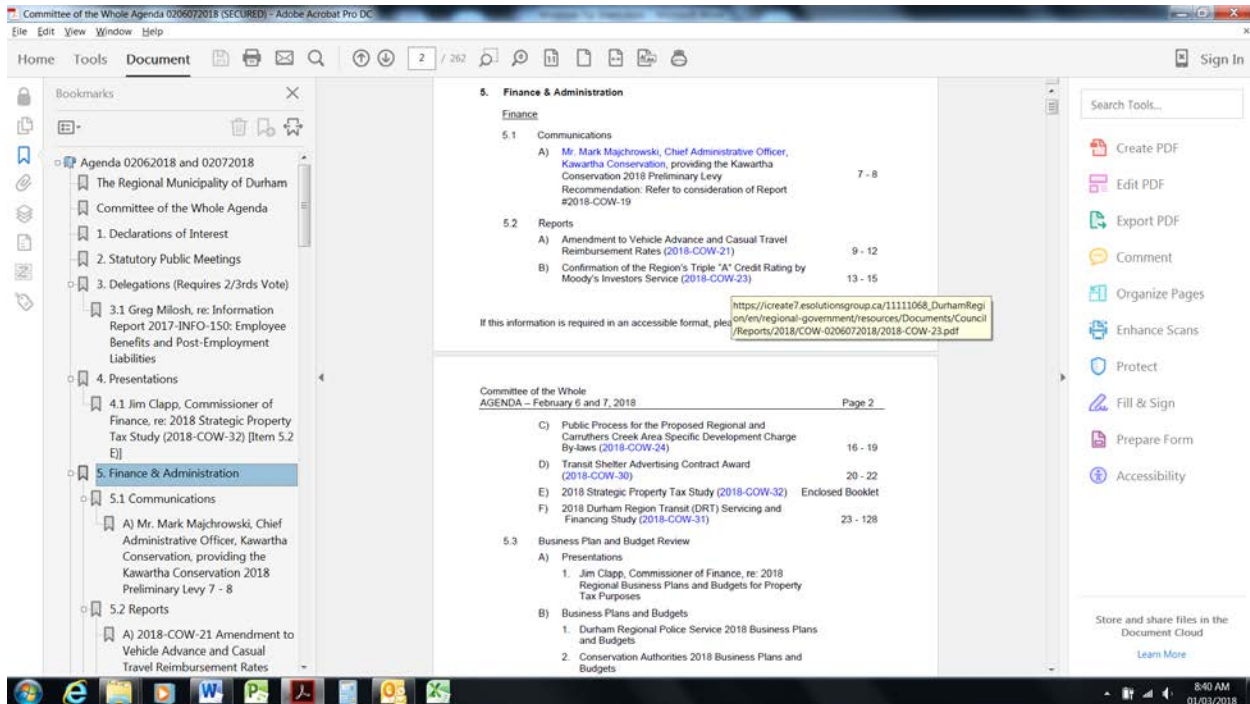


- f. Challenges around finding vendors who offer a solution that meets all of the Region's expectations.
  - g. A recent evaluation of the current infrastructure in Council Chambers which identified the potential for electronic voting (E-Voting) which would further enhance the automation of the Region's processes.
- 2.3 As noted in the December report, the introduction of the new durham.ca website, the new E-Agenda pdf file format, and the introduction of E-voting automation for recorded votes are part of the Corporate Services - Legislative Services strategy to transform the user legislative experience.

### **3. Discussion**

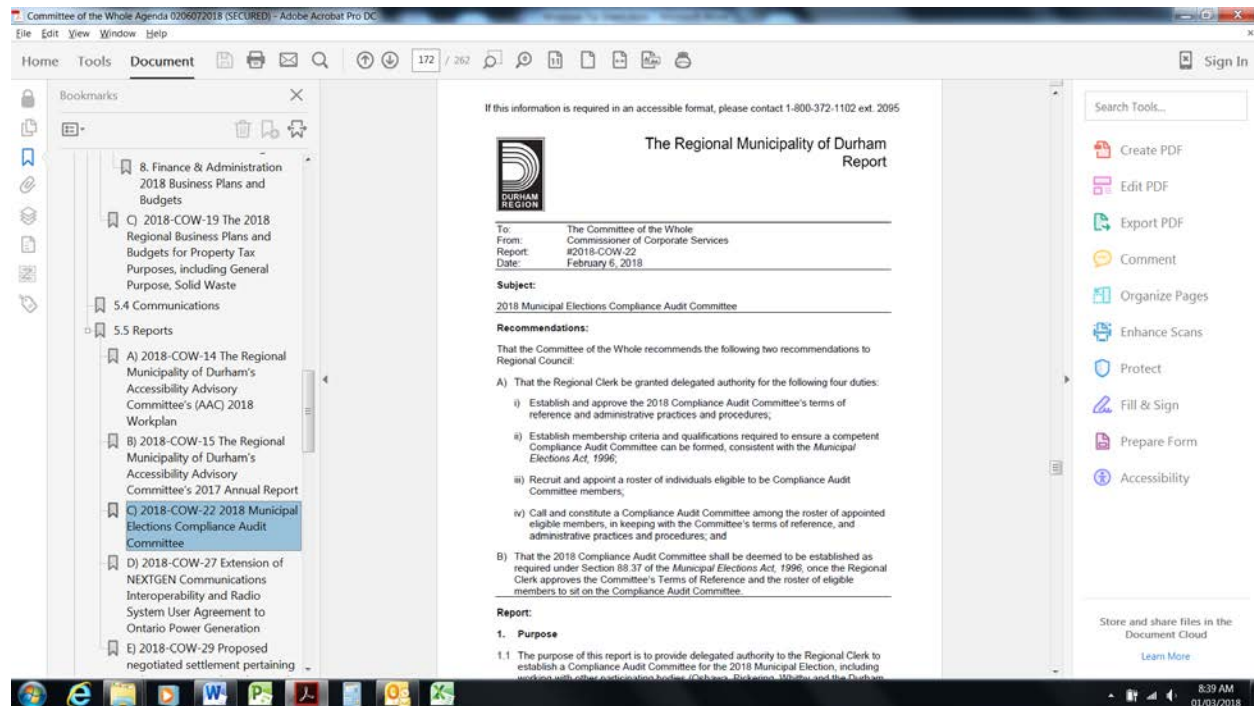
- 3.1 We are pleased to advise members of Council that full electronic Agenda packages are now available for viewing on durham.ca. These integrated pdf agenda documents have been created in-house using Adobe Acrobat.
- 3.2 The new agenda format was successfully soft-launched on durham.ca in December. Since then, staff has been involved in testing the ease of use on various devices, and connectivity in Council Chambers. The new online Agenda packages meet Council's requirements for an easy to access, fully integrated Agenda document.
- 3.3 Usage analytics show that 351 users have accessed the Committee of the Whole and Council Agendas from December through to mid-February using durham.ca. These numbers can be used as a baseline to monitor public activity/interest, and potential participation in the Council process, and will help to inform future promotional activities.
- 3.4 The new durham.ca website has been designed to simplify the user experience. Agenda packages are available through the meeting calendar and render well on various mobile devices. Staff has tested the new agenda packages on laptops, iPads, iPhones, and android devices. The packages include all items (agenda pages, correspondence, reports) available as one pdf document. There are also separate links within the agenda pages to individual Commissioner's Reports, enabling them to be opened in a new window and saved/printed/emailed separately from the rest of the agenda package if preferred.
- 3.5 In order to render the most optimal user experience of the electronic agenda file including its accessible features, it is recommended that users first download the file locally to their devices then use Adobe Acrobat Reader to view and browse the agenda.

The following image shows the Agenda pages viewed as an Adobe pdf document with links to open the individual agenda items. The links appear as blue text.



- 3.6 Bookmarks have been added to the document which make it easy to navigate between the Agenda cover pages and the item being considered. There is also the ability within Adobe pdf documents to highlight, or make annotations which members of Council or staff could use to record their own notes and mark-up documents.

The following image shows how the bookmarks work to take users directly to an item in the agenda package.



- 3.7 Agenda packages can be downloaded, thereby negating the need for internet access to view agenda material after the initial download.
- 3.8 As noted in the December report, consideration was given to offering mobile technology to members of Council in order to access the Agenda. Staff in Corporate Services - Legislative Services, IT and Legal Services evaluated the costs and the risks associated with the deployment of Regional devices, and at this time mobile technology options will not be offered through the Region. Consideration was also given to the limited amount of time left in the current Council term, and the fact that the majority of Council members have been provided with mobile technology through their area municipalities.
- 3.9 Further, should Regional devices be provided, the data on the devices would become the property of the Region, including annotated agenda files. These files may then be subject to disclosure should a request for information be submitted through the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 3.10 It is anticipated that members of Council will utilize the devices they have already received through their area municipalities in order to access the Agenda packages. Hard copies (paper) of Agendas will continue to be provided unless Council members request to be removed from the circulation list.

#### **4. Next Steps**

- 4.1 Members of Council, staff and the public can access the online Agenda packages immediately. Paper copies will continue to be distributed in the same manner as currently exists.
- 4.2 Should a Council member require assistance with accessing or using the features in the new Agenda document staff in Corporate Services – Legislative Services and IT are available to assist. If there are any issues encountered when attempting to use a bookmark or access a link, please advise the Regional Clerk as soon as possible via email at [clerks@durham.ca](mailto:clerks@durham.ca) or by calling 905-668-7711 extension 2054 or 2097.
- 4.3 Staff will continue to evaluate ways to improve the user experience. As part of Phase 2 considerations, mobile technology may be offered to members of Council and the option to move to a fully electronic (paperless) process will be explored for the new term of Council beginning in December 2018.
- 4.4 At this time, confidential agenda material will continue to be distributed in hard copy format.
- 4.5 We will submit options for Council approval for electronic voting (E-Voting) in the second half of 2018.

#### **5. Financial Implications**

- 5.1 As noted previously, funds were found within the 2017 budget for the E-Voting initiative. For the integrated agenda document, existing staff resources have been used so there are no additional costs involved.

#### **6. Conclusion**

- 6.1 In order to transform the user experience by automating the agenda process and providing for greater efficiencies for Council and members of the public, an in-house integrated agenda document approach has been implemented. The ability for electronic voting will also be available in the near term. Should Council decide to proceed in this direction, it is anticipated that a further report on E-voting will be forthcoming.
- 6.2 Any questions regarding this report may be directed to Ralph Walton, Regional Clerk/Director of Legislative Services, 905-668-7711 extension 2100.

Respectfully submitted,

Original signed by:

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D. Beaton  
Commissioner of Corporate Services



## The Regional Municipality of Durham Information Report

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From: Director of Emergency Management  
Report: #2018-INFO-41  
Date: March 9, 2018

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**Subject:**

Provincial Nuclear Emergency Response Plan (PNERP) - Update

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**Recommendation:**

Receive for information

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide an update on the Provincial Nuclear Emergency Response Plan (PNERP) and potential planning implications for the Region.

**2. Background**

- 2.1 The PNERP is administered by the Office of the Fire Marshal and Emergency Management, which is under the Ministry of Community Safety and Correctional Services.
- 2.2 The Region of Durham Nuclear Emergency Response Plan must conform to the PNERP under the Emergency Management and Civil Protection Act.
- 2.3 A Provincial objective in the revised PNERP was to more closely align it with Canadian Standards Association (CSA) N1600 General requirements for nuclear emergency management programs, the International Atomic Energy Association (IAEA) General Safety Requirements GSR Part 7, Health Canada (draft) Dosimetric Criteria for Nuclear Emergency Planning and Response, as well of numerous other studies and reports that have been published since the previous 2009 version.
- 2.4 In June 2017 Council approved report 2017-COW-137 (recommendations attached) which provided 16 recommendations and was submitted to the EBR process for public consultation on changes to the planning basis for the PNERP.

### 3. Status Update

- 3.1 In December 2017 Provincial Cabinet approved the PNERP.
- 3.2 Of the 16 recommendations made by Council, three were included in the final PNERP, eight were not included, and 5 are still under consideration. The three that were included are:
  - a. A clearer focus and process for improving evacuation planning to be led by the Ministry of Transportation.
  - b. The Province recognize the public's expectation for world-class public safety, meeting or exceeding international best practices where feasible, in an open and transparent process.
  - c. The Province deliver on its 2013 commitment to commission a study on the potential impacts of a major nuclear accident on the Great Lakes and drinking water and necessary contingency planning.
- 3.3 New terminology has been introduced to refer to the planning zones around the nuclear stations.
  - a. Automatic Action Zone (AAZ) – 3 km, previously named Contiguous Zone.
  - b. Detailed Planning Zone (DPZ) – 10 km, previously named Primary Zone.
  - c. Contingency Planning Zone (CPZ) – 20 km, *this is a new zone*.
  - d. Ingestion Planning Zone – (IPZ) 50 km, previously named Secondary Zone.

### 4. Contingency Planning Zone (CPZ)

- 4.1 A new, 20 km Contingency Planning Zone has been introduced (PNERP 2.2.5. e i)) in the revised PNERP (map attached). It is defined as a pre-designated area where contingency planning and arrangements are made in advance, so that protective actions can be implemented as required to reduce potential for exposure.
- 4.2 The PNERP further indicates (PNERP 2.2.5 e iii)) that in the CPZ:
  - a. Iodine Thyroid Blocking (ITB) requirements are not required beyond what is currently in place.
  - b. Public awareness requirements are not required beyond what is currently in place.
  - c. There is no requirement for designation of additional emergency response centres (e.g., EOC's, EIC, reception centres, evacuation centres, monitoring and decontamination facilities, etc.) beyond what is currently in place.
  - d. It is recommended a list of possible alternate centres be identified outside of the CPZ for consideration, should they be needed during an emergency.
  - e. No additional public alerting requirements beyond what is currently in place.
- 4.3 Staff remain unclear on what appears to be a discrepancy between the requirement to implement protective actions in the new zone, and the apparent

lack of additional planning required, and have sought further clarification from the Province.

- 4.4 Mr. Dave Nodwell, Deputy Chief of Planning and Program Development, Office of Fire Marshal and Emergency Management will be making a presentation on the new Provincial Nuclear Emergency Response Plan at the March 21 Council meeting.

**5. Attachments**

Attachment #1: Direction Memo for 2017-COW-137 Regional Response to Provincial Discussion Paper entitled "Provincial Nuclear Emergency Response Plan (PNERP) Planning Basis Review and Recommendations".

Attachment #2: Durham Region – Map of 10km and 20km zones

Respectfully submitted,

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Director of Emergency Management





## DIRECTION MEMORANDUM

**TO:** G. Cubitt, Chief Administrative Officer

**FROM:** R. Walton, Regional Clerk/Director of Legislative Services

**DATE:** June 21, 2017

**RE:** Direction as per minutes of the Regional Council meeting held on June 14, 2017

Legislative Services

### **SIXTH REPORT OF THE COMMITTEE OF THE WHOLE**

**ITEM #18**

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Regional Response to Provincial Discussion Paper entitled "Provincial Nuclear Emergency Response Plan (PNERP) Planning Basis Review and Recommendations", EBR Registry Number 013-0560 (2017-COW-137)

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- A) That the Discussion Paper, as attached to Report #2017-COW-137, from the Office of the Fire Marshal and Emergency Management (OFMEM), under the Ministry of Community Safety and Correctional Services (MCSCS), entitled "Provincial Nuclear Emergency Response Plan (PNERP) Planning Basis Review and Recommendations" be received for information;
- B) That Report #2017-COW-137 of the Director of Emergency Management be submitted to the Ministry of Community Safety and Correctional Services and the Environmental Registry (EBR) open consultation process, which opened on May 15 and closes July 14, 2017, as Durham Region's response to the EBR posting No. 013-0560, including the following key recommendations to the Province:
  - i) That a Provincial study be conducted based on Health Canada Guidelines to examine and determine dose control standards for all responders who may be working in the Primary or Contingency Planning Zone, including the use of personal protective equipment;
  - ii) That the Province include and seek input from designated and impacted municipalities, especially Health Department and Occupational Health and Safety staff when Protective Action Strategies are considered for review and update, per Provincial Discussion Paper Recommendation No. 1;
  - iii) That the Province include and seek input from designated and impacted municipalities when hazard description modifications are made, per Provincial Discussion Paper Recommendation No. 2;

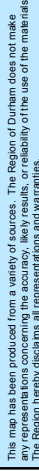
- iv) That the Province provide greater clarification to distinguish the operational intent of the inclusion of a new 20 km CPZ but does include the requirement for designating additional emergency response centres, such as Emergency Operations Centres, reception/evacuee centres, or emergency worker centres, etc. beyond those already identified in the current 10 km Primary Zone, per Provincial Discussion Paper Recommendation No. 6;
- v) That the revised Provincial Nuclear Emergency Response Plan (PNERP) provide for funding to be made available to designated municipalities for additional planning costs that will be required to operationally comply with the revised PNERP and new 20 km Contingency Planning Zone;
- vi) That the revised PNERP provide for funding to be made available to Region of Durham for additional costs related to the development of new operational response facilities that are currently outside the 10 km Primary Zone but inside the new 20 km Contingency Planning Zone. These include the Regional Emergency Operations Centre, the Regional Traffic Control Centre, two nuclear Emergency Worker Centres, two reception centres, and all Regional nuclear evacuation centres;
- vii) That the Province acknowledge the additional support for emergency response and evacuee hosting provisions that will be necessary from other Ontario municipalities beyond the new 20 km Contingency Planning Zone, and designate them as such in the revised PNERP;
- viii) That the revised PNERP include a clear focus and process for improving evacuation planning and response to be led by Ministry of Transportation, particularly for the Primary Zone, the new 20 km Contingency Planning Zone and beyond;
- ix) That the revised PNERP make provision for public alerting time requirements that are harmonized with the issuance of initial Provincial Public Action Directives in all instances, including General Emergencies;
- x) That the Province provide regular updates to designated and impacted municipalities on the PNERP revision process for sharing with Council members, in order to improve transparency and accountability for nuclear emergency planning;
- xi) That the Province recognize the public's expectations for world-class public safety, meeting or exceeding international best practices where feasible, in an open and transparent process, with a recognition of the need for enhanced protection of vulnerable communities;

- xii) That the Province deliver on its 2013 commitment to commission a study on the potential impacts of a major nuclear accident on the Great Lakes and drinking water and necessary contingency planning;
  - xiii) That the Province consider extending the deadline to September 30, 2017 for comments on its Discussion Paper on nuclear emergency preparedness in order to allow municipalities and citizens to provide meaningful input;
- C) That a copy of Report #2017-COW-137 of the Director of Emergency Management be forwarded to the Minister of Community Safety and Correctional Services, Ontario Fire Marshal and Emergency Management, Durham area municipalities, and the City of Toronto; and
- D) That it is further recommended:
  - i) That taking into account science, international best practices and the existence of two nuclear stations in Durham Region, the Province expand the pre-distribution of potassium iodide (KI) pills beyond the current 10 km Primary Zone and seek input from municipalities on the establishment of requirements within the Provincial Nuclear Emergency Response Plan (PNERP) for the distribution and availability of potassium iodide (KI) pills; in addition that the CNSC consider amendments to REGDOC 2.10.1 and to ensure all costs related to expanding the pre-distribution of KI pills be the responsibility of the operator (OPG);
  - ii) That the Province recognize Durham Region's appreciation of the constructive proposals for strengthening Ontario's nuclear emergency response plans published by over forty civil society organizations in the policy paper entitled "A Call for Public Safety: Addressing Nuclear Risks on the Great Lakes" by seriously considering their recommendations; and
  - iii) That the Province and CNSC requirements ensures funding to be made available to designated municipalities for all additional planning, implementation and evaluation costs incurred from new requirements not included in the 2009 PNERP and the CNSC licensing requirements such as REGDOC 2.10.1 be amended to reflect these changes.

*Ralph Walton*

Ralph Walton,  
Regional Clerk/Director of Legislative Services

c: Warren Leonard, Director of Emergency Management





## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Corporate Services  
Report: #2018-COW-60  
Date: April 4, 2018

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### **Subject:**

Declaring the Office of Regional Chair Vacant

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### **Recommendation:**

That the Committee of the Whole recommends to Regional Council:

That pursuant to Section 262(1) of the *Municipal Act, 2001*, the Council of The Regional Municipality of Durham declares the Office of Regional Chair to be vacant.

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### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to seek a recommendation from Council to declare the Office of Regional Chair vacant as a result of the passing of Regional Chair Anderson on March 24, 2018.
- 1.2 Vacancies on a municipal council are addressed in Sections 259 to 267 of the *Municipal Act* (the "Act"). The Act stipulates under subsection 262(1) that if the office of a member of council becomes vacant as a result of a death, the Council of the municipality must pass a motion to declare the seat vacant at one of its next two meetings.

#### **2. Next Steps**

- 2.1 Once the Office of Regional Chair is declared vacant, pursuant to the passage of the recommendation in this report by Regional Council, the vacancy will be filled in accordance with the method approved by Council. A subsequent report for consideration by Committee of the Whole at this time has been prepared outlining the options for filling the vacancy.

Respectfully submitted,

Original signed by:

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D. Beaton, B.Com, MPA  
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by:

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Corporate Services  
Report: #2018-COW-70  
Date: April 4, 2018

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**Subject:**

Approval of 2018 to 2022 Meeting Schedule and Council Governance Structure

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That Council adopt a Committee governance structure from one of the following four options:
    - i) Option 1 - Current Committee of the Whole and Council meeting schedule;
    - ii) Option 2 – Monthly Committee of the Whole meetings with Council on third Wednesday of the month;
    - iii) Option 3 - Monthly Standing Committee meeting cycle; or
    - iv) Option 4 – Three-week Standing Committee meeting cycle
  - B) That the Regional Clerk be directed to prepare a detailed meetings schedule for the 2018 to 2022 Council term based on the selected governance structure, as approved in recommendation A); and
  - C) That a copy of this report and approved option be forwarded to the Clerks of the Area Municipalities for their information.
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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide an update on the Committee of the Whole governance structure and to establish a schedule of regular meetings for the next 4 year term of Council.

## **2. Background**

- 2.1 On June 8, 2016, Council approved Report #2016-J-11, Approval to Establish a Pilot Committee of the Whole Governance Structure, for the period of September 2016 to October 2018, with a review in June 2018.
- 2.2 The change to a Committee of the Whole structure was in response to the mission of “*Meeting the current and future needs of the Durham community through leadership, co-operation, innovation and service excellence*”, and the Corporate Strategic goal of delivering exceptional municipal services through strategic, compassionate and innovative leadership.
- 2.3 The next four-year term of Council will begin on December 1, 2018 and end on November 14, 2022, in accordance with changes to the Municipal Act through Bill 68.
- 2.4 In order to proceed with planning for the next term of Council, it is necessary to move forward the date of the review of the Committee of the Whole governance structure and to establish a meeting schedule for the next four-year Council term.
- 2.5 Regional Council's meeting schedule is used to set advisory committee meeting schedules and is reviewed by the area municipalities and other agencies when establishing their meeting schedules. Multiple policies and procedures will also need to be permanently updated to reflect the Committee of the Whole governance structure, as these were temporarily suspended for the duration of the pilot period.

## **3. Analysis of Committee of the Whole Governance Structure**

- 3.1 The first Committee of the Whole meeting was held in September 2016. There were a total of 15 Committee of the Whole meeting days in 2016 and 2017, and the average meeting length was 7 hours, 4 minutes. Agendas included an average of 29 reports and an average of 8.2 presentations and delegations per meeting.
- 3.2 In August 2016, the Legislative Services Division also implemented a Council Information Package including information reports, staff correspondence and items of correspondence received by the Regional Clerk. The Council Information Package is circulated to members of Council every Friday and posted on the Regional website. The Council Information Package has streamlined the process for correspondence and provides another avenue for members of the public to be kept up to date on Regional business. It is recommended that the Council Information Package be maintained.
- 3.3 Prior to September 2016, the Region used a Standing Committee structure, which included Finance & Administration, Health & Social Services, Planning & Economic Development and Works Committees. The Region also used a Joint Committee structure for items involving more than one Standing Committee. The



tables found in Appendix 1 of this report outline the number of meetings, average meeting length, and the average number of recommendations to Council for each Standing Committee in 2014, 2015 and 2016.

- 3.4 Statistically, under the Committee of the Whole process and the Standing Committee process, Council in Committee of the Whole is essentially meeting for the same amount of time per meeting as the total of the Standing Committee meetings, per meeting cycle (i.e. 9 hours, 8 minutes per meeting of Committee of the Whole vs. 8 hours, 11 minutes for Standing Committees in 2016). The difference is when the Joint Committee meetings average is considered in a cycle, it adds 2 hours and 34 minutes to the total length in 2016. Arguably, Council operating as Committee of the Whole dispenses with the need for Joint Committee meetings.
- 3.5 The length of Regional Council meetings has increased by approximately 30 minutes since the change to Committee of the Whole in September 2016.
- 3.6 It appears that the Committee of the Whole process offers some advantages over Standing Committees. For example, all members of Council hear presentations and delegations, can fully participate in discussions, and can vote on all recommendations to Council. The Committee of the Whole also provides for a better structure for the public to participate through a single delegation process, through a single meeting.
- 3.7 The current Committee of the Whole schedule has also presented some challenges with respect to the scheduling of advisory committee meetings; minor issues respecting the preparation of Committee of the Whole minutes for the following Council agenda; and staff reviewing and responding to questions raised at a Committee meeting prior to the next Council meeting.
- 3.8 23 (or 79% of the members of Council) responses to the Committee Governance Structure Questionnaire were received from members of Council and have been reviewed by the Legislative Services Division during the preparation of this report. Responses have been retained by the Legislative Services Division and a summary of the questionnaire responses is included as Appendix 2 to this report.
- 3.9 Responses to the questionnaire indicate a preference for retaining the Committee of the Whole governance structure and continuing with the Committee of the Whole sections being chaired by Section Chairs. There is also concurrence with the 9 AM meeting start time. When asked the direct question on maintaining a Committee of the Whole structure, 59% of those members of Council who responded indicated yes.
- 3.10 Responses related to the Council Information Package indicate that members generally find this process helpful and like the package being circulated on Fridays.

- 3.11 As such, staff is requesting Council to determine which option to move forward with as it relates to a Committee structure and meeting schedule.

#### 4. Meeting Schedule Options

##### Committee of the Whole Structure

##### 4.1 Option 1 - Current Committee of the Whole and Council meeting schedule

Currently Committee of the Whole meetings are held on a monthly basis with Committee of the Whole meetings held on the first Wednesday of each month and Council meetings held on the second Wednesday of each month. The exception is the month of January when Committee of the Whole meetings are held on the second Wednesday of the month and Council meetings are held on the third Wednesday of the month.

The following table outlines the current meeting schedule based on a four week month. The first row shaded in grey reflects the last week of the previous month:

Monday	Tuesday	Wednesday	Thursday	Friday
Committee of the Whole agenda deadline	-	Committee of the Whole agenda distribution	-	-
-	-	Committee of the Whole	Council agenda deadline	Council agenda distribution
-	-	Council	-	-
-	-	-	-	-
Committee of the Whole agenda deadline	-	Committee of the Whole agenda distribution	-	-

##### 4.2 Option 2 – Monthly Committee of the Whole meetings with Council on third Wednesday of the month

That regularly scheduled Committee of the Whole and Council meetings be held on a monthly basis and that Committee of the Whole meetings be held on the first Wednesday of each month and Council meetings be held on the third Wednesday of each month, with the exception of the months of January and September when the Committee of the Whole meeting will be held on the second Wednesday of the month.

The following table outlines the proposed meeting schedule based on a four week month. The first row shaded in grey reflects the last week of the previous month:

Monday	Tuesday	Wednesday	Thursday	Friday
Committee of the Whole agenda deadline	-	Committee of the Whole agenda distribution	-	-
-	-	<b>Committee of the Whole</b>	-	-
Break Week	-	-	Council agenda deadline	Council agenda distribution
-	-	<b>Council</b>	-	-
Committee of the Whole agenda deadline	-	Committee of the Whole agenda distribution	-	-

### Standing Committee Structure

- 4.3 Should Council wish to return to a Standing Committee governance structure, it is recommended that Council revert back to the four previous Standing Committees (Finance and Administration, Health and Social Services, Planning and Economic Development, and Works) and replace Joint Committees with Committee of the Whole. Any items that would have previously been considered at a Joint Committee meeting would be presented to Committee of the Whole. It is also recommended that responsibility for the preparation and issuance of agendas remain with the Regional Clerk.

- 4.4 Option 3 - Monthly Standing Committee meeting cycle

If Council chooses to return to a Standing Committee governance structure, it is recommended that Council approve a Standing Committee structure using the following monthly meeting cycle, starting on the first Tuesday of each month:

Monday	Tuesday	Wednesday	Thursday	Friday
-	<b>Planning &amp; Economic Development</b>	<b>Works</b>	<b>Health &amp; Social Services Committee agenda deadline</b>	Committee agenda distribution
-	<b>Finance &amp; Administration</b>	<b>Committee of the Whole (as required)</b>	-	-
-	-	Council agenda deadline	Council agenda distribution	-
-	-	<b>Council</b>	Committee agenda deadline	Committee agenda distribution

Following a monthly meeting schedule has some advantages over the previous three-week meeting cycle. It would provide more flexibility for the scheduling of Advisory Committee meetings and special events; and provides additional time for the preparation of minutes and other materials for the Council agenda. A monthly meeting schedule would also result in 10 regularly scheduled meetings for each Standing Committee instead of the 13 meetings annually with a three-week meeting cycle.

#### 4.5 Option 4 – Three-week Standing Committee meeting cycle

The other option is that Council return to a Standing Committee structure using the previous three-week meeting cycle. The following table outlines the proposed meeting cycle, with Committee of the Whole replacing Joint Committee meetings:

Monday	Tuesday	Wednesday	Thursday	Friday
-	<b>Planning &amp; Economic Development</b>	<b>Works</b>	<b>Committee of the Whole (as required)</b> Committee agenda deadline	Committee agenda distribution
-	<b>Finance &amp; Administration</b>	-	Council agenda deadline Committee agenda deadline	Council agenda distribution Committee agenda distribution
-	-	<b>Council</b>	<b>Health &amp; Social Services</b> Committee agenda deadline	Committee agendas distribution

### 5. Transit Executive Committee

5.1 Currently Transit Executive Committee meetings are held on a six week meeting cycle. Since the change to a Committee of the Whole governance structure with a monthly meeting cycle, there has been some challenges with this meeting schedule.

5.2 It is recommended that the Transit Executive Committee meeting schedule be changed if a permanent Committee of the Whole governance structure is adopted.

5.3 Following Council's approval of a meeting schedule for the 2018 to 2022 Council term, a report will be presented to the Transit Executive Committee recommending a Transit Executive Committee meeting schedule.

### 6. Conclusion

6.1 This report provides an update on the pilot Committee of the Whole governance structure and provides options for the Council and Committee meeting schedule for the 2018 to 2022 Council term.

## **7. Attachments**

Appendix #1: Committee Meeting Details 2014 to 2017

Appendix #2: Summary of Committee Governance Structure Questionnaire Responses

Respectfully submitted,

Original signed by

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D. Beaton, B.Com, M.P.A.  
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

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G.H. Cubitt, MSW  
Chief Administrative Officer

## Committee Meeting Details 2014 to 2017

**Table 1: Finance and Administration Committee**

Year	Number of Meetings	Average Meeting Length	Average # of Recommendations to Council
2016	9	1 hour, 53 minutes	7.9 Items
2015	14	1 hour, 53 minutes	7.9 Items
2014	12	1 hour, 44 minutes	8.9 Items

**Table 2: Health and Social Services Committee**

Year	Number of Meetings	Average Meeting Length	Average # of Recommendations to Council
2016	7	2 hours, 40 minutes	2.7 Items
2015	13	2 hours, 14 minutes	2.5 Items
2014	7	1 hour, 26 minutes	3 Items

**Table 3: Planning and Economic Development Committee**

Year	Number of Meetings	Average Meeting Length	Average # of Recommendations to Council
2016	8	1 hour, 28 minutes	3.1 Items
2015	13	1 hour, 28 minutes	4.4 Items
2014	11	1 hour, 9 minutes	4.1 Items

**Table 4: Works Committee**

Year	Number of Meetings	Average Meeting Length	Average # of Recommendations to Council
2016	8	2 hours, 9 minutes	11.4 Items
2015	13	1 hour, 14 minutes	10.5 Items
2014	11	1 hour, 27 minutes	9.1 Items

**Table 5: Joint Committees**

<b>Year</b>	<b>Number of Meetings</b>	<b>Average Meeting Length</b>	<b>Average # of Recommendations to Council</b>
2016	5	2 hours, 34 minutes	4 Items
2015	10	2 hours, 42 minutes	5.4 Items
2014	6	1 hour, 10 minutes	3.2 Items

**Table 6: Committee of the Whole**

<b>Year</b>	<b>Number of Meetings</b>	<b>Average Meeting Length</b>	<b>Average # of Reports</b>
2017	11	6 hours, 19 minutes	30
2016	4	9 hours, 8 minutes	27
Overall	15	7 hours, 4 minutes	29

# Responses to Committee Governance Structure Questionnaire

## Committee of the Whole

### Questions 1

Do you have adequate time to review Committee of the Whole Agendas before the meeting?

Yes 20

No 2

### Comments Received

*"I review my agendas on Sunday & Tuesday"*

*"In many cases I am already working on City Committee agendas."*

*"Agendas are delivered on Friday afternoons. Often I don't pick up until Monday. This does not allow time on a large agenda."*

*"See additional comment 4 under governance structure."*

*"Mostly 'yes' depends on the length."*

*"Electronic Agenda would be preferred."*

### Question 2

Do you have an adequate opportunity to ask questions at Committee of the Whole meetings?

Yes 17

No 2

### Comments Received

*"I like to ask my questions before the meeting"*

*"Problems being recognized due to seating arrangements. Automated system or other mechanisms could resolve this."*

*"See additional comment 4 under governance structure."*

*"Depends on the length of the agenda and the number of presentations/delegations."*

*"It would be helpful if some questions could be asked of staff beforehand"*

*"At times I will defer questions to the Council meeting if it's getting late in day"*



*"I find that certain Councillors take up far too much time which discourages others perhaps to ask their questions"*

*"Following the first few meetings, things are better."*

### Question 3

Do you have an adequate opportunity to debate items at Committee of the Whole meetings?

Yes **16**

No **3**

### Comments Received

*"Sometimes, but sometimes too much debate"*

*"At times with a lengthy agenda calling the question to squash debate has been more frequent."*

*"See additional comment 4 under governance structure. The COW process encourages adversarial, political debate and discourages positive, informed discussion."*

*"Depends on the length of the agenda and the number of presentations/delegations."*

*"It would be helpful if some questions could be asked of staff beforehand"*

*"At times I will not pull items at COW if it's getting late and pull them at Council"*

*"I personally feel that many members 'just want to get on with it'."*

### Question 4

Do you have sufficient time between the Committee of the Whole meeting and the Regional Council meeting to review materials/ask staff questions?

Yes **18**

No **3**

### Comments Received

*"Most of the time"*

*"There is not sufficient time to do a Notice of Motion if arises from the COW"*

*"Suggest Council be the 2<sup>nd</sup> Wednesday after COW"*

*"Any longer and items may be forgotten or set aside."*

**Question 5**

Do you like the Committee of the Whole start time of 9:00 AM?

Yes 21

No 1

**Comments Received**

*"I would prefer earlier"*

*"I find it takes considerably longer to drive to Whitby from Port Perry for this time due to school buses and general traffic. A 9:30 AM start (like Council) is much preferred."*

**Question 6**

Are there sufficient Committee of the Whole meetings?

Yes 17

No 3

If no, how often would you prefer/suggest there be meetings?

**Comments Received**

*"If need be you can always call a special one"*

*"The COW process is very poor compared to the four Committees."*

*"Call of the Chair"*

*"If we ever had an agenda of 800 pages again I would suggest having another meeting"*

*"There should be a 3 week cycle, or at very least a 4 week cycle"*

*"Have option for COW 1<sup>st</sup> and 2<sup>nd</sup> if needed Wednesday, Council 3<sup>rd</sup> week of month"*

*"There should be at least two in my opinion giving Commissioners time to make presentations, updates, etc."*

*"If an extra meeting is required due to longer agenda, an additional meeting can be scheduled."*

**Question 7**

If Council chooses to continue the Committee of the Whole structure for the next term of Council, do you feel the Committee of the Whole sections should continue to be chaired by Section Chairs?

Yes 14

No 6

Or alternative suggestion?

### **Comments Received**

*"It's interesting to have different Chairs and it breaks up the day"*

*"Chairs prepare with Commissioners which makes things a little smoother"*

*"Section Chairs are redundant in a COW structure and should be eliminated. \$500/month for this now is excessive"*

*"Not unless their seating is adjusted so all Councillors are visible to them"*

*"The process undermines the role of Committee Chairs (and Commissioners). If it continues, more transparent to just eliminate them."*

*"Under the COW system the Committee Chairs essentially have no role"*

*"Regional Chair should Chair the entire COW"*

*"It gives opportunities for leadership"*

*"There is no need for Section Chairs if COW maintained"*

*"Other than giving the Councillor some 'ownership' they really don't have a role"*

*"Not sure of the value or need for a chair for a section, but if so, the individual should be strong at managing the meeting."*

### **Question 8**

Is the current process of permitting delegations to appear at Committee of the Whole and Council meetings working?

Yes **16**

No **5**

### **Comments Received**

*"Only the interested residents appear"*

*"Repetitive. Appear at COW where decisions are debated."*

*"Do we have complaints from any delegations? It should be designed to work for the public as they need this opportunity to address Council"*

*"Limit number of delegations before a COW or if >X delegations, then reduce the time for late additions (ie. 3 minutes max)"*

*"Pointless hearing the same info twice"*

*"However, these end up taking the entire morning because of questions"*

*"I feel both sides have an opportunity to ask further questions and make additional comments"*

*"However, too many last minute additions. Delegations should be declared with the agenda. Otherwise pushed to the next COW meeting."*

#### **Question 9**

Do you feel delegations should only be permitted to appear regarding items on the agenda?

Yes 12

No 7

#### **Comments Received**

*"If it's about something else they have the opportunity to contact their Councillor"*

*"Resident should be able to raise issues we may not be aware of"*

*"There may be other issues that are pertinent but are not on the agenda"*

*"It's pretty easy to get items on the agenda if you want to"*

*"Not necessarily. It would give the public an opportunity to express an idea however that could also be covered in a letter (which would probably only be received for information)."*

*"Yes at Council. No at Committee of the Whole."*

#### **Question 10**

Do you feel delegates and presenters should be required to submit presentation material prior to the Committee meeting for distribution?

Yes 16

No 5

#### **Comments Received**

*"I believe this would help us when it comes to questions"*

*"Would be helpful"*

*"They should be encouraged to do so but it should not be mandatory"*

*"If time permits"*

*"It would be preferred but not required"*

*"A chance to formulate questions and research"*

*"I feel it would give us an opportunity to further look into the situation and time to formulate pertinent questions"*

*"Gives Council an opportunity to prepare questions or obtain answers prior to the meeting. More efficient."*

**Question 11**

Should the agenda be such that the delegation and report are dealt with concurrently?

Yes 13

No 7

**Comments Received**

*"This wouldn't leave the delegation hanging"*

*"Often there are questions to staff and delegates must wait for long periods."*

*"If possible"*

*"Not necessarily"*

*"No. Unless Chair (Council) chooses to bring forward"*

*"No. They may need further investigations"*

*"Preferred but not really necessary"*

*"This would allow staff to address comments made by delegates which are not always accurate"*

*"That would be helpful and the delegate could stay to see the results"*

*"At option of Council"*

*"If possible. Delegate's not sitting and waiting."*

**Question 12**

In comparison to the Standing Committee structure, do you feel Councillors are better informed on Regional matters because all members of Council attend Committee of the Whole?

Yes 15

No 6

**Comments Received**

*"More informed, better prepared Councillors in Committee structure"*

*"Regardless, members should still be reading the Committee minutes before the Council meeting in a Standing Committee."*

*"No. I think more matters were dealt with at Committee and more discussion"*

*“Definitely”*

*“Yes but only somewhat. On the other side we have lost the ‘depth’ afforded by Committees.”*

*“Under former system I would attend meetings at Committees that I was not a member of so was good.”*

*“Forces Councillors to be more aware of all issues.”*

### Question 13

Has Committee of the Whole lived up to your expectations?

Yes **16**

No **3**

### Comments Received

*“My expectations were it wouldn’t work and meetings would be too long”*

*“I expected it to be bad and it is. Too long, too many people with limited knowledge having input, decisions often rushed at the end of a long day. Standing Committee has 7 members with expertise.”*

*“I don’t agree with it”*

*“Worse than expected and my expectations were low so I am not sure how to answer this”*

*“Yes because my expectations were low.”*

*“I frustrate the last minute delegation requests”*

*“We are not giving careful enough attention to the Region’s business, with too much priority to getting the meetings over with. The Council Chambers are not conducive to committee discussions.”*

*“However, information reports distributed in advance should be dealt with in advance whenever possible.”*

### Question 14

Are there elements of Committee of the Whole that you do not like?

Yes **12**

No **8**

### Comments Received

*“Length of Meeting”*

*“Councillors ‘grandstanding’ and taking up time that isn’t necessary”*

*"Length"*

*"As above, too many people without expertise asking questions. Recorded votes are redundant at COW and should be eliminated."*

*"Not as fulsome discussion on some matters"*

*"Pretty much everything. Loss of Committee expertise and focus. Loss of input from Commissioners. Longer meetings dominated by a few. Poor use of time."*

*"When it drags on with intentional Councillor hi-jacking the agenda"*

*"It does not provide staff the opportunity to give updates, info on items/legislation being proposed"*

*"I would be happier if issues discussed were of importance to all and not necessarily to one."*

### **Question 15**

Do you prefer a return to the previous Standing Committee process and model?

Yes 9

No 13

### **Question 16**

Are there elements of the Standing Committee process that you would want incorporated into the Committee of the Whole process?

Yes 4

No 11

### **Comments Received**

*"I like it the way it is"*

*"Can't think of way"*

*"Budgets should go to Standing Committees before coming to COW"*

*"The joint meetings should all be COW meetings"*

*"Perhaps COW 2 committees 1<sup>st</sup> Wednesday, 2 committees 2<sup>nd</sup> Wednesday, Council 3<sup>rd</sup> Wednesday"*

*"Due to timing I don't believe my comments in #14 could be accommodated"*

**Question 17**

Is there an interest on Council's behalf for staff to explore the merits of re-establishing a board of health to govern public health and paramedic services?

Yes **10**

No **8**

**Comments Received**

*"I don't believe we need more boards"*

*"I think not enough focus has been directed to Health since Committee"*

*"Possibly if it is more efficient"*

*"I think that a board of health is very important for Durham to have"*

*"Uncertain"*

*"Perhaps, depends on the model"*

*"I would like to hear the pros/cons as I don't feel I have sufficient knowledge at this point in time to answer"*

*"Should be explored. One thing lacking at COW is discussion about health because most of those reports are information reports, distributed in advance."*

**Additional Comments Received**

*"I believe the medical staff at the Region do a thorough job"*

*"You could have COW on 1<sup>st</sup> Wednesday and optional overflow on 2<sup>nd</sup> Wednesday and always Council on 3<sup>rd</sup> Wednesday (Unless a holiday bumps). I think York does this format."*

*"Perhaps one solution is to have 2 COWs which would allow more time for staff and Councillors to be involved!"*

*"An area to improve is the amount of time staff spends waiting for their respective files to be heard. It is not a good use of their time. Better coordination would be helpful."*



## **Council Information Package**

1. Do you find the Council Information Package process helpful?

Yes     **19**

No     **3**

2. Do you like the Council Information Package being circulated on Fridays?

Yes     **19**

No     **2**

3. Do you feel the public is aware of the Council Information Package?

Yes     **8**

No     **8**

### **Additional Comments Received**

*"The public that are interested know what's going on"*

*"Those who have an interest will have access"*

*"I have no idea as to the awareness of the public regarding the Council Information Package"*

*"Fridays are not optimal, competing with a lot of other items"*

*"A heavy reading schedule in addition to local meeting prep sometimes leaves little time to read and pull by Monday."*

*"Important issues are shipping through the CIP"*

*"Re #3 – those people that want to be informed will be"*

## **Governance Structure Options**

<b>Option 1</b> – Committee of the Whole with meetings held on the first Wednesday of each month and Regional Council meetings held on the second Wednesday of each month (current schedule)	Rank 1	<u>9</u>
	Rank 2	<u>5</u>
	Rank 3	<u>4</u>
	Rank 4	<u>4</u>
<b>Option 2</b> – Committee of the Whole with meetings held on the first Wednesday of each month and Regional Council meetings held on the third Wednesday of each month, to allow two weeks between meetings	Rank 1	<u>5</u>
	Rank 2	<u>6</u>
	Rank 3	<u>4</u>
	Rank 4	<u>7</u>
<b>Option 3</b> – Standing Committees using a monthly meeting starting on the first Tuesday of each month and replacing Joint Committees with Committee of the Whole	Rank 1	<u>5</u>
	Rank 2	<u>5</u>
	Rank 3	<u>9</u>
	Rank 4	<u>2</u>
<b>Option 4</b> – Standing Committees using the previous three-week meeting schedule and replacing Joint Committees with Committee of the Whole	Rank 1	<u>5</u>
	Rank 2	<u>3</u>
	Rank 3	<u>2</u>
	Rank 4	<u>11</u>

**Additional Comments Received**

*"The COW gives me (personally) more time to deal with the residents. I do not come to Regional Headquarters as much as I used to."*

*"Standing Committees were mostly made up with members with specific knowledge of that Committee. Too didn't have to spend time on basics and could focus on main points. I find at COW, items that warrant discussion sometimes are rushed and pushed through."*

*"Speaking with our Clerk she and our staff like this format as it gives staff plenty of time to address Regional issues and requests"*

*"The COW process has degraded the quality of Council oversight and reduced the expertise and engagement of Council. It is not about having 'enough time to review the agenda' (question 1) or being able to ask questions or debate, but about the loss of informed ownership and active Council leadership. The Standing Committees took responsibility and developed a shared expertise which was a real positive. The meetings were shorter which is always good. 'If everyone is responsible – no one is responsible' and that has been the outcome. The report from staff at Standing Committees was broader and more useful. The COW meetings drag on until members just want to leave. The only benefit has been to the calendars of Council members and that is a poor reason to abandon effective oversight."*

*"I am very satisfied with the current structure of the meetings"*

*"I am not a fan of Joint Committees, generally Finance exerting influence where it should perhaps not"*

*"COW meetings on a 4 week rotation (additional structure option)"*

*"Change is often difficult to accept and to implement. Time has made the COW structure work better. Stick with it!"*



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Corporate Services  
Report: #2018-COW-71  
Date: April 4, 2018

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### **Subject:**

Filling the Vacancy for the Office of Regional Chair

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

That subsequent to Council declaring the Office of Regional Chair vacant, Council fill the vacancy for the Office of Regional Chair by appointment from amongst the current members of Council at the April 11, 2018 Regional Council meeting, in accordance with the procedures set out in Attachment #2 to this report, and the oath of office for the appointed member be taken on a subsequent date.

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### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to outline the options available to fill the vacancy on Regional Council resulting from the passing of Regional Chair Anderson on March 24, 2018 and to permit Regional staff to make a recommendation from among the available options.

#### **2. Background**

- 2.1 Pursuant to Section 263(5)3. of the *Municipal Act*, should an office become vacant within 90 days before voting day in a municipal election, the municipality is not required to fill the vacancy. For the 2018 election that day would be July 24, 2018, therefore in this instance, the office must be filled.
- 2.2 In accordance with Section 263(1) of the Act, Regional Council, within 60 days of declaring the vacancy has the following 2 options to fill the vacancy:
- A) Fill the vacancy by appointing a person who has consented to accept the office if appointed; or

- B) Require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*.

2.3 Section 65(2) of the *Municipal Elections Act* states that despite any Act, no by-election shall be held to fill an office after March 31<sup>st</sup> in the year of a regular election. The Office of Regional Chair became vacant on March 24, 2018; the date of the Regional Chair's passing. Therefore, the option of a by-election is available in this instance.

2.4 A person is eligible to hold office as a member of the upper-tier Municipal Council if he or she:

- A) Is entitled to be an elector in a lower-tier municipality within the upper-tier municipality under the *Municipal Elections Act, 1996*; and
- B) Is not disqualified by this or any other Act from holding office.

The term of office for a person appointed or elected to fill a vacancy is the remainder of the current term of Council. The current term of Council ends on November 30, 2018.

### **3. Role of the Regional Chair**

3.1 In addition to being the head of Council, the Regional Chair is also the Chief Executive Officer (CEO) of the Regional Corporation. Duties of the Chair are outlined in Sections 225 and 226 (1) of the *Municipal Act* and are included as Attachment #1 to this report.

3.2 According to the Region's Procedural By-law, the Regional Chair shall be, by virtue of the office, a member of all Committees with the same rights and privileges as all other members.

3.3 In accordance with the *Police Services Act*, the Police Services Board shall include the head of the municipal council or, if the head chooses not to be a member of the board, another member of council appointed by resolution of the council. The individual who fills the vacancy for the Regional Chair's office may choose to sit on the Police Services Board, or another member could be appointed to the Board.

3.4 The Regional Chair has also been directly appointed to the following boards/committees:

- Development Charge Complaint Committee
- Durham Region Local Housing Corporation
- Durham Region Non Profit Housing Corporation
- Durham Region Roundtable on Climate Change
- Toronto Global

The individual who fills the vacancy for Regional Chair will also assume the Chair's seat on these boards/committees.

## 4. Overview of the Options

### 4.1 Option 1 – Appointment

- A) The Act provides for the appointment of an eligible voter who has consented to accept the office if appointed. Regional Council can appoint a qualified individual to fill the vacancy either by direct appointment or by soliciting applications. The direct appointment could include a current member of Regional Council, which in turn would have an effect on one of the local area municipalities. If Council recommends appointment by soliciting applications, then this could be completed by implementing a procedure for applications for appointment as recommended by the Regional Clerk.
- B) Given that there is less than a year remaining in the current term of Council, it may be prudent to appoint a current member of Regional Council who would have the experience and knowledge necessary to fill this role and be familiar with the matters currently facing the Region, without requiring a lengthy orientation period and to provide immediate stability and continuity to Regional Council.
- C) Should Council choose to appoint from among the current members, nominations may be accepted during the April 11, 2018 Council meeting in which this report will be considered. The Regional Clerk will have the necessary forms for such a process. The results of the vote will be made public and noted in the minutes of the meeting.
- D) There could also be potential advantages to soliciting interested and qualified individuals for appointment, including finding someone who is engaged and has the experience required to fill the position, and whose appointment would not result in a vacancy on a lower-tier Council.
- E) Should Council choose to solicit interested individuals for appointment, the Regional Clerk would develop a process for Council's consideration which would include an advertising plan and an application and selection process. The chosen process would then be implemented with potential candidates presented to Council for a vote at a special meeting.

### 4.2 Option 2 – By-Election

- A) The by-election process is prescribed by the Municipal Elections Act. The local Area Clerks **have significant responsibility** for conducting any by-election that would be required. If Council chooses a by-election, it would be a Region-wide by-election, and the local Municipal Clerks would be responsible for administering the by-election, including each individual municipality bearing the costs for conducting the by-election. The **costs for a by-election would be reimbursed by the Region**. Estimates for a by-election would require further research and discussion with the Area Clerks to provide a more detailed cost estimate.
- B) Given that the Area Clerks are currently fully engaged in preparing for the 2018 regular municipal election, preparing for a by-election could pose significant challenges.

## 5. Next Steps

- 5.1 Once the method of filling the vacancy is determined, the Regional Clerk will take the appropriate actions in accordance with the *Municipal Act, 2001* and the *Municipal Elections Act, 1996*; including accepting nominations and appointing a member at the April 11, 2018 Council meeting if that is Council's preferred option.
- 5.2 Given the details provided for each option in this report and implications, Regional staff have put forward a recommendation for the preferred option to fill the vacancy, but it is ultimately Council's decision.

## 6. Attachments

Attachment #1: Excerpt from the Municipal Act re Role of Head of Council

Attachment #2: Nomination Process for Current Members of Council

Respectfully submitted,

Original signed by:

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D. Beaton, B.Com, MPA  
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by:

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G.H. Cubitt, MSW  
Chief Administrative Officer

**Excerpt from Municipal Act, 2001:**

**Role of head of council**

**225** It is the role of the head of council,

- (a) to act as chief executive officer of the municipality;
- (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act. 2001, c. 25, s. 225; 2006, c. 32, Sched. A, s. 100.

**Head of council as chief executive officer**

**226.1** As chief executive officer of a municipality, the head of council shall,

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality's activities;
- (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents. 2006, c. 32, Sched. A, s. 101.



**Process for appointing a current member of Council:**

- A. The Presiding Officer shall call for nominations;
- B. Each nomination shall be regularly moved and seconded;
- C. When there are no further nominations, the Presiding Officer shall call for a motion declaring nominations closed;
- D. After nominations have been closed, each mover and seconder of a nomination and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five (5) minutes;
- E. When more than one nominee stands for appointment, a vote shall be taken;
- F. To be appointed, a nominee shall obtain a vote of the majority of the Members present and voting;
- G. The vote shall be by roll-call vote of all Members present and voting, the order of which will be decided by lot, drawn by the Clerk;
- H. The Clerk shall appoint, as required, members of his/her staff to act as scrutineers for the appointment;
- I. If there are only two nominees who elect to stand:
  - (i) The nominee who receives the majority required to be appointed, shall be declared appointed; or
  - (ii) If there is an equality of votes, a ten-minute recess shall be held followed by a second vote. If on the second vote there is still an equality of votes or a nominee does not receive the majority required to be appointed, a further ten-minute recess shall be held followed by a third vote. If on the third vote there is still an equality of votes or a nominee does not receive the majority required to be appointed, the Clerk shall conduct a lot of the nominees and the nominee who is drawn, shall be appointed.
- J. If there are more than two nominees who elect to stand:
  - (i) The nominee who receives the majority required to be appointed, shall be declared appointed;

- (ii) If no nominee receives the majority required to be appointed, the name of the nominee receiving the least number of votes shall be dropped and Council shall proceed with the next vote;
- (iii) If two or more nominees are tied with the least number of votes, the Clerk shall conduct a lot of the tied nominees until there is one name not drawn and the nominee who is not drawn, shall be dropped and Council shall proceed with the next vote;
- (iv) Voting shall continue until either a nominee receives the majority required to be appointed or it becomes apparent by reason of an equality of votes or any other reason that no nominee can be appointed, in which event the procedure in clause (I)(ii) shall apply.



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Social Services  
Report: #2018-COW-52  
Date: April 4, 2018

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### **Subject:**

Donation of Children's Services Surplus Van to YMCA EarlyON program

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That the Children's Services Division be authorized to donate one (1) 2007 surplus van, to the YMCA of Greater Toronto operating the EarlyON program in Durham Region to be used to transport materials and supplies for mobile programs;
  - B) That Section 3.1.3 of the Region's Purchasing By-law #68-2000 (as amended), dealing with the disposal of surplus goods and equipment be waived for this donation; and,
  - C) That the Commissioner of Finance be authorized to execute any documents necessary to complete the donation.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to request that Council approve Children's Services Division's request to donate one surplus 2007 Chevy 1,500 ½ ton van formerly used for Food Service Delivery to child care centres by Hillsdale Estates to the YMCA of Greater Toronto as a not-for-profit operator to support the EarlyON program.

#### **2. Background**

- 2.1 Effective January 1, 2018 Children's Services Division became responsible for funding and managing the EarlyON programs for Durham Region. Both the YMCA and the YWCA have been the service providers (through a service agreement with the Region) for these programs which were formerly called Ontario Early Years Centres.

- 2.2 The Ministry of Education flows the funding for the EarlyON programs to the Children's Services Division, and the Ministry has established guidelines for the services to be provided. In addition to core services being provided at designated sites, the Ministry is encouraging the creation of additional service provision by establishing expanded mobile services as appropriate.
- 2.3 Currently the YMCA has an older van that is used to support mobile Early Year's programs, such as a drop in program in a park and the van is also used to move equipment / supplies to and from various satellite program areas.
- 2.4 Effective March 5, 2018 Hillsdale Estates will no longer be providing food service to the 6 Directly Operated Early Learning and Child Care Centres. Children's Services had purchased two vehicles - a 2006 and a 2007 Chevy 1,500 ½ tonne vans, which were used by Hillsdale staff to transport food on a daily basis to the child care centres. As Hillsdale Estates will not be delivering food to the child care centres, these two vans will become surplus, one of which is proposed to be donated to the YMCA.

### **3. Financial Implications**

- 3.1 The disposal of surplus goods and services is governed by section 3.1.3 of the Region's Purchasing By-law which, in general, requires surplus items to be handled in such a fashion that they would generate the highest return to the Region through the annual auction.
- 3.2 Based on the current state of the assets and similar vehicle sales from the Regional auction, the vans have an estimated disposal value of \$3,900 each.
- 3.3 In order to donate one of the surplus vans as proposed, it is necessary to waive the applicable requirements of this by-law.

### **4. Conclusions**

- 4.1 As previously mentioned, the YMCA currently has and uses an older van, which has begun to cost more in annual repairs. By donating this surplus van to the YMCA of Greater Toronto this would support their provision of mobile EarlyON programs in Durham Region. The YMCA would have access to a "newer" van which may reduce the funds they are spending on repairing their "older" vehicle which may then be directed into programming for children and families.
- 4.2 The Finance Department has reviewed this report and the Commissioner of Finance concurs with the financial recommendation.

Respectfully submitted,

Original signed by: \_\_\_\_\_

Dr. Hugh Drouin  
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: \_\_\_\_\_

G. H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Social Services  
Report: #2018-COW-53  
Date: April 4, 2018

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### **Subject:**

An update on the Financial Empowerment Framework/Poverty Reduction efforts underway within the Social Services Department and authorization to enter into a Memorandum of Understanding with the Durham Community Legal Clinic to create a centre for financial literacy and free year round low-income tax clinic.

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That in order to operationalize actions related to the Financial Empowerment Framework/Poverty Reduction plan within the Social Services Department;
  - i) A provision of up to \$40,000 be allocated to the Durham Community Legal Clinic from the 2018 Business Plans and Budgets, Social Investment Fund Program in order to:
    - 1. Develop a permanent location for a year-round free Income Tax Clinic for low income residents;
    - 2. Develop a public awareness campaign around tax filing options for low income residents; and
- B) That in order to allocate the funding, the Region enter into a Memorandum of Understanding (MOU) with the Durham Community Legal Clinic utilizing funding identified in the 2018 Social Investment Fund (SIF) Program to support the actions noted, at a total cost not to exceed \$40,000; and
- C) That the Durham Community Legal Clinic be required to segregate the funding to ensure reporting and accountability in a manner satisfactory to the Commissioner of Finance and any unused funds be returned or netted off future SIF allocations; and
- D) That the Commissioners of Social Services and Finance be authorized to execute the necessary agreement, with an option to renew for a term of up to five years in

subsequent years, subject to the funds being approved in the annual Business Plans and Budgets.

---

## **Report:**

### **1. Purpose**

- 1.1 The purpose of this report is to provide an update on poverty reduction efforts, known locally as the Financial Empowerment Framework (FEF) led by the Social Services Department, and provide details pertaining to collaborations with Public Health, the Durham Community Legal Clinic, the City of Oshawa and other community partners with a focus on health priority neighborhoods.
- 1.2 Additionally, this report will seek Council approval to operationalize specific actions to address the issues identified through the intent to support the Durham Community Legal Clinic's (DCLC) efforts to pilot a year round free low income tax clinic and a centre for financial literacy through a Memorandum of Understanding contributing one-time support of \$40,000 with an intention to support the pilot for 5 years, subject to future Budget approvals.

### **2. Background**

- 2.1 On Oct 19, 2016 Council received an information report which detailed areas of efforts within the Financial Empowerment Framework.
- 2.2 The intent of the FEF is to balance efforts between long and short-term strategies that assist low-income residents in having access to information, and removing barriers to accessing income, benefits, and transfers.
- 2.3 Areas of effort complement other existing poverty reduction efforts being done by faith communities, not-for-profit organizations and other levels of government.
- 2.4 A FEF working group comprised of staff and organizations that have direct contact with low income populations in, but not exclusively, priority neighborhoods was convened. The Social Services Department, Public Health, Legal Services, the City of Oshawa and the Durham Community Legal Clinic are members of the working group and collectively develop and explore ways to implement and grow elements of the Framework.

### **3. Building the Framework: Context**

- 3.1 The FEF is premised on the understanding that when people living in low income have access to greater income, the increase will be spent on improving their lives or the lives of their families.
- 3.2 The relationship between low income and poor health is well documented. The

Health Neighborhoods reports serve as a key local data source from which efforts under the FEF are informed.

- 3.3 Canada's social architecture is built largely upon assumptions and realities true in the 1950's and 1960's. They were built upon historic linear relationships with employers and traditional interactions with the economy.

3.4 **Of note:**

- A) In 2016, 13.5 per cent of the labour force was deemed to be temporary/contract workers. This is a 57 per cent increase from 8.6 per cent in 1997. (CANSIM Table 282-0087)
- B) In 2016, 19.6 per cent of the labour force was deemed part-time, a shift from 12.5 per cent in 1976. (CANSIM Table 282-0079)
- C) In 2016, 39 per cent of unemployed Canadians were eligible for Employment Insurance benefits (EI), while in Ontario it was 28 per cent -- a shift from 82 per cent in 1978. (CANSIM Tables 267-0001 7282-0087)
- D) The impact of automation and Artificial Intelligence (AI) on the labour force is not fully understood however, it is commonly accepted that it impacts low income earners most dramatically.

- 3.5 The nature of labour force attachment informs the development of FEF initiatives as we deepen our understanding of who, in our communities we are collectively preparing to serve and how should services be modified to accommodate current realities.

- 3.6 Changes to Ontario Works regulations reflect an understanding of the nature of precarious employment and how service systems need to be more responsive to the realities of the labour force. Changes like, a rapid re-application process for Ontario Works and increased allowable asset levels reflects an understanding that mass intermittent employment could become the norm and that assets offer protection against long and deep poverty. Asset retention is a form of poverty prevention.

- 3.7 Areas of effort within the FEF are being developed with scalability in mind, with the intent of serving Durham residents with low income more broadly in the long term. Low income residents and the precariously employed require access to services, supports, information and expertise equally as do those whom have traditionally been known as "clients". Efforts within the FEF are being designed with the foreseeable low income/precariously employed populations in mind, (9.7 per cent of the population or 58,000 people/ 35 per cent respectively (2016 Census) rather than in 2017, 8,924 average Ontario Works cases that often come to mind when low income populations are being considered.



- 3.8 Bill 148, specifically the phased-in minimum wage, is one of many changes / interventions designed to offer greater levels of income stability for low income earners.
- 3.9 The Ontario Basic Income Pilot will test theories and outcomes around different models of income stability and is one more example of the efforts underway to stabilize incomes and re-think income security in Ontario.
- 3.10 The National Pharmacare Plan announced in the 2018 Federal Budget and the Provincial Pharmacare Plan for residents under 24, both signal intent to stabilize the health of residents that may not have extended health benefits as they relate to traditional employment.
- 3.11 Enhancements made to the Canada Child Benefit in 2016 have resulted in a reported 40 per cent reduction in child poverty since 2013, as reported in the 2018 budget submission, stabilizing low income earners through the tax and transfer system realized through income tax filing.
- 3.12 The Canada Workers Benefit, announced in the 2018 federal budget replaces the Working Income Tax Benefit and is another example of a system change that reflect a shift in the way Canadians interact with the labour force. The Canada Workers Benefit is designed to lift an additional 70,000 low-income earners out of poverty by 2020 and is anticipated to increase the income of 2 million Canadians through benefits and transfers realized through tax filing.
- 3.13 Efforts deployed through the FEF have been designed to help increase income stability for low income residents and to better understand how achieving greater income stability as a community, will impact human service systems and service delivery locally.
- 3.14 This shift in focus requires thorough and thoughtful planning and reflects the intentions set out in the provincial Social Assistance Modernization Plan, The Digital Government Action Plan, the provincial commitment to Human Service Integration, the provincial commitment to Community Hubs and the Income Security Reform: A Roadmap for Change report.
- 3.15 As an understanding of modernization and the shifts in labour market attachment are deepened, long term attachment to tax filing is emerging as an essential component of income stability for low income populations.
- 3.16 Both federal and provincial income stability efforts are tied to tax filing. It is anticipated that as the digital government action plan unfolds and new ways of human service delivery are deployed, income tax filing will become an even greater imperative toward achieving income stability.

## **4. Financial Empowerment Framework Update: Early Successes**

### **4.1 Promoting Tax Filing**

- A) There are 41 different federal and provincial benefits, rebates and transfers accessible only via tax filing. These rebates are proven strategies towards improved income security. For a variety of complex reasons, there are Durham residents that do not file their taxes. Efforts to assist low income residents in filing their taxes have been underway for several years. Ontario Works offices and community organizations host free low income tax clinics. Recent efforts have been focused on creating more filing opportunities, developing the community of volunteer providers, creating new and innovative ways of filing taxes and building formality into the network.

### **4.2 Highlights of the work underway include:**

- A) Community organizations run free low income tax clinics across the Region, during tax season serving all geographies.
- B) Ontario Works offices in Durham have been offering assistance with annual tax filing through community volunteers working at free low income tax clinics located in OW offices.
- C) In 2017 the OW clinics alone served 414 households, filing 720 returns. This resulted in over \$2.25 million worth of tax refunds and transferred benefits received by low income residents, the majority of which could be assumed to go back into the Durham economy.
- D) While the OW free low income tax clinic is one of the larger clinics in Durham, it is one of 18.
- E) The implications of failing to file taxes are impactful at the individual level in terms of loss of benefits and government transfers but consideration should be given to the extraction of those dollars from the local economy when returns are not filed.
- F) Of the 414 residents served at OW offices, 153 filed a return between June and August 2017, with 38 per cent filing returns for multiple years. The after tax season, multi-year filers represent a cohort of people “re-attaching” themselves to tax filing, a further demonstration of the need for a year-round free low income tax clinic.

- G) OW offices piloted a “drop off” tax filing program in 2017, whereby all information and documents are exchanged via envelopes. This has proven beneficial in recruiting volunteers who work full-time and assists OW tax filers who work and have family commitments during the day. This program has expanded for the 2018 tax season, and is being offered in the Oshawa, Whitby and Ajax offices. This program is scalable and can be offered to other organizations as a template and is a promising practice and is in keeping with all CRA security protocols.
- 4.3 Demand for service at free low income tax clinics exceeds community capacity. FEF staff have convened the 18 community organizations that provide free low income tax clinics during tax season.
- 4.4 A Community of Practice has been formed with the objective of creating a more formal network, meeting increased demand through increasing capacity, recruiting volunteers and information sharing. The Community of Practice has agreed in principle to collect data from all organizations hosting free low income tax clinics. It is anticipated that in 2019, by collecting data from the Community of Practice, the number of returns completed and the total dollar value of those returns to both individuals and the local economy will be better understood.
- 4.5 **Durham Community Legal Clinic Pilot Allocation (Referencing Report Recommendations)**
- 4.6 The Durham Community Legal Clinic is exploring, in partnership with the Region of Durham, along with other funders, a 5-year pilot of a year-round free low-income tax clinic. This clinic would serve residents who; require the service of a tax clinic throughout the year, tax requirements that are more complex, and potentially the self-employed. This clinic will augment the services of the 18 organizations currently offering clinics across geographies and communities throughout Durham Region.
- 4.7 The low-income tax clinic as part of a Centre for Financial literacy will; convene the Community of Practice of organization that host clinics, assist in recruiting volunteers, ensure recent CRA information is brokered, and disseminated, capacity and demand is continuously monitored, data captured and gaps in service monitored.
- 4.8 This clinic will also address overflow during periods of high demand. These services would be offered in conjunction with 13 areas of law offered at the Clinic, pertaining primarily to income stability such as CPP, WSIB, landlord and tenant appeals and more.
- 4.9 The vision for a Centre for Financial Literacy within the Clinic includes the promotion, awareness raising and training around a variety of income stability efforts including the Canada Learning Bond, Child Support and the Disability Tax credits detailed later in this report. These efforts will be done in partnership with staff attached to the FEF.
- 4.10 As referenced earlier in the report, in order to operationalize actions related to the

Financial Empowerment Framework/Poverty Reduction plan within the Social Services Department, it is recommended that a provision of up to \$40,000 be allocated to the Durham Community Legal Clinic from the 2018 Business Plans and Budgets in order to:

- Develop a permanent location for a year-round free Income Tax Clinic for low income residents;
- Develop a public awareness campaign around tax filing options for low income residents.

4.11 The MOU and funding allotment will provide the Clinic with initial funding related to costs associated with delivering the low-income year-round tax clinic. Expenditures related to one-time start-up costs to purchase items such as; desktop computers, relevant software applications, office supplies, as well as required configurations for furniture. This will allow for the creation of a suitable space for client interactions with privacy and confidentiality in mind.

#### **4.12 Family Support Worker (Pilot)**

4.13 As of February 2017, child support as an income is no longer deducted from Ontario Works (OW) benefits. There are dedicated staff called Family Support Workers (FSW) housed in OW offices with family law expertise. OW offices across the province are exploring ways to utilize this expertise.

4.14 This pilot project tests whether or not people who typically do not access the family court system or are not required to pursue support, would benefit from the assistance of an FSW. Barriers to family court can include; lack of eligibility for legal aid, working full time, inability to afford a lawyer and others. Early results of this pilot are positive.

#### **4.15 Highlights of the pilot include:**

- A) FSWs reached out to parents on the fee subsidy waitlist for child care. Within months of commencing the outreach, FSWs have received 115 referrals. These inquiries are starting to make their way through the court system resulting in new child support orders and/or agreements. As of January 2018, \$4,988 in new monthly agreements was secured. This represents a fraction of the referrals in the process.
- B) FSWs held training sessions with local Ontario Works staff. As of January 2018, 547 new referrals have been made to the FSW's. A similar outreach has occurred with ODSP staff. The net results of these referrals are pending.
- C) FSWs have assisted over 50 payors that have fallen into default of their child support obligations due to poor health, injury or job loss. This can result in garnishment, driver's license suspension and other punitive measures and

unless payers are successful in reducing child support arrears and adjusting current child support obligations, this will/can remain a major barrier to employment. Remedies are often complex and require system navigation. Assisting payors results in preventing long and deep poverty.

- D) FSWs are also exploring ways to assist residents living in Durham Housing units in accessing the Family Court System.
- E) FSWs have presented to the Best Start Network, Public Health and other community partners who may interact with residents who would benefit from accessing the family court system.
- F) FSWs contribute to the range of options available to low income residents trying to navigate the family court system. FSWs are contributing to the overall financial stability of low income residents by ensuring that when interacting with residents for the purpose of accessing the family court system, they are also promoting other elements of the FEF such as the Canada Learning Bond, the Disability Tax credit, tax filing and referrals to other community services.

#### **4.16 Trusteed Youth (Pilot)**

4.17 Income and Employment Supports Division (IESD) offices administer OW to youth that are 16 and 17 years of age receiving assistance while living independently. They are referred to as Trusteed Youth. IESD is conducting a pilot for these youth that includes wrap around care, customized, incentivized service plans, dedicated caseworkers and working with trustees to provide mentorship. Customized service plans include a focus on health, education advancement, social inclusion, housing stability, financial literacy and access to post-secondary education. The majority of trusteed youth reside in Oshawa. The results of this pilot have been overwhelmingly positive.

#### **4.18 Highlights include:**

- A) This pilot commenced December of 2016. As of Jan 2018, 170 youth have benefitted from this level of support. 95 is the average monthly caseload.
- B) IESD staff have captured data arounds the needs of these young people. The customized service plans address their needs, their personal, unique vulnerabilities. Early outcomes are strongly suggesting that addressing vulnerabilities is the pathway to stability and post- secondary education, not simply more money. Social Inclusion and hope cannot be underestimated.
- C) Of those that participated; 50 per cent accessed mental health supports, 40 per cent were experiencing housing instability, 20 per cent requested help with social inclusion like sports or attending prom, and 40 per cent have secured part time jobs.

D) As youth left the program, data showed that;

- 68 exited OW – of them
- 19 went on to post-secondary
- 17 returned home
- 3 obtained employment

4.19 These are very positive results. The vulnerability of these young people cannot be overstated. As we grow an understanding of how customized care can prevent long and deep poverty amongst our most vulnerable residents, shifting service delivery from a pilot to a policy is being explored.

#### 4.20 **Canada Learning Bond (CLB)**

4.21 The Canada Learning Bond is free federal seed money available to all low income Canadians through an RESP. Federal data reveals, having savings for education improves the odds of a youth attending post-secondary by 50 per cent.

4.22 Uptake of the CLB in priority neighborhoods in Oshawa averages 21 per cent. That means approximately 8,200 (June 2017) eligible children are not receiving the benefits of this bond. If these bonds were fully realized, it would amount to \$16.4 million dollars deposited in the saving accounts of Durham families and \$16.4 million dollars ultimately being spent in obtaining post-secondary education. Over 90 per cent of CLBs receive additional family contributions. These figures relate to the 5 priority neighbourhoods in Oshawa only, but every neighbourhood in Durham is undersubscribed for the CLB, therefore \$16.4 million represents the minimal lost potential assets locally (i.e. \$2,000 CLB contribution per child for 8,500 eligible children).

4.23 There are a wide variety of efforts and strategies being deployed to raise awareness of this bond and remove barriers to accessing it.

#### 4.24 **Highlights include:**

- A) Outreach to existing networks, community organizations, service providers, and municipal and regional departments. Children's services, for example, have included information about the CLB in their welcome packages and shared knowledge about the CLB with staff serving families. Public Health Nurses actively promote the CLB.
- B) A pilot designed to reach parents in the school communities is being explored with the Durham District School Board.
- C) A community CLB sign-up event was hosted by the City of Oshawa in partnership with FEF staff at the South Oshawa Community Centre. Banking partners were on hand to provide on-site service.
- D) There is a natural link between free tax filing clinics and the CLB. FEF staff are

working with the Tax Filing Community of Practice to embed the promotion of the Canada Learning Bond into routine tax filing at free low income tax clinics. Future efforts will include promoting direct deposit, opening a “my CRA” account and ultimately encouraging independence when filing taxes.

E) Partnerships with employers are being explored.

#### 4.25 **Champions and Partners**

4.26 The Durham Region **Public Health Department** is a member of the FEF working group. Public Health has embedded knowledge and understanding of each of the above named initiatives into their interactions with residents through staff training and knowledge sharing.

4.27 Public Health is actively promoting free income tax clinics, access to an FSW and the Canada Learning Bond. Public Health Nurses are utilizing a poverty screening tool they developed to identify residents with low income and at risk of associated poor health outcomes.

4.28 Ontario Works staff have contributed knowledge and expertise to the training process. As trusted community partners’ public health nurses are uniquely positioned to broker information, connect residents with service and identify barriers to accessing benefits.

4.29 **Income and Employment Supports Division (IESD)** staff members are members of the FEF working group. Planned for IESD are client visits dedicated to ensuring clients are receiving all the benefits to which they are entitled, regardless of who administers them with an emphasis on FEF components.

4.30 **Children’s Services Division** has staff members on the FEF working group and have been early champions embedding FEF initiatives into service delivery. Similar to Public Health, Children’s services staff actively promote the Canada Learning Bond, and share information about the services of an FSW and free low income tax clinics. Children’s Services have given FEF staff an opportunity to leverage networks like the Best Start Network to raise awareness and broker information directly to parents and child care providers.

4.31 **The City of Oshawa** is a member of the FEF working group, and is committed to sharing resources such as space and exploring opportunities to create champions, inside of Recreation and Culture specifically, and the corporation more broadly where possible. The City of Oshawa, in partnership with FEF staff is exploring ways to inform and train City staff on the elements of the FEF and how to embed that knowledge into service delivery. The City of Oshawa approved its Diversity and Inclusion plan in November of 2017. This plan speaks to the goals of justice, fairness and non-discrimination, and includes actions that assist the City to consider the needs of all populations. Financial inclusion is an element within the plan, contributing to the actions of the FEF.

## **5. Financial Empowerment Framework Update: Promising Developments**

### **5.1 Access to Justice Hub**

5.2 The Durham Community Legal Clinic (DCLC), in partnership with Durham College and with support and consultation from the Social Services and Legal Departments at the Region of Durham, is exploring expanding services currently offered at the Durham Legal Clinic to low income residents more broadly through an Access to Justice Hub.

5.3 Plans include offering 13 areas of law to residents whose income precludes eligibility for legal aid but is insufficient to procure the services of a lawyer. Many of the 13 areas of law relate to income such as WSIB, CPP eligibility, landlord and tenant law, understanding that poverty prevention is poverty reduction.

5.4 The expanded services of a Hub would specifically offer services to the precariously employed population referred to in Section 3.7 of this report and represents a considerable expansion of service.

### **5.5 Disability Tax Credit**

5.6 The Disability Tax Credit (DTC) uptake rate in Ontario is estimated to be 38 per cent (source: StatCan 2016).

5.7 There are Durham residents with disabilities who are eligible for federal and provincial disability benefits that are not being realized. Applying for the DTC via income tax filing can be overwhelming and complicated. Many residents are unable to apply for or are unaware they are eligible for the DTC.

5.8 Efforts are underway to both identify and remove barriers to accessing the DTC. Early efforts have included; FEF staff developing subject matter expertise on both the Disability Tax Credit and the Registered Disability Savings Plans, raising awareness with champions such as Public Health, Children's Service and Family Services Adult Community Support Services (ACSS) workers, holding public information sessions with service providers and learning about advocacy efforts underway that promote the removal of barriers.

### **5.9 Social Investment Fund Inquiries**

5.10 While not specifically tied to any area of effort of the FEF, inquiries made to staff administering the Social Investment Fund (SIF) are tracked and data gathered around the distribution of this Fund identifying gaps in service and trends. Of note, in 2016, 41 per cent (321) inquiries directed to staff administering the SIF fund were from low income residents not attached to either OW or ODSP. Efforts are underway to better understand the relationship between those calls and calls currently being fielded through the IESD Call Centre. Better understanding this data will inform service provision and provide insights into who in our community is requesting assistance and reveals local needs.



### **5.11 Eligibility Tool**

5.12 IESD staff have been working on an Eligibility Tool designed to quickly determine what benefits, transfers, social supports and subsidies any given person may be eligible for, based on basic demographic information such as age, family composition and income. A manual version of the tool is being piloted in IESD. A local digital version of this tool is being explored with the long term goal being offering this tool publicly.

## **6. Financial Implications**

- 6.1 Identified in the 2018 Social Services Budget included an additional \$100,000 designated to enhance the work and efforts taking place within the financial empowered framework and reducing poverty. This report recommended that up to \$40,000 of that budget being allocated to the Durham Community Legal Clinic.
- 6.2 Future financial support for the Centre for Financial Literacy and Year-Round Income Tax clinic project will depend on subsequent budget approvals.

## **7. Conclusion**

- 7.1 The intent of the FEF is to balance efforts that result in both immediate and long-term increases in income stability for low-income residents.
- 7.2 There is an increased awareness around the nature and composition of the labour force and effects of precarious employment on the social safety net.
- 7.3 There is a growing understanding of the role of Regional government, and more specifically Social Services as information brokers, to the broader public generally and to low income residents more specifically.
- 7.4 Efforts undertaken through the Financial Empowerment Framework aim to strengthen the resilience of the community by supporting human service systems, such as agencies, networks, departments and institutions in actively contributing to the financial stability of Durham residents experiencing low income and poverty.
- 7.5 Tax filing is critical to accessing Federal and Provincial benefits and transfers and participating in modern human service systems.
- 7.6 The report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by: \_\_\_\_\_

Dr. Hugh Drouin  
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: \_\_\_\_\_

G. H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Social Services  
Report: #2018-COW-66  
Date: April 4, 2018

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### **Subject:**

Sole Source Purchase of a Cloud Based Electronic Health Care Record (eHCR) for the Region of Durham Long Term Care and Services for Seniors Division.

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### **Recommendation:**

That the Committee of the Whole recommends to Regional Council:

- A) That a sole source contract with Point Click Care Technologies Inc. for the provision of a Cloud Based Electronic Health Care Record software for the Region of Durham's Long Term Care Homes and Services for Seniors be negotiated using the recent RFP award by the City of Toronto as a basis, for a five-year term, commencing in 2018 at a total estimated cost of \$892,634, at an estimated annual cost of \$88,848 in the first year (2018) with subsequent year's costs to be included in future annual business plans and budgets;
- B) That the Commissioner of Finance be authorized execute any applicable agreement(s); and
- C) That if required (due the nature of and duration of the implementation of replacement software with Point Click Care), the Commissioner of Finance be authorized to extend the annual support, maintenance and hosting of the existing Electronic Health Care Record software with Campana Systems Inc., past its expiry of March 31, 2019, and execute any applicable agreement(s).

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### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to provide details and seek approval to negotiate and award a sole source agreement to Point Click Care Technologies Inc., a cloud

based Electronic Health Care Record (eHCR) software provider, for the Region of Durham's four (4) Long-Term Care Homes (LTCH) and two (2) Adult Day Programs (ADP).

## **2. Background**

- 2.1 The Region of Durham's Long Term Care and Services for Seniors division currently holds a contract for eHCR and employee scheduling software which expires March 31<sup>st</sup> 2019.
- 2.2 Technology norms within Ontario Long Term Care homes have shifted to include an electronic medication administration module (eMar) built directly within the resident's eHCR.
- 2.3 Our current pharmacy vendor, Medisystem Pharmacy, has a direct integrated eMar system with two (2) eHCR software vendors, Point Click Care and Med-eCare. This direct integration with the pharmacy vendor allows for increased resident safety with medication practices.
- 2.4 Without an eMar module our current process involves manual pen and paper for ordering medications and recording medication administration. The eMar module simplifies the medication management process for nurses and physicians, increases the security of the information, and ensures increased resident safety from medication errors.
- 2.5 Current communication with the pharmacy is done via telephone and fax machine. An eMar system would allow all medications to be ordered, documented and recorded in the eHCR.

## **3. Justification for Sole Source**

- 3.1 There is a significant benefit to have only one secured, eHCR for our residents. This can be achieved by obtaining software that has the capability to securely house all resident health data within one solution. Currently we have a number of smaller legacy systems that are both hosted and on-site within the Homes. Our goal is to have a solution provided by one vendor that captures all health data and successfully integrates with our current systems. Point Click Care has the functionality to meet this need.

### **Industry Integration and Continuum of Care**

- 3.2 Point Click Care has an integrated eMar system that communicates directly to Medisystem Pharmacy's computer system (i.e. reducing the need to duplicate data entry into two separate systems). In addition to ordering of medication, eMar systems assist with the medication administration pass which is conducted by a nursing registered staff member. The eMar system also has security features built in – such as requiring nurses to obtain vital signs before giving the medication. The pharmacist has real time viewing capability to see the medication pass in

process via the computer system. The computer records all information for each medication pass, including which staff administered the medication along with the time and date.

- 3.3 The Ontario Long Term Care Association in partnership with eHealth Ontario, Canada Health Infoway and Point Click Care have developed a secure controlled portal, LTC eConnect which provides Ontario long-term care homes with shared access to historic residents' electronic medical information from provincial and regional data sources such as hospitals, CCACs, and regional cancer centres. The data includes but is not limited to, lab results and diagnostic imaging reports.
- 3.4 At this time, Point Click Care is the sole electronic healthcare software provider who includes secure access to LTC Connect. LTC eConnect provides a single sign-on secured link to the resident's Provincial Health Care Record. This provincial record includes health information across the continuum of care such as laboratory reports, discharge reports from hospital and radiology and diagnostic reports.
- 3.5 LTC eConnect supports the larger provincial Health initiative to move toward a "single sign-on" for the Master Provincial Health Care Record for residents.
- 3.6 Regional long-term care clinicians and medical professionals can use LTC eConnect to access a variety of critical eHCR services such as laboratory reports, discharge reports from hospital and radiology and diagnostic reports using their Electronic Health management software secure system credentials, which in this case would be through Point Click Care.
- 3.7 Point Click Care's secure, encrypted single-sign-on interface with LTC eConnect enforces data security control by restricting access to view only those resident records assigned to staff member's care. For more information visit [Rolling Out Electronic Health Record to Ontarians.pdf](#).

### **Meal Metrics Interface Capabilities**

- 3.8 Point Click Care has integration capability with our current nutrition management software Meal Metrics. The Region currently uses Point Click Care's Meal Metric's software at all 4 homes.
- 3.9 Meal Metrics software maintains the nutritional health profile of each resident within our four long term care homes. This integration will allow all resident health record information to be kept centrally within one secured solution. This will improve the data security of the health record information our residents by having one single sign on solution.
- 3.10 In addition to full integration, Point Click Care can also provide additional nutritional care features including a menu builder feature for our dietitians and a recipe and production solution for our food service team.

**City of Toronto Request for Proposal Results**

- 3.11 For comparative purposes, the City of Toronto recently conducted a Request for Proposal (RFP) process in 2017 (3405-17-0165) for a Cloud Based Electronic Health Care Records (eHCR) software vendor that included an integrated eMar System. The RFP process resulted in two vendor proposals (i.e. Point Click Care and Med-eCare).
- 3.12 The submissions were reviewed and evaluated by a City of Toronto selection committee. The process was overseen by a City appointed Fairness Monitor. The evaluation included a pass/fail model for mandatory requirements, a detailed evaluation based upon both functional and technical requirements, a demonstration and cost of services.
- 3.13 The proposal submitted by Point Click Care presented with the highest score and the RFP was awarded to Point Click Care.
- 3.14 Staff within the Region's Long Term Care Services for Seniors' division along with Finance staff had reviewed the requirements listed within Toronto's RFP document and noted the requirements would satisfy what would be needed for this system within the regionally operated Homes.
- 3.15 The RFP allows for other municipalities to 'piggy back' on the City of Toronto's agreement. If approval is granted for the Region to move forward with negotiations, any agreement in place with the City of Toronto at that time will be reviewed and, if beneficial, used as the foundation for the Region's agreement.

**4. Financial Implications**

- 4.1 Funding is available in the approved 2018 Business Plans and Budgets for the Region's four long term care homes for the estimated first year costs of \$88,848. Additional funding will be requested in the 2019 to 2022 Long Term Care and Services for Seniors' Operating Budget as summarized below:

**Table 1: Financial Implications and Total Contract Cost Estimates**

<b>Software Application Subscription Costs</b>	
<b>Year 1 - Subscription Cost (5 month phase-in)</b>	<b>\$45,178</b>
<b>Data Migration - One-time</b>	<b>\$4,620</b>
<b>Implementation - One-time</b>	<b>\$2,800</b>
<b>Professional Services – One-time</b>	<b>\$10,250</b>
<b>Training - One-time</b>	<b>\$26,000</b>
<b>2019 TOTAL COSTS (Subscription cost)</b>	<b>\$158,748</b>
<b>2020 - 2022 TOTAL COSTS (Subscription cost)</b>	<b>\$645,038</b>

4.2 The Region's Purchasing By-Law 68-2000 (Amended), Section 8.1.1 permits that in cases where only one known supplier can meet the required specifications, the acquisition of goods and services can be made through a negotiation process for contracts that exceed \$125,000.

4.3 In reference to the possible contract extension for the current vendor Campana, Section 8.1.4 permits the extension of an existing contract where it would prove more cost effective or beneficial.

## **5. Conclusion**

5.1 It is recommended that a sole source contract with Point Click Care Technologies Inc. for the provision of a Cloud Based Electronic Health Care Record software for the Region of Durham's Long Term Care Homes and Services for Seniors be negotiated using the recent RFP award by the City of Toronto as a basis, for a five-year term commencing in 2018 at a total estimated cost of \$892,634, at an estimated annual cost of \$88,848 in the first year (2018) with subsequent year's costs to be included in future annual business plans and budgets;

5.2 That the Commissioner of Finance be authorized execute any applicable agreement(s); and

5.3 That if required (due the nature of and duration of the implementation of replacement software with Point Click Care), the Commissioner of Finance be authorized to extend the annual support, maintenance and hosting of the existing Electronic Health Care Record software with Campana Systems Inc., past its expiry of March 31, 2019, and execute any applicable agreement(s).

5.4 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

Original signed by: \_\_\_\_\_

Dr. Hugh Drouin  
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: \_\_\_\_\_

G. H. Cubitt, MSW  
Chief Administrative Officer





## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Social Services  
Report: #2018-COW-69  
Date: April 4, 2018

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**Subject:**

Increased Provincial Funding for Adult Protective Support Worker Investment

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That annual and permanent unbudgeted 100 per cent Provincial funding from the Ministry of Community and Social Services in the amount of \$200,000 for Family Services Division be received as supplementary to the 2018 Business Plan and Budget; and
- B) Approval be granted to increase the Family Services staffing complement by two (2) new full time positions effective May 1, 2018 and a one-time increase in Temporary staffing costs to further support existing general case management related to the Adult Protective Support Worker investment; and
- C) The increases will be funded entirely from the additional Provincial funding allocation as follows:
  - i) Two (2) Adult Protective Support Workers (effective May 1, 2018) to support adults diagnosed with a developmental disability to live safely, securely and as independently as possible in their community at an estimated 2018 cost of \$117,100 (annualized cost of \$171,800);
  - ii) One-time increase in 2018 for Temporary staffing costs of \$82,900 to further support existing general case management.
- D) That the Regional Chair and Regional Clerk be authorized to execute the Ontario Transfer Payment Agreement.

**Report:****1. Purpose**

- 1.1 The purpose of this report is to notify Committee of the Whole and Regional Council that on March 2, 2018 the Ministry of Community and Social Services (MCSS) provided additional 2018 allocations for the Adult Community Support Services program within the Family Services Division. This allocation provides a total of \$200,000 in additional unbudgeted provincial funding to support additional general case management service delivery that the Family Services division has been managing.

**2. Background**

- 2.1 The Ministry of Community and Social Services (MCSS) is investing \$3M to increase the capacity of Adult Protective Service Workers (APSWs) and other general case management providers to deliver case management services across the province.
- 2.2 In Durham Region, Adult Protective Services are provided by the Adult Community Support Services (ACSS) Program. Clients of ACSS are people age 18 and over who are diagnosed with a developmental disability and who are living on their own in a community setting or are planning a transition to more independent living. Clients often have limited or no significant social supports, are often in vulnerable situations, and are in need and request the type of assistance that the ACSS program can provide. The program collaborates with agency partners and community stakeholders including provincial, regional and local developmental services, clients, and their families.
- 2.3 Guiding principles of the program are citizenship, fairness and equity, accessibility, safety and security, and accountability. The purpose of the program is to strengthen a client's capacity to live independently, safely and securely in their community and to enhance the extent of community living opportunities by coordinating and maintaining connections to community supports.
- 2.4 Adult Community Support Services are provided to residents living in Durham Region with offices in Uxbridge, Port Perry, Ajax, Whitby and Bowmanville. ACSS workers are also able to travel and meet clients in their communities.
- 2.5 Approximately 2,662 direct service hours were provided to 236 clients and families of the ACSS program last year.
- 2.6 ACSS program services include:
- Advocacy on behalf of clients to access and maintain generic community and government-funded services and supports

- Coordination and case management of community resources including social and housing services, medical and dental care, legal assistance and budget planning
- Information and referrals (ACSS workers are systems experts in navigating both generic community and developmental services)
- Mediation and liaison/collaboration with other service providers
- Assisting clients in identifying their strengths and needs and development of service plans
- Support with problem-solving, life skills and emotional counselling
- General education and awareness-building on abuse prevention

2.7 Mitigating crisis and risk to individuals with a developmental disability living in our community is also a primary function of the program. Workers provide crisis management and urgent response services by accessing and coordinating services and funding, that stabilize and improve quality of life for clients and their families.

2.8 Examples of urgent responses undertaken by ACSS workers include:

- Coordination of services when caregivers/parents can no longer provide care due to aging or illness
- Development of plans to support clients with limited supports and/or lack of stable housing that are being discharged from hospitals and/or mental health inpatient services
- Mitigating risk associated with human trafficking and abuse of vulnerable clients
- Resolution of landlord/tenant issues circumventing homelessness
- Working with child protection agencies in developing plans and implementing supports to mitigate the apprehension of dependent children
- Coordinating medical, behavioural and psychiatric interventions for clients presenting with complex needs

### **3. Financial Implications**

3.1 The increase in provincial funding has been annualized and will be included in future allocations. This additional funding must be utilized to expand existing case management services.

3.2 It is recommended that total annual funding in the amount of \$200,000 be allocated as follows:

- A) Two (2) Adult Protective Support Workers (effective May 1, 2018) to support adults diagnosed with a developmental disability to live safely, securely and as independently as possible in their community at an estimated 2018 cost of \$117,100 (annualized cost of \$171,800);
- B) One-time increase in 2018 for temporary staffing costs of \$82,900 to further support existing general case management.

3.3 There are risks to the Region with provincial funding. In the event that the Province does not adjust the level of 100 per cent funding provided to the Region to accommodate inflationary and contractual increases, or provide sufficient administrative funding to cover the Region's administrative costs to deliver the increased level of service, then the Region's costs would need to increase to maintain the same level of service to the community.

3.4 Currently, the 2018 Regional Budget for the ACSS program includes a Regional contribution of \$126,571.

#### **4. Conclusion**

4.1 This financial investment of 100 per cent provincial funding in the Adult Protective Service Workers program is excellent news for those receiving support from the program, as well as their families and other caregivers.

4.2 It is recommended that the additional unbudgeted provincial funding from the Ministry of Community and Social Services in the amount of \$200,000 for the Family Services division be accepted and allocated as outlined within this report.

4.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

#### **5. Attachments**

Attachment #1: Allocation Details – 2017/18 Investment in APSWs and General Case Management Services

Respectfully submitted,

Original signed by: \_\_\_\_\_

Dr. Hugh Drouin  
Commissioner of Social Services

Recommended for Presentation to Committee

Original signed by: \_\_\_\_\_

G. H. Cubitt, MSW  
Chief Administrative Officer

March 2, 2018

**MEMORANDUM TO:** Dennis Holmes, Director of Family Services

**FROM:** Cindy Dionne, Program Supervisor

**SUBJECT:** Allocation Details –  
2017/18 Investment in APSWs and  
General Case Management Services

I am pleased to confirm funding to support additional investment in the general case management service delivery that is provided by your agency The Regional Municipality of Durham. The attached package will support the roll-out of the 2017/18 investment to your agency.

**Allocation Details:**

You will receive \$200,000 in 2018/19 to provide additional general case management services (e.g. APSW, case manager, service coordinator, etc.) and cover associated costs identified for your service agency. This allocation has been informed by case management data collected by my Regional Office in July 2017 and subsequent discussions between my Regional Office and your agency. This additional funding has been annualized for your agency and will be included in your allocation for future years. Allocation decisions for additional case management investments beginning in 2018/19 will be made early next fiscal year.

This package contains additional information in the attached appendix to this memo that outlines the purpose of funding, target groups, acceptable use of funding, activities, and expected outcomes.

**Key Contact:**

Should you have any questions about the 2017/18 investment in general case management please contact Cindy Dionne, Program Supervisor (905-433-2822)

Thank you for your ongoing support.



Cindy Dionne, Program Supervisor

**Attachment:** Appendix – Information related to 2017/18 Investment  
Qs and As

■ 11 Beechgrove Lane, Kingston ON K7M 9A6  
Telephone: 613-545-0539  
Toll Free: 1-800-646-3209

□ 347 Preston Street, 3<sup>rd</sup> Floor, Ottawa ON K1S 3H8  
Telephone: 613-234-1188  
Toll Free: 1-800-267-5111

□ 360 George Street North, 2<sup>nd</sup> Floor, Peterborough ON K9H 7E7  
Telephone: 705-742-9292  
Toll Free: 1-800-663-8560

■ 11, ruelle Beechgrove, Kingston (Ontario) K7M 9A6  
Téléphone: 613-545-0539  
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□ 347, rue Preston, 3<sup>ième</sup> étage, Ottawa (Ontario) K1S 3H8  
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□ 360, rue George nord, 2<sup>ième</sup> étage, Peterborough (Ontario) K9H 7E7  
Téléphone: 702-742-9292  
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## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Planning and Economic Development  
Report: #2018-COW-68  
Date: April 4, 2018

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### **Subject:**

Durham Region's Response to the Province's Draft Watershed Planning Guidance Document, File: L14-49

Watershed Planning Guidance – Environmental Bill of Rights Registry #013-1817

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That Report #2018-COW-68 be endorsed and submitted to the Ministry of Natural Resources and Forestry and the Ministry of Environment and Climate Change as Durham Region's response to Environmental Bill of Rights Registry No. 013-1817 regarding Watershed Planning Guidance, including the following key comments and recommendations:
- i) That the Province include information on the role of conservation authorities in watershed planning, particularly within the Greater Golden Horseshoe, and strongly encourage municipalities to collaborate with conservation authorities where they exist for the purposes of watershed planning;
  - ii) That the Province provide further details on the difference between watershed planning and sub-watershed planning, clearly outline requirements for developing watershed and sub-watershed plans, and provide examples of "best practice" watershed and sub-watershed plans;
  - iii) That the Province acknowledge the ability of watershed planning to go beyond basic legislative requirements and recognize instances where this may be appropriate or desirable to address other matters such as natural heritage system

- planning, which supports Provincial objectives for more integrated planning;
- iv) That the Province recognize the diverse characteristics and abilities of municipalities in Ontario by providing a suite of options for undertaking watershed planning, from a very basic watershed plan to a comprehensive exercise, in a manner similar to the Province's "Community Emissions Reduction Planning: A Guide for Municipalities";
  - v) That the Province distinguish clearly between watershed planning requirements in areas subject to the Growth Plan, Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan and requirements for areas that are not subject to these Plans;
  - vi) That the Province provide greater guidance to support municipalities in their municipal comprehensive reviews and Official Plan updates for achieving conformity with the 2017 Provincial Plans, including specific criteria to be met for watershed plan equivalency, how municipalities can use existing watershed plans or equivalent studies to achieve conformity by 2022, and any transitional provisions that will be in place;
  - vii) That the Province recognize there may be additional financial cost to municipalities for requiring an increased scope and standard for watershed planning and provide funding or funding streams, if necessary, to enable this work to be undertaken;
  - viii) That the Province provide additional information on how climate change is to be considered and incorporated into watershed planning exercises, and recognize and encourage consideration of local work on climate change such as vulnerability and risk assessments or climate change strategies that have already been undertaken by municipalities and conservation authorities; and,
  - ix) That the Province provide further explanation, detail and clarification on how watershed planning aligns within other legislation and requirements, in particular, Source Water Protection, as well as how data from watershed planning and source water protection are to be used to fulfil the provincial plan requirements around the identification and protection of water resources.



- B) It is recommended that this report be forwarded to the Ministry of the Environment and Climate Change and the Ministry of Natural Resources and Forestry. A copy of this report will be forwarded to Durham five conservation authorities, and its area municipalities for information.
- 

## **Report:**

### **1. Purpose**

- 1.1 On February 6, 2018 the Province released a policy proposal notice for public consultation on the Environmental Bill of Rights Registry (EBR) for a draft Watershed Planning Guidance document.
- 1.2 The purpose of this report is to provide an overview of the draft Watershed Planning Guidance document and respond to the Ministry of Natural Resources and Forestry (MNR), and the Ministry of Environment and Climate Change (MOECC). The complete document can be found here;  
[http://www.downloads.ene.gov.on.ca/envision/env\\_reg/er/documents/2018/013-1817\\_DraftGuidance.pdf](http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2018/013-1817_DraftGuidance.pdf).

### **2. Background**

- 2.1 The Oak Ridges Moraine Conservation Plan, 2002, required municipalities to undertake watershed planning in accordance with technical guidance from the Province. Many of the watershed plans in Durham Region were completed between 2010 and 2013 to satisfy this requirement.
- 2.2 There are five conservation authorities across Durham Region. Watershed plans have been completed and are in place for significant watershed planning areas in Durham and cover the majority of the Region's land area (See Attachments #1 and #2). Areas not covered by a watershed plan are not expected to be subject to significant development pressure, have been mostly built out, or have other types of plans in place by the respective conservation authority, such as action plans. For example, Frenchman's Bay in the City of Pickering is considered to be a basin draining directly into Lake Ontario and is not a watershed. Watershed planning for this area is managed by TRCA's Waterfront Team.
- 2.3 Regional staff participated in webinars on the draft Watershed Planning Guidance document and a full-day Workshop on February 23, 2018 hosted by the Province. Regional staff were also involved in a Watershed Engagement Group established by the Province consisting of representatives from municipalities, non-governmental

organizations, and conservation authorities. Feedback from this group was considered by the Province in the preparation of the draft Guidance document.

- 2.4 Regional staff met with representatives from the five Conservation Authorities on March 15, 2018 for input and to inform staff's comments on this EBR posting. In addition, Conservation Ontario established its own working group with representation from the Conservation Authorities to review and provide comments to the Province. Three of the five conservation authorities in Durham Region participated on Conservation Ontario's working group.
- 2.5 The deadline for comment on the draft Watershed Planning Guidance document is April 7, 2018. Similar to other policy proposal notices, the 60 day consultation period provided by the Province did not provide an adequate timeframe for staff to undertake a fulsome review of materials and bring a recommendation report forward to Committee and Council prior to the deadline. As a result, Regional comments will be forwarded to the Province following the outcome of the Committee of the Whole meeting, in order to meet the commenting deadline, to be followed by Council's resolution.

### **3. Draft Watershed Planning Guidance for Land Use Planning Authorities**

- 3.1 The Provincial Policy Statement, 2014 identified the watershed and subwatershed as the ecologically meaningful geographic scale for integrated and long-term planning. While the Oak Ridges Moraine Conservation Plan has required watershed plans since 2002, the Growth Plan and the Greenbelt Plan now require upper tier and single tier municipalities to ensure watershed planning is undertaken, in partnership with Conservation Authorities, to support a comprehensive, integrated, and long-term approach to the protection, enhancement or restoration of the quality and quantity of water within a watershed.
- 3.2 The purpose of the Watershed Planning Guidance document is to support:
  - a. Watershed and subwatershed planning by municipalities and other land use planning authorities in Ontario;
  - b. Recent policy amendments to the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan which set stronger requirements for municipalities and other planning authorities to undertake watershed and subwatershed planning, to inform key land use planning and infrastructure decisions.
  - c. Direction within the Provincial Policy Statement, 2014, which requires planning

- authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning; and,
- d. The achievement of various goals within other provincial plans and policies including the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, the Lake Simcoe Protection Plan, Source Protection Plans, Ontario's Biodiversity Strategy and Ontario's Climate Change Strategy and Action Plan.
- 3.3 The draft Watershed Planning Guidance document contains the following information intended to help municipalities and planning authorities to carry out watershed planning:
- a. An overview of watershed and subwatershed planning, including the policy context, key principles, process and components of a watershed plan;
  - b. Direction on carrying out effective and meaningful engagement;
  - c. Guidance on addressing indigenous interests and considerations in watershed planning;
  - d. Guidance in the preparation of elements of watershed and subwatershed plans including:
    - Watershed delineation and characterization;
    - Setting the vision, objectives, goals and targets;
    - Water budget and conservation plans;
    - Water quality and nutrient loading assessments;
    - Natural hazards considerations;
    - Climate change considerations;
    - Connections to natural systems;
    - Cumulative impact assessment;
    - Land use and management scenarios; and
    - Monitoring and adaptive management.
  - e. The use of watershed and subwatershed planning to inform land use and infrastructure planning and decision-making.

#### **4. Regional Comments on the Draft Watershed Planning Guidance Document**

The following are staff's comments on the draft Guidance document. Additional technical comments are also contained in Attachment #3.

#### 4.1 Role of conservation authorities in watershed planning

- a. The draft Guidance document outlines roles for municipalities and the province. The absence of a reference to conservation authorities and their role in watershed planning is a major gap. **It is recommended that the province include an additional sub-section on the role of conservation authorities.**
- b. The draft Guidance document indicates that partnering with conservation authorities is at the discretion of the municipality. In Durham's experience, the conservation authorities have been the lead agencies for the watershed planning process due to their specialized technical expertise and their in-depth knowledge of the watersheds. They are also responsible for implementing watershed plans through programs and partnerships. **Collaboration with conservation authorities, where they exist, for the purposes of watershed planning should be strongly encouraged by the Province.**

#### 4.2 Scope of Watershed and Subwatershed Planning

- a. The distinction between watershed plans and subwatershed plans is not clear in the Guidance document. **The Province should provide further information on the distinction, including positive examples of watershed and subwatershed plans.**
- b. Watershed planning in Durham Region has also fulfilled a broader mandate that goes beyond the narrow legislative requirements outlined in the draft Guidance document. In particular, many watershed plans represent the foundation for natural heritage system planning. They can also inform recreation, education, stewardship and outreach programs. Watershed Plans are also largely considered by municipalities in the development of municipal natural heritage systems for Official Plans and the information and recommendations in watershed plans are used by conservation authorities when commenting on development applications. **It is recommended that the Province further reinforce that watershed planning serves a greater purpose beyond its legislated mandate including natural heritage system planning and supports provincial objectives for integrated planning.**

- c. Municipalities across Ontario operate in different geographic and policy contexts and with different levels of resources. **The Province should recognize the diverse characteristics and abilities of municipalities in Ontario by providing a suite of options for undertaking watershed planning, from a very basic watershed plan to a comprehensive exercise, in a manner similar to the Province’s “Community Emissions Reduction Planning: A Guide for Municipalities”. Reference material to support this approach, such as inclusion of a sample terms of references for watershed and subwatershed plans would be helpful.**

#### **4.3 Support for municipalities in their Municipal Comprehensive Reviews and Official Plan conformity exercises**

- a. Although the Guidance document is intended to address watershed planning across the province, the draft Guidance document appears to be very GTHA-centric. **It is recommended that the province clarify the difference in requirements between watershed planning in the context of jurisdictions where provincial plans are applicable and areas where these plans do not apply.**
- b. The Region is currently preparing to commence a Municipal Comprehensive Review (MCR). As part of this process, the Region will evaluate current policies and practices related to watershed planning and consult with the conservation authorities to determine whether updates are required to existing watershed plans to comply with the new Provincial Plan requirements and the draft Guidance document. The outcomes and recommendations of the updated watershed plans will be important information to be considered as part of the MCR. The draft Guidance document does not provide enough detail on what could be considered an acceptable equivalent body of work. It does not indicate how up to-date the watershed plans or the background data should be. The section of the Guidance document intended to speak to equivalency and transition requires much greater detail. Information on transition is entirely absent from this section. **This section should include detailed information on how municipalities can use existing watershed plans or equivalent studies to achieve conformity with Provincial Plans by 2022, as well as clearly outline any transition provisions.**
- c. It is anticipated that there could be financial implications to the Region in carrying out future watershed planning exercises due to enhanced

requirements including the potential need for updates to existing watershed plans or supplemental studies in order to inform the Region's MCR. Accordingly, **the Province should recognize any additional financial burden on municipalities as a result of enhanced requirements for watershed planning and provide funding, if necessary, to assist municipalities and conservation authorities in this regard.** The Toronto and Region Conservation Authority is currently undertaking an update to the Carruthers Creek Watershed Plan. Through this process, conformity with the new provincial plan requirements is being undertaken and factors such as climate change have been incorporated into the process. The Region, through the 2018 budget, approved \$100,000 in funding for phase one of Central Lake Ontario Conservation Authority's watershed plan updates and \$50,000 in funding for updates to Ganaraska Conservation Authority's watershed plans.

- d. Water resource planning, including delineation of water resources such as Significant Surface Water Contribution Areas and Ecologically Significant Ground Water Recharge Areas, is a requirement of the new Provincial Plans. The Guidance document suggests that this work is to take place through watershed planning exercises, but no technical guidance has been referenced on how this is to be undertaken. Further, Source Water Protection Plans provide information for features such as Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. **To assist municipalities in understanding recommended data sources for water resources and avoid the duplication of effort, it is recommended that the Guidance document provide further information.**
- e. Greater direction is needed within the draft Guidance document for incorporating climate change considerations into watershed planning exercises. **It is recommended that this direction be included and that the Province recognize and encourage consideration of local work on climate change such as vulnerability and risk assessments or climate change strategies that have already been undertaken by municipalities and conservation authorities.** Durham Region already has Corporate Climate Change Plans and Community Climate Change Adaptation and Mitigation Plans. Work is being undertaken through the CAO's Office to determine best practices for incorporating climate change considerations into policy and planning documents, including watershed plans.

#### 4.4 Alignment with other Legislation

- a. The draft guidance document provides a high level overview of various pieces of legislation that are relevant and should be considered in the preparation of watershed plans. However, there is insufficient detail on the relevance to watershed planning and how these should be considered in watershed planning. **It is recommended that the Province provide further explanation, detail and clarification on how watershed planning aligns within other legislation and requirements, in particular, Source Water Protection.**

#### 5. Conclusion and Next Steps

- 5.1 On February 6, 2018, the Province released a policy proposal notice on the Environmental Bill of Rights Registry (EBR) for a draft Watershed Planning Guidance document, with comments due by April 7, 2018.
- 5.2 Interim Regional comments will be forwarded to the Province following the outcome of the April 4<sup>th</sup>, Committee of the Whole meeting in order to meet the commenting deadline, followed by Council's resolution soon after the April 11<sup>th</sup>, Council meeting.
- 5.3 Staff will continue to monitor this matter and report back to Council as necessary following the release of a final Watershed Planning Guidance document.

#### 6. Attachments

Attachment #1: List of Completed Watershed Plans in Durham

Attachment #2: Map of Completed Watershed Plans in Durham

Attachment #3: Regional staff comments on EBR Posting #013-1817 – Watershed Planning Guidance

Respectfully submitted,

Original signed by

---

B.E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

Original signed by

---

G.H. Cubitt, MSW

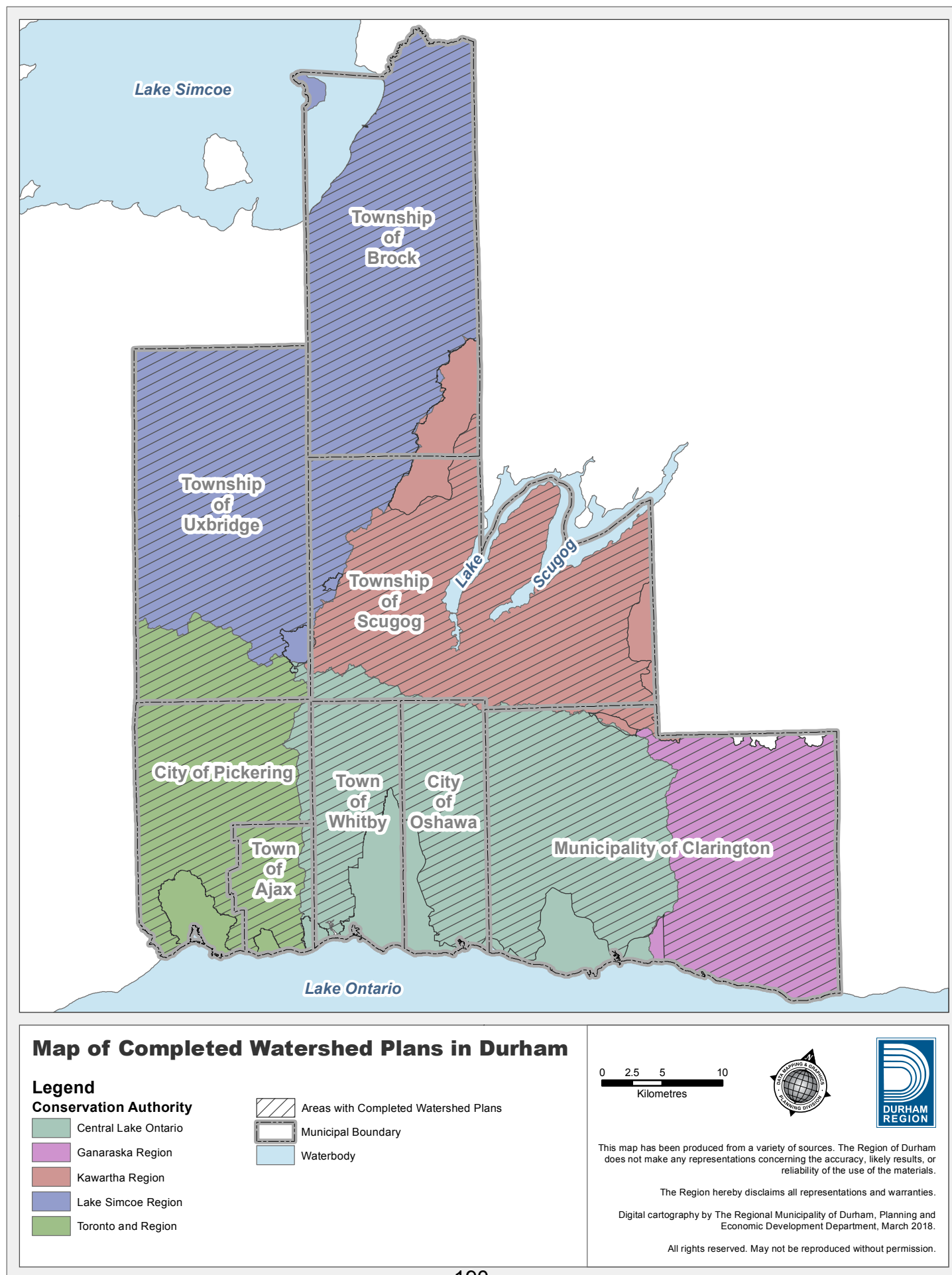
Chief Administrative Officer



### List of Completed Watershed Plans in Durham

The following summarizes the status of the watershed work to date for significant watershed planning areas in Durham:

<b>CA/Watershed</b>	<b>Status</b>
<b>CLOCA</b>	
Lynde	Completed in 2012
Oshawa (update)	Completed in 2013
Black/Farewell/Harmony	Completed in 2013
Bowmanville/Soper	Completed in 2013
Robinson/Tooley	Completed in 2011
<b>GRCA</b>	
Ganaraska	Completed in 2010
Graham	Completed in 2010
Wilmot	Completed in 2010
Lovekin, Bouchette Point, Port Granby	Completed in 2010
<b>KRCA</b>	
Nonquon	Completed in 2012
South Lake Scugog	Completed in 2012
Blackstock	Completed in 2012
East Cross	Completed in 2012
<b>LSRCA</b>	
Black	Completed in 2010
Beaver	Completed in 2012
Pefferlaw/Uxbridge Brook	Completed in 2012
Talbot/White's	Completed in 2016
<b>TRCA</b>	
Duffins/Carruthers	Completed in 2003
Rouge	Completed in 2007
Petticoat Creek Action Plan	Completed in 2012
Carruthers	Update Underway



**Regional Staff (Specific/Technical) Comments on Draft Watershed Planning Guidance Document**  
**Environmental Bill of Rights Registry Posting No. 013-1817**

<b>Section</b>	<b>Comment</b>
<b>2.1 Watershed Planning Process</b>	<ul style="list-style-type: none"> <li>- Page 7, Steps 2 and 3 outlined are not described in the same way on Page 8. The content does not seem to match for Phase 2 and Phase 3 does not describe “monitoring and adaptive management”.</li> </ul>
<b>2.5 Definitions of Watershed Planning</b>	<ul style="list-style-type: none"> <li>- Including examples of watershed and subwatershed plans would be helpful.</li> <li>- Explanation should be provided on why definitions for watershed planning are different in the Oak Ridges Moraine Conservation Plan and the implications this has on watershed planning.</li> <li>- Page 14, The Comparison of Watershed Planning Definitions and Policies should be laid out more clearly than the table provided. It should highlight or explain the main differences better rather than relying on the reader to analyze.</li> </ul>
<b>2.6 Summary of Policy Requirements</b>	<ul style="list-style-type: none"> <li>- Page 20, The Section on “Interconnections with Other Policies and Strategies” should provide more detailed information on how watershed planning should consider the other policies and strategies outlined in this section, including Natural Hazards, the Biodiversity Strategy, Source Water Protection, and the Great Lakes.</li> </ul>
<b>2.7 Roles and Coordination</b>	<ul style="list-style-type: none"> <li>- The absence of a reference to conservation authorities and their role in watershed planning is a major gap. It is recommended that the province include an additional sub-section on the role of conservation authorities. The draft Guidance document indicates that partnering with conservation authorities is at the discretion of the municipality. In the experience of Durham Region Staff, conservation authorities have been the lead agencies for the watershed planning process by providing in-house expertise and an in-depth knowledge of watersheds. They are also responsible for implementing watershed plans through programs and partnerships. Collaboration with conservation authorities, where they exist, for the purposes of watershed planning should be strongly encouraged by the Province.</li> <li>- This section would benefit from the inclusion of the figure used in the Province's previous watershed planning guidance document on the process of plan, implement, monitor/report and review/evaluate.</li> </ul>

Section	Comment
<b>3.1 Effective Engagement &amp; Committees</b>	<ul style="list-style-type: none"> <li>- Page 26, examples of “other groups” with which municipalities can engage could be expanded to include educational institutions.</li> </ul>
<b>3.2 Partnering with Indigenous Communities</b>	<ul style="list-style-type: none"> <li>- Page 29, Instructions in the section at the top of this page are vague. A provincial contact should be provided, as well as contact information for the Chiefs of Ontario, etc.</li> <li>- Page 31, Web links should be provided for examples. Other examples of best practice for indigenous engagement that could be included.</li> </ul>
<b>4.1 Delineation of Watersheds &amp; Subwatersheds for Land Use Planning</b>	<ul style="list-style-type: none"> <li>- Page 34, second paragraph, “environmental organization” should be plural.</li> <li>- With no prescribed set of data for delineation and characterization of watersheds and sub-watersheds, is reliability or quality of data or lack of a consistent approach an issue?</li> </ul>
<b>4.2 Identification of the Water Resource System</b>	<ul style="list-style-type: none"> <li>- Page 36, Step 1 indicated existing information is available in source protection plans and municipal official plan schedules. The specific features or elements should be listed here for clarity.</li> <li>- Page 37, Specific features or elements should be listed regarding “methods for identifying and protecting water resource system features are outlined in source protection plans”.</li> <li>- Page 38, The list of Watershed Information Sources is helpful but not all references mentioned in the section are included in this list.</li> <li>- Page 38, There could be a better transition from water resources to terrestrial features/natural heritage.</li> </ul>
<b>4.3 Characterization of Existing Conditions</b>	<ul style="list-style-type: none"> <li>- Information on the required frequency of updates should be included.</li> <li>- Page 40, It is mentioned that there are many examples of scoped watershed and subwatershed characterization studies that could be used as models. A sample Terms of Reference would be helpful.</li> </ul> <p>Page 42, Five years of pre-development monitoring may be ideal, but may not be realistic from a funding or resourcing perspective.</p> <ul style="list-style-type: none"> <li>- Page 44 – Acronym “TMDL” should be clarified.</li> </ul>
<b>5.0 Setting the Vision, Goals, Objectives &amp; Targets</b>	<ul style="list-style-type: none"> <li>- Page 52 – include links or more specific references to documents for target setting.</li> </ul>

<b>Section</b>	<b>Comment</b>
<b>6.2 Water Quality and Nutrient Load Assessment</b>	<ul style="list-style-type: none"> <li>- Page 68, Under Step 4, the third bullet contains a typo. It should read "PWQOs"</li> <li>- Page 68, Under Step 5, the fourth bullet also contains a typo. It should likely read "where" rather than "were".</li> <li>- It may be helpful to indicate that many municipalities have memoranda of understanding or agreements with their respective conservation authorities.</li> </ul>
<b>6.3 Natural Hazards</b>	
<b>6.5 Connections to Natural Systems</b>	<ul style="list-style-type: none"> <li>- Page 88, Step 1 directs the reader to look at existing municipal official plans. However, a significant set of natural heritage data is based from watershed plans.</li> <li>- Page 88, Step 2 references a document specific to the Greater Golden Horseshoe. Information should be included for areas outside of the GGH as well.</li> <li>- Page 89, in the first sentence, it is suggested that "provide for protection of" be replaced with "protect".</li> <li>- Page 90, A lead in sentence to the ECCC Habitat Guidelines Chart should be provided explaining that it can be used to set targets, etc.</li> </ul>
<b>6.6 Cumulative Effects Assessment</b>	<ul style="list-style-type: none"> <li>- Page 93, at the bottom of the page, delete the parentheses "(e.g., check marks in the figure)". - Page 100, There should be a better link between Decision Support Software Tools and watershed planning and land use planning.</li> </ul>
<b>6.7 Assessment of Land Use &amp; Management Scenarios</b>	<ul style="list-style-type: none"> <li>- Page 102, At the bottom of the page, assessment of land use and management scenarios will assist municipalities with implementing PPS direction, not just regarding water but other direction as well. The same comment applies in regard to the narrow focus on the water resource system on page 104.</li> </ul>
<b>7.1 Watershed Plan &amp; Subwatershed Plan Development</b>	<ul style="list-style-type: none"> <li>- Page 110, it is suggested that natural heritage features and areas, and hydrologic features and areas can be identified both at the watershed plan level and the sub-watershed plan level.</li> </ul>

Section	Comment
<b>7.2 Informing Land Use Planning &amp; Integrated Planning for Water, Wastewater, and Stormwater</b>	<ul style="list-style-type: none"> <li>- Page 115, Recreational planning should be included in the list under watershed planning.</li> <li>- Page 115, Natural heritage should also be identified as included in watershed plans and municipal official plans.</li> <li>- Page 118, There is some repetition on this page “For example, where development and secondary planning are proposed for a designated greenfield area...”. Further, rather than being undertaken “in concert”, watershed and subwatershed planning should be noted as being conducted in advance of secondary planning, to allow time for data collection, baseline monitoring and to inform land use decisions.</li> </ul>

## **Resolutions from Advisory Committees**

### **Durham Agricultural Advisory Committee**

1. Bob Broadstock, Quarter Racing Owners of Ontario Inc. (QROOI), Ajax Downs

That we recommend to the Committee of the Whole for approval and subsequent recommendation to Regional Council:

That whereas the quarter horse racing industry is an important part of the rural economy in Durham Region, a letter of support be provided to support the quarter horse racing industry and related businesses in Durham Region.



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Planning and Economic Development  
Report: #2018-COW-51  
Date: April 4, 2018

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**Subject:**

Ontario Rural Economic Development Program Contribution Agreement Enabling By-law

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**Recommendation:**

That the Committee of the Whole recommends to Regional Council:

That in order to comply with the Provincial requirement for an enabling by-law to release previously approved funds for the Region's Local Food Business, Retention and Expansion (BR+E) Project, the attached By-law be passed.

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**Report:**

**1. Background**

- 1.1 On July 24, 2017, the Region received notice from the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) that its application under the Rural Economic Development (RED) Program was successful, and that Durham is eligible to receive up to \$12,500.00, to cover 50 per cent of the eligible costs of the Local Food Business Retention and Expansion (BR+E) Project.
- 1.2 On December 13, 2017, Regional Council authorized the Regional Chair and Regional Clerk to execute the Contribution Agreement with OMAFRA. However, the Province now requires that authorization to execute the Agreement be given by way of an enabling by-law. Therefore, the purpose of this report is to recommend that the attached enabling by-law be passed by Council in order to re-authorize the Regional Chair and Regional Clerk to execute the Contribution Agreement so that Durham can receive the funds from OMAFRA, (see Attachment 1, Enabling By-law).



- 1.3 This report has been reviewed by the Commissioner of Finance, and Corporate Services-Legal Services.

**2. Attachments**

Attachment #1: Enabling By-law

Attachment #2: #2017-COW-288 Region of Durham Local Food Business Retention & Expansion (BR&E) Project, Ontario Rural Economic Development (RED) Funding

Respectfully submitted,

Original signed by

---

B.E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

Original signed by

---

G.H. Cubitt, MSW  
Chief Administrative Officer

**By-law Number \*\*-2018**  
**of The Regional Municipality of Durham**

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 Agriculture, Food and Rural Affairs (OMAFRA) for the Province of Ontario – Ontario Rural Economic Development Program.

Whereas the Region is seeking to participate and receive funds to participate in the Ontario Rural Economic Development Program.

And whereas the Province requires the execution of an Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs (OMAFRA) for the Province of Ontario and by-law authorization for such funding to flow under the dedicated Ontario Rural Economic Development Program.;

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That the Regional Chair and Regional Clerk are hereby authorized to execute on behalf of the Regional Municipality of Durham a Transfer Payment Agreement (Agreement) with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs (OMAFRA) for the Province of Ontario for funding under the Ontario Rural Economic Development Program.
2. That Regional Chair and Regional Clerk have the delegation of authority to execute any and all required documentation on behalf of the Regional Municipality of Durham as required pursuant to Ontario Rural Economic Development Program.
3. That the Commissioner of Finance be authorized to execute any and all subsequent documentation required to administer and fulfil all requirements of the Ontario Rural Economic Development Program.
4. That the Regional Municipality of Durham commits to providing funding equivalent in 2017-2018 to the amount of \$10,500 of eligible costs under the OMAFRA Ontario Rural Economic Development Program.

5. That the Regional Municipality of Durham commits to implementing projects and spending Ontario Rural Economic Development Program funding in accordance with all provisions specified in the Agreement.
6. That the Regional Municipality of Durham commits to spending Ontario Rural Economic Development Program funding only on approved projects.
7. That the Regional Municipality of Durham commits that it will obtain all required approvals for each project prior to the use of Ontario Rural Economic Development Program funding.

This By-law Read and Passed on the ----<sup>th</sup> day of -----, 2018.

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R. Anderson, Regional Chair and CEO

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R. Walton, Regional Clerk

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
 From: Commissioner of Planning and Economic Development  
 Report: #2017-COW-288  
 Date: December 6, 2017

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### **Subject:**

Region of Durham Local Food Business Retention & Expansion (BR&E) Project, Ontario Rural Economic Development (RED) Funding

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That unbudgeted funding in the amount \$12,500 be received from the Ontario Rural Economic Development (RED) Program and \$2,000 in unbudgeted funding from Durham Farm Fresh Marketing Association, as supplementary to the 2017 Business Plans and Budgets.
  - B) That unbudgeted funding in the amount of \$14,500, in addition to the Regional contribution of \$10,500, be expended as outlined below in Section 5.3 Project Budget.
  - C) That the Regional Chair and Regional Clerk be authorized to execute the agreement with the Minister of Agriculture, Food and Rural Affairs.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to advise Committee of the successful application and receipt of funds from the Ontario Rural Economic Development (RED) Program for a Local Food Business Retention & Expansion (BR&E) Project, and to get approval from Council to receive the funds from the Provincial RED Program (\$12,500), and from the Durham Farm Fresh Marketing Association (\$2,000).

## **2. Background**

- 2.1 In October 2017, the Region of Durham initiated a Local Food BR&E project to be completed by December 2018. This project is identified in the five year Economic Development Strategy and Action Plan (Goal 5A –Retaining and Expanding Existing Business). It is also a key action of the Region's Agricultural Strategy. The Local Food BR&E project is based on the Ontario Ministry of Agriculture, Food and Rural Affairs BR&E model.
- 2.2 The program is supported by the following organizations:
- a. Durham Farm Fresh Marketing Association (DFFMA) - cash contribution of \$2,000 and will play a key role in the planning and implementation of the project.
  - b. Durham Workforce Authority (DWA) - a letter of support to the RED application and has committed to provide in-kind support.
  - c. The Durham Agricultural Advisory Committee (DAAC) - in-kind support providing a representative on the project leadership team. The local food BR&E project is also identified in their work plan.
- 2.3 The Region has also requested the Durham Region Federation of Agriculture (DRFA) to let their members know that this project is taking place and that the Region will be consulting with the agricultural community.

## **3. The Rural Economic Development (RED) Program**

- 3.1 Ontario's RED Program helps rural communities remove barriers to community economic development by:
- Identifying their economic strengths;
  - Developing strategies to attract business and investment which will help to retain and create jobs; and
  - Being more competitive so they can diversify and grow their local economies.

## **4. The Region of Durham Local Food BR&E Project**

- 4.1 The purpose of the Local Food BR&E project is to identify ways to strengthen distribution channels and improve access to local food in Durham Region. Ultimately, the goal of the project is to create a more cohesive food system throughout the Region's agricultural sector, and increase the revenue stream to

local farms and related agri-food businesses.

4.2 The project will be managed through the Region's Economic Development and Tourism Division, specifically the Agriculture and Rural Affairs team. The project will consist of surveying a variety of agri-businesses that represent:

- Crop and animal productions and support activities;
- Food and beverage manufacturing;
- Food and beverage wholesalers and distributors;
- Food and beverage stores; and
- Food service providers.

4.3 The Local Food BR&E project strives to:

- Identify the level of demand for local food products in public/private sector facilities;
- Identify barriers to accessing local food within Durham Region; and
- Identify existing and potential channels for distributing local food.

## 5. Financial Implications

5.1 The Region of Durham's RED funding application has been conditionally approved; pending the signing of the Contribution Agreement (Attachment #1).

5.2 The Local Food BR&E project is a year and a half \$25,000 project that will be led by the Region of Durham with total financial contributions as outlined below:

Sources of Funds	Amount
RED Funding	\$12,500.00
The Regional Municipality of Durham	\$10,500.00
Durham Farm Fresh Marketing Association	\$2,000.00
<b>TOTAL</b>	<b>\$25,000.00</b>

- a. The Region's total funding of \$10,500 is included in the Economic Development and Tourism's 2017 budget approved by Regional Council, and the 2018 budget.
- b. Funding will be allocated to project activities related to: forming the leadership

team; recruitment and training sessions; analyzing data; marketing the project; preparing the final report and action plan.

- 5.3 Reporting obligations to OMAFRA will be undertaken by the Finance Department.

## **6. Conclusion**

- 6.1 The Local Food BR&E project will identify gaps in infrastructure and services to the agri-business sector to help make Durham Region one of the leading agriculture and agri-food areas in Ontario.

- 6.2 Finance staff have reviewed this report and the Commissioner of Finance concurs with the financial recommendations.

## **7. Attachments**

Attachment #1: RED4-08104 Agreement

Respectfully submitted,

Original signed by

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B. E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

Original signed by

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Planning and Economic Development  
Report: #2018-COW-59  
Date: April 4, 2018

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### **Subject:**

Sole Source Funding for Consulting Services for the Nuremberg Investment Missions and Partnership

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### **Recommendation:**

That the Committee of the Whole recommends to Regional Council:

- A) That Pegasus Partners, LLC be approved as the sole source service provider of consulting services, in the amount of \$87,500, to build and develop a pipeline of foreign direct investment prospects in the Nuremberg Metropolitan Region, Germany, and to organize two investment missions: i) where a delegation from Durham will visit with Nuremberg businesses; and ii) where a delegation of German businesses will visit Durham Region;
  - B) That financing in the amount of \$87,500 be provided from the 2018 Economic Development and Tourism Business Plan and Budget (\$40,000 from the Durham Economic Development Partnership (DEDP), which is the area municipalities and the Region's economic development offices, and \$47,500 from the Business Development Program); and
  - C) That the Regional Chair and Regional Clerk be authorized to execute the agreement.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to seek approval for a sole source agreement for Pegasus Partners, LLC ("Pegasus") to provide Durham Region with consulting



services to build and develop a pipeline of prospects in Nuremberg Metropolitan Region, Germany, to promote investment and trade between Nuremberg and Durham businesses.

## **2. Background**

- 2.1 In September 2016, Regional Council approved the retainer of Pegasus for the delivery of a German investment strategy.
- 2.2 As part of its strategy, Pegasus identified three regions in Germany with strong potential for an economic partnership with Durham. In November 2017, a delegation from Durham Region consisting of the Director, Economic Development and Tourism, Manager, Investment Attraction, CEO from Cleeve Technologies and Department Chair and Associate Professor of Automotive, Mechanical and Manufacturing Engineering at UOIT visited the three regions in Germany.
- 2.3 The main focus of this mission was to determine the best match for a future Economic Development Partnership between Germany and Durham Region. During the mission, a total of 26 meetings were held with business executives, department heads of educational and research institutions, government staff and economic development associations. A formal rating methodology was used and Nuremberg Metropolitan Region was selected unanimously by the delegation as the best region to pursue for a partnership.
- 2.4 The Nuremberg Metropolitan Region is centrally located within Germany and is a major economic driver of the country's economy. It has a population of approximately 3.5 million residents, and 1.9 million employees and is home to 170,000 businesses. Nuremberg is an excellent fit with Durham's key priority sectors, with strength in four complimentary areas: smart energy, life sciences innovation, manufacturing excellence, and innovative technology.
- 2.5 In February 2018, Regional Council provided its approval-in-principle for Economic Development staff to initiate an economic development partnership with the Nuremberg Metropolitan Region, and to work collaboratively to promote investment and trade between Durham Region and Nuremberg, and build foreign direct investment prospects (Report #2018-COW-26).
- 2.6 On February 13, 2018, the Region and DEDP, along with the consultants, hosted an information reception with the local business community to solicit interest and participation in Durham's 2018 Investment and Trade Mission to Nuremberg. There was a great deal of interest among the business leaders in attendance, and as of

this date, seven businesses have expressed interest in participating on the mission.

- 2.7 The next steps will be for the consultants to match the needs of participating Durham companies with Nuremberg companies, and for Pegasus to seek out German companies that are looking to expand into Canada.
- 2.8 The Region's Economic Development Investment Attraction team is the lead for the project with support from the DEDP.

### **3. Financial Implications**

- 3.1 Total funding of \$87,500 is approved in the 2018 Economic Development and Tourism Business Plan and Budget; \$40,000 from the DEDP Program and \$47,500 from the Business Development Program.
- 3.2 Article 9.4.2 of the Purchasing By-Law notes that for single source negotiations, consulting agreements over \$60,000, Regional Council approval is required. Justification for the sole source award is as follows:
  - a. Pegasus' main business is helping German companies establish their footprint in North America, as well as helping North American companies to establish export and trade partnerships with German companies. They offer an integrated set of services including strategy building, marketing advice and guidance, site selection, and introductions to respective industries such as automotive, energy, agri-food, machine building and medical technologies.
  - b. Based on the successful completion of phase one in 2017, it is pertinent that the momentum continue using the services of the Pegasus Partners. The scope of work will include but not be limited to continuation of building and establishing business and government relationships in Nuremberg on behalf of Durham, and identifying potential investors. The detailed scope of work is attached hereto as Attachment 1: Scope of Work – Pegasus Partners LLC.
  - c. Pegasus' background and experience in both Germany and North America provides a distinctive position and set of services that we have not found in other consultancies. Their knowledge and experience with the German market, and their ability to bridge the cultural gaps between the two markets, will allow Durham the opportunity to successfully establish a partnership with Nuremberg, and attract investment from Nuremberg to the Region.

#### **4. Conclusion**

- 4.1 Pegasus is uniquely qualified to assist Durham in attracting German investment to the Region.
- 4.2 Durham and the DEDP continues to work together to develop economic development programs that focus on investment attraction and other economic development initiatives.
- 4.3 This report has been reviewed by the Commissioner of Finance, and the Commissioner of Finance concurs with the financial recommendations.

#### **5. Attachments**

Attachment #1: Scope of Work – Pegasus Partners LLC

Respectively submitted,

Original signed by

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B.E. Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

Original signed by

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G.H. Cubitt, MSW  
Chief Administrative Officer

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## SCOPE OF WORK – PEGASUS PARTNERS LLC

1. Build Relationships with Nuremberg government staff and elected officials, industry association leaders, and members of the boards of trade.

Pegasus will make a minimum of ten (10) visits to meet with these individuals at their offices in Nuremberg, Germany, as representatives of Durham Region. These visits and meetings will solidify the Economic Development Partnership that is being created between both regions, and is a critical component of successfully making introductions between Durham and local businesses with a high potential for FDI.

Pegasus will also remain in constant communication with these individuals via telephone and e-mail, representing Durham and including Durham on e-mails and in telephone conversations.

\$33,000

2. Visit to Durham to prepare for the upcoming investment mission to Nuremberg and incoming business delegation from Nuremberg.

Two partners with Pegasus will travel to Durham to meet with Regional Economic Development Staff, as well as businesses and representatives from our educational institutions who will be members of the delegation to Nuremberg. This meeting will be to prepare the delegation for the upcoming mission.

\$5,500

3. Plan and implement an investment mission to Nuremberg, where a delegation from Durham will visit with Nuremberg businesses; as well as a separate investment trip to Durham, where a delegation of German businesses will tour the Region.

Pegasus will:

- Identify, contact and arrange meetings with Nuremberg businesses which have potential as trading partners for Durham businesses which are participating in the investment mission;
- Identify, contact and arrange meetings for Regional staff with Nuremberg businesses which are strong potential candidates for FDI in Durham Region;
- Arrange and organize the investment mission for the Durham delegation to travel to Nuremberg; and
- Identify, contact and compile a delegation from Nuremberg comprised of government and private industry to travel to Durham Region, and arrange and organize the German delegation visit to Durham.

\$49,000



## The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: #2018-INFO-38  
Date: March 2, 2018

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**Subject:**

Durham York Energy Centre Ambient Air Monitoring Program

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**Recommendation:**

Receive for information

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to update Regional Municipality of Durham Council (Region) on the Durham York Energy Centre (DYEC) Ambient Air Monitoring Program, including the recent Total Suspended Particulate (TSP) matter exceedance and the proposed changes to the regulatory limits for other ambient air monitoring parameters.

**2. Background**

- 2.1 As part of the requirements of the Environmental Assessment (EA) Notice to Proceed, three ambient air monitoring stations (the regulated stations) were installed upwind (Courtice Water Pollution Control Plant (WPCP)), downwind (Rundle Road), and at the fence line of the Durham York Energy Centre (DYEC). A fourth, voluntary downwind (Crago) monitoring station was installed at Regional Council direction. The regulated ambient air monitoring is to continue until approval to cease is obtained from the Ministry of Environment and Climate Change (MOECC).
- 2.2 The DYEC Source Test results and modeled ambient air contaminant contribution at the maximum point of impingement indicates that the DYEC operations would account for less than one per cent of the regulated standard for the majority of the parameters with Nitrogen Oxides, contributing the highest levels at less than 25 per cent of the regulated standard.

- 2.3 Since ambient air monitoring began, the stations have recorded several exceedances of TSP and benzo(a)pyrene. Following a thorough assessment, these exceedances were deemed to be not attributable to the DYEC operations.

### **3. Total Suspended Particulate Matter Exceedance**

- 3.1 TSP is one of the non-continuous monitoring parameters at each ambient air monitoring station. The sampling results are compared to the Ontario Ambient Air Quality Standard (AAQS) of 120 micrograms per cubic metre ( $\mu\text{g}/\text{m}^3$ ). The November 27, 2017, TSP measurement at the Rundle Road station was  $232 \mu\text{g}/\text{m}^3$ .
- 3.2 The predominant wind direction during the sampling period was from a north-northwesterly direction which indicates the DYEC emissions were not moving towards the Rundle Road station. However, heavy construction vehicle traffic and idling was noted on Rundle Road during the week prior to and the day after the November 27, 2017, sample date.
- 3.3 The potential human health risks associated with TSP are with fine particulate matter ( $\text{PM}_{2.5}$ ). The November 27, 2017, average of  $\text{PM}_{2.5}$  at the Rundle Road station was  $7.2 \mu\text{g}/\text{m}^3$ , which is below the ambient air quality criterion of  $30 \mu\text{g}/\text{m}^3$ .
- 3.4 Based on the assessment of conditions including predominant wind direction and the observed construction vehicle traffic on the day of the measured TSP exceedance, it is very unlikely that the DYEC contributed to the elevated level of TSP at the Rundle Road station on November 27, 2017.

### **4. Future Changes to the Ontario Ambient Air Standards**

- 4.1 In response to the recently lowered Canadian Ambient Air Quality Standards (CAAQS) for sulphur dioxide ( $\text{SO}_2$ ), the MOECC has proposed lowering the Ambient Air Quality Criteria and Ontario Regulation 419 standard for  $\text{SO}_2$  from  $690 \mu\text{g}/\text{m}^3$  to  $100 \mu\text{g}/\text{m}^3$ , which will be phased in over a five-year period.
- 4.2  $\text{SO}_2$  emissions from the DYEC are measured at the stack as part of the Continuous Emissions Monitoring System (CEMS) and bi-annually as part of the Source Tests. The stack emission modelling results are all well below the proposed  $100 \mu\text{g}/\text{m}^3$  standard and have been less than  $10 \mu\text{g}/\text{m}^3$  for the last four stack tests.
- 4.3  $\text{SO}_2$  is continuously measured at the upwind and downwind ambient air monitoring stations, and results remain well below the current standard of  $690 \mu\text{g}/\text{m}^3$ . Assessing the current  $\text{SO}_2$  results against the future CAAQS standard of  $100 \mu\text{g}/\text{m}^3$  indicates that regular exceedances will occur once the new levels are regulated. Ambient air monitoring conducted prior to the DYEC commencing operations would also result in exceedances of the lower  $100 \mu\text{g}/\text{m}^3$   $\text{SO}_2$  proposed standard.

- 4.4 The CAAQS for nitrogen dioxide (NO<sub>2</sub>) was recently lowered to 60 parts per billion (ppb) starting in 2020. The current standard in Ontario for NO<sub>2</sub> is 200 ppb. It is likely that the Ontario standard for this parameter will also be lowered in the near future resulting in future ambient air monitoring exceedances.
- 4.5 The four ambient air monitoring stations cannot identify the source of the contaminants measured based on their location. The ambient air monitoring stations detect contaminants that are as a result of other industry in the area, traffic on the 401 and construction activities.
- 4.6 Regional staff have engaged with the MOECC with respect to the implementation of the new regulations and MOECC expectations once exceedances are recorded. Given that the ambient air monitoring stations will be recording impacts from various point sources, any investigation into the causes of these potential future exceedances should not rest with the owners of the ambient air monitoring stations.

## **5. Conclusions**

- 5.1 Emissions from the DYEC are measured at the stack bi-annually. The results have been well below the required limits for the last three stack tests.
- 5.2 The ambient air monitoring program regularly measures air quality in the area.
- 5.3 As ambient air quality criteria are lowered in the coming years, DYEC staff will regularly be investigating exceedances measured at the ambient air monitoring stations that will often be attributable to other sources.

Respectfully submitted,

**Original signed by**

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Susan Siopis, P.Eng.  
Commissioner of Works



# Interoffice Memorandum

**Date:** March 23, 2018

**To:** Regional Chair Roger Anderson and All Members of Regional Council

**From:** Susan Siopis, P.Eng., Commissioner, Works

Works Department **Copy:** Garry Cubitt, Chief Administrative Office, and All Department Heads

**Subject:** Staff Responses to Linda Gasser's Delegation Presentation to the Committee of the Whole Meeting of January 10, 2018

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In response to Committee of the Whole Direction Memorandum for Item 6.2 A) regarding the Regional Municipality of Durham's (Durham) 2018 Solid Waste Management Servicing and Financing Study (Report #2018-COW-11), the following answers have been prepared by staff to address questions raised by Ms. Linda Gasser during her delegation on January 10, 2018.

## **Pilot Program**

**Q** Could staff get relevant characterization information from Toronto and/or Peel? If not, why not i.e. what makes Durham waste so different.

**A** The City of Toronto (Toronto) and the Regional Municipality of Peel (Peel) have received different information because they have different waste collection programs and they had different objectives from their pilot project. Durham's program has further differences because Durham does not accept plastics, diapers, incontinence products, or pet waste in its Green Bin. Durham also has a very different single family to multi-residential household ratio than either Peel or Toronto.



**Q Will Pilot proceed even if Durham doesn't have excess waste quantities over contracted capacity at DYEC? (or bypass waste)?**

A No, the pilot will not proceed.

**Q BY WHEN in 2018 would staff know IF they have 10,000 of additional waste needing to bypass incinerator and when would final pilot data be provided?**

A Report #2018-COW-11 projects that Durham will generate up to 120,000 tonnes of residual waste which would exceed the regulated annual processing capacity of 110,000 tonnes (Durham's share). The final pilot data would be provided in the 2019 Solid Waste Management Servicing and Financing Study report.

**Q What happens to post processing materials and residues and who pays to recycle, compost or dispose?**

A Post-processing materials and residues would go to Canada Fibers' end markets. The cost for the pilot reported in Report #2018-COW-11 includes Canada Fibers receiving, sorting, recycling, composting and disposing, as required, all solid waste included in the pilot.

**Q Would pilot data be in time for staff to bring forward Organics business case findings in spring 2018 as described in Section 5.5 E) page 8?**

A The initial pilot data would be extrapolated for use to inform the organics business case findings.

#### **Long Term Waste Plan Review**

**Q Will public consultation on Long Term Waste Plan occur BEFORE work described in Section 5.5 E and staff recommendations to Council on Organics Management strategy?**

A Funding was not approved to undertake the Long Term Waste Management Plan in the 2018 budget.

**Municipal Hazardous and Special Wastes (MSHW)**

**Q Does it still make sense to proceed with Clarington MHSW facility given transition anticipated to be complete by 2020?**

**A** Yes. The only change in the MHSW transition is a change from an Industry Funding Organization model to an Industry Stewardship Plan model, and an expansion in the list of accepted materials. Durham will continue to be a collector under the new model.

Sincerely,

**Original signed by:**

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S. Siopis, P.Eng.  
Commissioner, Works



## The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: #2018-INFO-31  
Date: March 2, 2018

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**Subject:**

Road Rationalization – Interim Report

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**Recommendation:**

Receive for information.

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**Report:**

**1. Purpose**

- 1.1 In January 2016, Regional Council authorized staff to retain a consultant to work with Regional and local area municipal staff to undertake a region-wide Road Network Rationalization Study (“Study”) and develop a comprehensive Road Network Rationalization Plan. The consulting firm of HDR was retained to complete the study with direction and oversight provided by means of a joint team consisting of staff from both the Works and Finance Departments. The purpose of this report is to update Regional Council on the Study findings to date and to promote further dialogue between the Region and the Local Area Municipalities with respect to the current status and next steps.

**2. Background**

- 2.1 The Regional Municipality of Durham (Region) has been involved in road rationalization reviews through inter-agency discussions since 1997 and the Who Does What (WDW) initiative in 2002. The WDW was a cooperative effort between the Region and Local Area Municipalities (LAMs) that identified roads and/or road sections suitable for transfer.
- 2.2 Since the WDW initiative a limited number of transfers have been successfully completed.

2.3 The 2016 Transportation Servicing and Financing Study (S&F) identified a preliminary list of Regional and local roads as potential transfer candidates and recommended the Study.

2.4 This report details the objectives, methodology and findings of the Study to date.

### **3. Study Methodology**

3.1 The scope of the Study is outlined below:

- Review and confirm proposed road rationalization criteria as well as Regional and Local Area Municipal road transfer candidates.
- Identify current and future capital as well as the maintenance and operational needs of transfer candidates and related cost estimates.
- Establish a conditional schedule for transfers.

3.2 Guiding principles for the Study were established to define the limitations and assumptions to support the decision-making process. The following principles provided a framework for the study:

- Establish criteria to evaluate the function and character of candidate roads for transfer.
- Conduct a systematic and objective analysis based on 2031 planning and forecast conditions in anticipation of major regional growth.
- Consult with the LAMs throughout the process.

3.3 Collaboration between the Region and LAMs provided regular opportunities for discussion on the Study process, evaluation criteria, potential candidate roads for transfer and draft Study findings.

- 3.4 Table 1 summarizes the meetings with LAMs. Meetings were supplemented with ongoing email and telephone communications.

**Table 1: Consultation Overview**

<b>Local Area Municipality</b>	<b>Date</b>	<b>Purpose</b>
Town of Ajax	21-Apr-16	Initial discussions
Town of Ajax	09-May-16	Discussion of preliminary results
Township of Brock	05-May-16	Initial discussions
Township of Brock	17-May-16	Discussion of preliminary results
Municipality of Clarington	27-Apr-16	Initial discussions
Municipality of Clarington	20-May-16	Discussion of preliminary results
City of Oshawa	21-Apr-16	Initial discussions
City of Oshawa	10-May-16	Discussion of preliminary results
City of Pickering	18-Apr-16	Initial discussions
City of Pickering	11-May-16	Discussion of preliminary results
Township of Scugog	20-Apr-16	Initial discussions
Township of Scugog	17-May-16	Discussion of preliminary results
Township of Uxbridge	20-Apr-16	Initial discussions. Subsequently indicated no further interest in transfers
Town of Whitby	26-Apr-16	Initial discussions
Town of Whitby	06-May-16	Discussion of preliminary results

- 3.5 An initial list of candidate roads for transfer from local to Regional jurisdiction and from Regional to local jurisdiction was sourced from the 2016 Transportation S&F Study report. Through consultations with the LAMs, new road transfer candidates were identified and added to the list. The resulting road transfer candidates are discussed later in this report.
- 3.6 Information sources from the Region and LAMs included:
- Official Plans and staff reports
  - Road characteristics and condition reports
  - Bridge and culvert inspection reports
  - Storm sewer network maps
  - Pavement management system bench mark costs
  - 2016 Transportation S&F Study report
  - Presentation from Regional Council education session on road rationalization (April, 2011)
  - Capital project and maintenance budgets
  - Life cycle cost estimates (where available)
  - Development charge background studies
- 3.7 The Region's Transportation Model was used to forecast future traffic volumes and determine trip type attributed to the proposed road transfer candidates.

#### **4. Criteria**

- 4.1 The road rationalization process is supported by a set of criteria that describe the role and function of the road within the context of the overall network, growth management, and support for economic growth throughout the Region. These criteria, described below, were subsequently confirmed through the recent approval of the Transportation Master Plan (Section 6.4.3. – Regional Road Definition).
- 4.2 Draft evaluation criteria were shared with the LAMs to obtain comments and suggestions. Based on input received, the evaluation criteria were revised. Transfer candidates were evaluated on a scale from 0 to 10, with 0 representing complete local function and character and 10 representing complete regional function and character. Each criterion is discussed in more detail below.
- a) Road segment connects with provincial and/or inter-regional network
- One of the most important functions of a Regional road is to provide regional and inter-regional connectivity. Therefore, the road transfer candidate's connectivity to the provincial or inter-regional road network was considered to be an important criterion in assessing the road function.

- The road transfer candidate's level of connectivity to the current and future provincial/inter-regional highway networks (2031 conditions, considering the Highway 407 ETR extension project) formed the basis of scoring this criterion.
- b) Road segment carries high volume of inter-municipal and regional traffic
- Another criterion relating to a road transfer candidate's significance in providing regional connectivity is the extent and magnitude of inter-municipal and inter-regional travel that it accommodates. This was determined by running select link assignments for each road transfer candidate using the Durham Regional Transportation Model.
- c) Road segment attracts significantly higher volumes of traffic than adjacent roads
- The relative volume of road transfer candidates to parallel roads (typically within 3 km) of similar character and/or function was also used as a criterion in the scoring system (using the Durham Regional Transportation Model). The logic behind this criterion relates to facilitating one route through an area to a regional standard (speed, volume, access control) and have local parallel roads serving local or intra-municipal traffic.
- d) Road segment's level of access control
- Considering that Regional roads tend to carry higher volumes and allow higher speed limits than local roads, they typically require higher levels of access control. A candidate road's level of access control was considered to be another criterion in the scoring system. The Region's Official Plan (OP) which outlines the network's future road classifications was used to assess expected levels of access control.
- e) Road segment supports regional goods movement/aggregate hauling network
- Another important function of Regional roads is the movement of goods, as goods movement travel tends to be of a regional and inter-regional nature. Whether a road segment is well-positioned to accommodate goods movement travel was considered to be a criterion in the scoring system. The Regional OP's Strategic Goods Movement Network and the Regional Structure which indicates major employment areas was utilized for this assessment.
- f) Road segment supports major transit route and/or planned rapid transit route

- In light of the Region's Long Term Transit Strategy (LTTS) which aims to achieve a transportation system that is focused on rapid transit to provide excellent connections between the Region's municipalities and neighboring municipalities, corridors were scored based on the level of support for these significant transit routes.
- g) Road segment supports region-wide economic and growth objectives
- Roads providing access to regional and urban growth centres are expected to experience higher traffic volumes. The provision of access to such areas by road transfer candidates was also considered to be a criterion.
- h) Road segment affects corridor planning or planning of downtowns or mature urban areas
- This criterion was identified as a result of consulting with LAMs.
- During consultation sessions with LAMs, concerns were raised regarding the ability to plan and achieve a downtown vision should a road segment currently serving a downtown area be transferred to the Region. This applied in particular to Highway 2 in downtown Whitby, Oshawa, Bowmanville, and Newcastle. As a result this criterion was added.
- i) Road segment's environmental and community impact due to change in road function
- Similarly, this criterion was added to the list as a result of consultation with LAMs to reflect concerns of environmental and/or community impacts that could result from a local to Regional transfer. Such impacts might include higher traffic volumes, increased truck traffic, and/or the need for road widening (which can have negative impacts on existing homes and environmental features).

## **5. Road Transfer Candidate Evaluation**

- 5.1 The product of the criteria evaluations resulted in a final overall score between 0 and 10 for each road candidate. Overall scores in the low end of the range (for example, 0 to 3) represent roads with strong local function and character, while scores in the high end of the range represent roads with strong Regional function and character.



5.2 The consultations with LAMs confirmed the need to distinguish road transfer candidates between those in urban areas and those in rural areas of the Region.

- **Urban area road candidates** – For roads in urban areas, all nine criteria apply, resulting in scores as high as 10 for those candidates with the highest potential as Regional roads. Strong local road candidates for transfer to the Region scored in the high end of the 0 to 10 range (for example, from 7 to 10).
- **Rural area road candidates** – For roads in rural areas Criteria # 5, 6 and 7 generally do not apply resulting in scores for road transfer candidates being capped around 7. Scores for strong local rural road candidates for transfer to the Region, therefore, are in the high end of the 0 to 7 range (for example, 5 to 7).

5.3 The above criteria and thresholds capture the technical aspects of a road's function and character. The results of the analysis are summarized below by LAM (in alphabetical order). The criteria and thresholds provide a good indication of candidates for jurisdictional transfer on the basis of sound transportation planning principles. It is however recognized that non-technical considerations (e.g. financial impacts, resource constraints, etc.) will influence the final recommendations and the timing of potential transfers.

## 6. Town of Ajax – Road Transfer Candidates

6.1 Table 2 details the road transfer candidates and preliminary recommendations in the Town of Ajax based on the evaluation.

**Table 2: Ajax – Evaluation of Road Transfer Candidates**

Regional Road #	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
31	Westney Road	Harwood Avenue	Bayly Street	2.7	9.5	Urban	Transfer Candidate
Local to Regional	Rossland Road	Ajax/ Pickering Boundary	Ajax/ Whitby Boundary	7.2	14.3	Urban	Transfer Candidate
Local to Regional	Salem Road	Taunton Rd	Ajax/ Pickering Boundary	2.1	4.2	Urban	No transfer, reconsider in the future

## 6.2 Region to Local Transfer

- **Westney Road (Harwood Avenue to Bayly Street)** – Recommended for transfer to Town of Ajax. This segment of Westney Road does not connect Regional roads and does not provide a Regional function.

## 6.3 Local To Region Transfer

- **Rossland Road (Ajax/Pickering boundary to Ajax/Whitby boundary)**  
Recommended for transfer from the Town of Ajax to Regional jurisdiction. Rossland Road through Ajax is part of an important east-west arterial across southern Durham Region and, as such, functions as a key Regional east-west arterial road
- Rossland Road is part of the Town's Pedestrian and Bicycle Master Plan. Accommodation of future cycling facilities needs consideration if Rossland Road is transferred to the Region.
- **Salem Road (Taunton Road to Ajax/Pickering boundary)** – Not recommended for transfer at this time from the Town of Ajax to the Region. The justification for transfer can be re-evaluated during a future road rationalization review and may be dependent on a future 407 interchange.

## 7. Brock Township – Road Transfer Candidates

7.1 Table 3 details the road transfer candidates and preliminary recommendations in the Township of Brock based on the evaluation.

**Table 3: Brock Township – Evaluation of Road Transfer Candidates**

Regional Road	Roads	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
47	Shoreline Road	23-Mara Road	Simcoe/ Durham Boundary	2.1	4.3	Rural	Transfer Candidate
50	Portage Road	Highway #12	76- Highway #48	4.3	8.8	Rural	Transfer Candidate
51	Old Highway 12	50-Portage Road	Simcoe/ Durham Boundary	0.1	0.2	Rural	Transfer Candidate
Local to Regional	Simcoe Street	Brock Concession 14	Regional Highway 48	15.5	31	Rural	Transfer Candidate
Local to Regional	Thorah Concession	Highway 12/48	Simcoe St.	6.8	13.7	Rural	Transfer Candidate

Regional Road	Roads	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
	1						
Local to Regional	River Road (extension)	Highway 12	Highway 2	7.1	14.2	Rural	No transfer

## 7.2 Region To Local Transfer

- **Shoreline Road (Regional Road 57 between Mara Road and Simcoe/Durham boundary)** – Recommended for transfer from the Region to Brock Township, reflecting its local function.
- **Portage Road (Regional Road 50 between Highway 12 and Highway 48)** – Recommended for transfer to Brock Township, reflecting its local function.
- **Old Highway 12 (Regional Road 51 between Portage Road and Simcoe/Durham boundary)** – Recommended for transfer to Brock Township, reflecting its local function.

The Township expressed concern with the maintenance and capital costs associated with any additional lane kilometres and made specific comment on the ability to deal with the capital needs of the structures within these road segments.

## 7.3 Local To Region Transfer

- **Simcoe Street (between Brock Concession 14 and Highway 48)** – Recommended for transfer from Brock Township to the Region. Simcoe Street south of Concession 14 is already under Regional jurisdiction. The transfer of the segment of Simcoe Street between Concession 14 and Highway 48 would provide a continuous north-south Regional route to Highway 48.
- Brock Township currently has a boundary agreement for Simcoe Street with Kawartha Lakes, and that Kawartha Lakes would therefore have to be part of the discussion if the Simcoe Street segment is to be transferred to the Region.
- **Thorah Concession 1 (between Highway 12/48 and Simcoe Street)** – Recommended for transfer from Brock Township to the Region, either now or after a future road rationalization review. It is a candidate for transfer to Regional jurisdiction, as it is a continuation of Highway 48 to Simcoe Street, is classified as a Type B Arterial in the Regional Official Plan, and would provide an alternative route for traffic to bypass. There are significant costs associated with both Simcoe Street and Thorah Concession 1 to Regional standard.
- **River Road extension from Highway 12 to Simcoe Street** – Not recommended for transfer from Brock Township to Regional jurisdiction, as its low score reflects a local function.

## 8. Municipality of Clarington – Road Transfer Candidates

8.1 Table 4 details the road transfer candidates and preliminary recommendations in the Municipality of Clarington based on the evaluation.

**Table 4: Clarington – Evaluation of Road Transfer Candidates**

Regional Road	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
17	Main Street/ Manvers Street	Winter Road	04-Taunton Road	3	6.6	Urban	Transfer Candidate
Local to Regional	Pebblestone Road	Townline Road	Courtice Road	2.9	5.7	Urban	No transfer, reconsider in the future
Local to Regional	Holt Road	Highway 401	Regional Highway 2	3.2	6.3	Rural	Transfer Candidate
Local to Regional	King Street (Bowmanville)	Regional Road 57	Haines St.	3.1	12.4	Urban	No transfer, reconsider in the future
Local to Regional	King Street (Newcastle)	Baldwin Street	Arthur St.	0.8	3.2	Urban	No transfer
Local to Regional	Darlington Clarke Townline (#2)	Taunton Road	Future Highway 407 Interchange	2.0	4.0	Rural	No transfer, reconsider in the future
Local to Regional	Boundary Road	Highway 35	Highway 115	1.8	3.6	Rural	Transfer Candidate
Local to Regional	Trulls Road	Taunton Road	Bloor St	6.4	12.8	Urban	No transfer

### 8.2 Region To Local Transfer

- Main Street / Manvers Street (Regional Road 17 from Winter Road to Taunton Road)** – Recommended for transfer to the Municipality of Clarington. This road is serving a local function. Under local jurisdiction, there would be a greater ability to achieve a “downtown” vision.

### 8.3 Local To Region Transfer

- **Holt Road (from Highway 401 to Highway 2)** – Recommended for transfer from the Municipality of Clarington to Regional jurisdiction. With its existing Highway 401 interchange, Holt Road serves a Regional function, connecting Highway 401 with Highway 2, as well as serving Darlington Nuclear Generating Station.
- **Boundary Road (between Highway 35 and Highway 115)** – Recommended for transfer from the Municipality of Clarington to Regional jurisdiction. It has a Regional function in connecting these two provincial highways. The Municipality of Clarington currently has a boundary agreement for Boundary Road with Kawartha Lakes; Kawartha Lakes would therefore have to be part of the discussion if this road segment is to be transferred to the Region.
- **King Street in Bowmanville (between Regional Road 57 and Haines Street)** – Not recommended for transfer at this time. The impetus for transfer to Regional jurisdiction may be future enhanced transit service on Highway 2 extending to downtown Bowmanville. Since enhanced transit is a long-term initiative, there is less need for transfer at this time.
- The Municipality expressed concerns about transferring downtown King Street to the Region, considering the various streetscaping and visioning plans for the downtown, as well as seasonal road closures that the Municipality implements for community events.
- In future road rationalization reviews, consideration should be given to segmenting this part of King Street to distinguish the downtown core (between Scugog Street and Liberty Street), so that future reviews can separately evaluate the portions of King Street west and east of downtown Bowmanville, as well as downtown Bowmanville.
- **Darlington-Clarke Townline (from Taunton Road to future Highway 407 interchange)** – Not recommended for transfer at this time. It should be reconsidered during a future road rationalization review.

The remaining candidates are not recommended for transfer from local to Regional jurisdiction. Future road rationalization reviews may revisit these and other candidates as needed.

## 9. City of Oshawa – Road Transfer Candidates

9.1 Table 5 details the road transfer candidates and preliminary recommendations in the City of Oshawa based on the evaluation.

**Table 5: Oshawa – Evaluation of Road Transfer Candidates**

Regional Road	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
2	Simcoe St.	Harbour Road	60 Wentworth Street	1.0	3.6	Urban	Transfer Candidate
3	Winchester Road East/ Grandview Street North	33-Harmony Road	Columbus Road	2.6	5.7	Urban	Transfer Candidate
16	Ritson Road	60-Wentworth Street	22-Bloor Street	0.8	3.6	Urban	No transfer, reconsider in the future
35	Wilson Road.	22-Bloor Street	Taunton Road	6.2	17.7	Urban	Transfer Candidate
54	Park Road	22-Bloor Street	28-Rossland Road	4.3	15.8	Urban	Transfer Candidate
25	Champlain Avenue	Oshawa/ Whitby Boundary	Stevenson Road	1.3	2.6	Urban	No transfer, reconsider in the future
52	Boundary Road	Wentworth Street W	Philip Murray Avenue	0.9	2.5	Urban	Transfer Candidate
55	Townline Road South	Gord Vinson Avenue	Bloor Street	0.25	0.5	Urban	Transfer Candidate
Local to Regional	Harmony / Columbus Road	Winchester Road	Grandview Street	2.6	5.2	Urban	Transfer Candidate
Local to Regional	Adelaide Avenue	Oshawa/ Whitby Boundary	Thornton Road	0.01	0.1	Urban	No transfer, reconsider in the future
Local to Regional	Rossland Road	Harmony Road	300m East of Harmony	0.3	0.9	Urban	No transfer, reconsider in the future

Regional Road	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
			Road				future
Local to Regional	King Street (West)	Oshawa/Whitby Boundary	Centre Street	2.7	11.3	Urban	Transfer Candidate
Local to Regional	Bond Street (West)	King Street	Centre Street	1.8	6.1	Urban	Transfer Candidate
Local to Regional	King Street (Middle)	Centre Street	Ritson Road North	1	4	Urban	No transfer, reconsider in the future
Local to Regional	Bond Street (Middle)	Centre Street	Ritson Road North	1.1	4.1	Urban	No transfer, reconsider in the future
Local to Regional	King Street (East)	Ritson Road North	Townline Road	3.4	14.3	Urban	Transfer Candidate
Local to Regional	Bond St.(East)	Ritson Road North	King Street East	1.7	4.8	Urban	Transfer Candidate
Local to Regional	Thornton Road (new alignment)	Taunton Road	Winchester Road	4.2	8.4	Urban	No transfer, reconsider in the future

## 9.2 Region To Local Transfers

- **Simcoe Street (Regional Road 2 from Harbour Road to Wentworth Street)** – Recommended for transfer to the City of Oshawa, reflecting its local function and character.
- **Winchester Road (Regional Road 3) and Grandview (from Harmony Road to Columbus Road)** – Recommended for transfer to the City of Oshawa, reflecting their local function and character. This transfer from the Region to the City would mirror the transfer of Harmony Road and Columbus Road from the City to the Region.
- **Wilson Road (Regional Road 35 from Bloor Street to Taunton Road)** – Recommended for transfer to the City of Oshawa, reflecting its local function and character.
- **Park Road (Regional Road 54 from Bloor Street to Rossland Road)** – Recommended for transfer from the Region to the City of Oshawa, reflecting its local function since the deletion of the Highway 401 interchange.

- **Boundary Road (Regional Road 52 from Wentworth Street to Philip Murray Avenue)** – Recommended for transfer to the City of Oshawa. This short stub does not serve a Regional function. If this road is transferred to local jurisdiction, then it may be subject to a boundary agreement between the City of Oshawa and the Town of Whitby.
- **Townline Road (Regional Road 55 from Gord Vinson Avenue to Bloor Street)** – Recommended for transfer to the City of Oshawa, reflecting its local function, especially with the realignment of Bloor Street. If this road is transferred to local jurisdiction, then it may be subject to a boundary agreement between the City of Oshawa and the Municipality of Clarington.
- **Ritson Road (Regional Road 16 from Wentworth Street to Bloor Street)** – Not recommended for transfer. Although it has received a relatively low evaluation score, Ritson Road provides the only grade-separated crossing of the CN mainline between Simcoe Street (Regional Road 2) and Farewell Street (Regional Road 56). It is recognized that the numerous driveways on this part of Ritson Road (similar to other parts of Ritson Road) detract from its Regional function. It can be reconsidered in the future as a candidate for transfer.
- **Champlain Avenue (Regional Road 25 from Whitby/Oshawa Boundary to Stevenson Road)** – Not recommended for transfer but should be reconsidered during a future road rationalization review.

### 9.3 Local To Region Transfers

- **Harmony Road / Columbus Road (from Winchester Road to Grandview Street)** – Recommended for transfer from the City of Oshawa to Regional jurisdiction. Despite its low score, this portion of Harmony Road is a continuation of Regional Road 33 and has an interchange with Highway 407, while Columbus Road is a continuation of Regional Road 3 connecting with Harmony Road. This transfer from the City to the Region would mirror the transfer of Winchester Road and Grandview Street from the Region to the City.
- **King Street and Bond Street** – The City of Oshawa outlined its planning and urban design goals for King Street and Bond Street through downtown Oshawa, and its desire to lead the planning efforts for these two streets. From the Region's perspective, King Street and Bond Street are an important part of the Long-Term Transit Strategy for Durham Region, as they are planned to support high order transit service. Through the consultation process with the City, King Street and Bond Street were divided into three segments for evaluation purposes:
  - (a) **King Street and Bond Street (from Whitby/Oshawa boundary to Centre Street)** – Recommended for transfer from the City to Regional jurisdiction, reflecting their importance as east-west arterials and planned high order transit corridor.
  - (b) **King Street and Bond Street (from Centre Street to Ritson Road)** – Not recommended for transfer from the City to the Region. Can be reconsidered in a future road rationalization review.



- (c) **King Street and Bond Street (from Ritson Road to Townline Road)**  
– Recommended for transfer from the City to Regional jurisdiction, reflecting their importance as important east-west arterials and planned high order transit routes.
- **Thornton Road (from Taunton Road to Winchester Road)** – Not recommended for transfer but should be reconsidered during a future road rationalization review after the deferred 407ETR interchange is implemented.
  - **Adelaide Avenue (from Oshawa/Whitby Boundary to Thornton Road)**  
– Not recommended for transfer but should be reconsidered in conjunction with the construction of the Manning/Adelaide interconnection.
  - **Rossland Road (from Harmony Road to 300 m east of Harmony Road)**  
– Not recommended for transfer but should be reconsidered in conjunction with the construction of the Rossland Road extension to Townline Road.

## 10. City of Pickering – Road Transfer Candidates

10.1 Table 6 details the road transfer candidates and preliminary recommendations in the City of Pickering based on the evaluation.

**Table 6: Pickering – Evaluation of Road Transfer Candidates**

Regional Road #	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
Previously RR1	Mowbray Street	North Limit of Highway 407	Brock Road	1.3	3.5	Urban	Transfer Candidate
5	9th Concession	Concession Road 9	Lake Ridge Road	0.1	0.2	Urban	Transfer Candidate
24	Church Street	22-Bayly Street	Ajax/Pickering Boundary	0.9	2	Urban	Transfer Candidate
38	Whites Road (South)	0.6 km South of Oklahoma Drive	22-Bayly Street	0.9	2.6	Urban	Transfer Candidate
38	Whites Road (North)	300 m North of Third Concession Road	Taunton Road	1.3	4.4	Urban	No transfer, reconsider in the future
29	Liverpool Rd	Highway 2	Finch Avenue	1.2	3.9	Urban	No transfer

Regional Road #	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
Local to Regional	Third Concession Road	Ajax/ Pickering Boundary	West of Valley Farm Road	1.7	3.4	Urban	Transfer Candidate
Local to Regional	Whitevale Road	200m West of Future Rossland Road Extension	Brock Road	1.7	3.4	Urban	Transfer Candidate
Local to Regional	Sideline 26 (South)	Taunton Road	Whitevale Road	2.1	4.1	Urban	Transfer Candidate
Local to Regional	Sideline 26 (Middle)	Whitevale Road	Highway 7	-	-	Urban	Transfer Candidate
Local to Regional	Sideline 26 (North)	Highway 7	Concession Road 7	2.2	4.4	Urban	No transfer
Local to Regional	Seventh Concession Rd. (East)	Westney Road	Lake Ridge Road	4	8	Urban	No transfer, reconsider in the future
Local to Regional	Seventh Concession Rd. (West)	Sideline 26	Brock Road	3.3	6.6	Urban	No transfer
Local to Regional	Salem Road	Fifth Concession Road	Seventh Concession Road	5.2	10.4	Urban	No transfer, reconsider in the future

## 10.2 Region To Local Transfer

- **Mowbray Street (from north limit of 407 to Brock Road)** – Recommended for transfer from the Region to the City of Pickering. No longer part of Brock Road.
- **9<sup>th</sup> Concession (from 9<sup>th</sup> Concession to Lake Ridge Road)** – Recommended for transfer to the City of Pickering. This short section is no longer part of Regional Road 5.

- **Church Street (Regional Road 24 from Bayly Street to Ajax/Pickering boundary)** – Recommended for transfer to the City of Pickering. It has a local function and is only a short segment of Regional Road. Should the Durham Live proposal require a partial interchange at Highway 401, this could be reconsidered.
- **Whites Road (south) (Regional Road 38 from 600 m south of Oklahoma Drive to Bayly Street)** – Recommended for transfer to the City of Pickering. It has a local function and terminates within a neighborhood.
- **Whites Road (north) (Regional Road 38 from 300 north of Third Concession to Taunton Road)** – Not recommended for transfer to the City. After the new Whites Road is constructed, it may continue to function as a key route from south Pickering to Toronto and York Region. This segment may be a possible candidate for future road rationalization, contingent on lower traffic volumes.
- **Liverpool Road (Regional Road 29 from Highway 2 to Finch Avenue)** – Not recommended for transfer to the City. Its Regional function is enhanced by its interchange with Highway 401 and its access to the Pickering Urban Growth Centre.

### 10.3 Local To Region Transfer

- **Third Concession (from west of Valley Farm Road to Ajax/Pickering boundary)** – Recommended for transfer from the City of Pickering to the Region. Third Concession is the extension of Rossland Road and will be an important arterial to serve the Seaton Community.
- **Whitevale Road (from 200 west of future Rossland Road Extension to Brock Road)** – Recommended for transfer from the City of Pickering to the Region. It will be an important east-west arterial serving the Seaton Community.
- **Sideline 26 (south) (from Taunton Road to Whitevale Road)** – Recommended for transfer from the City of Pickering to the Region. It will be part of the future Whites Road extension (Regional Road 38) serving the Seaton Community.
- **Sideline 26 (middle) (from Whitevale Road to Highway 7)** – Recommended for transfer from the City of Pickering to the Region. It will be part of the future Whites Road extension (Regional Road 38) serving the Seaton Community. This section is currently unopened road allowance.
- **Sideline 26 (north) (from Highway 7 to Concession Road 7)** – Not recommended for transfer from the City to the Region. It is located in the future Pickering Airport lands.
- **Seventh Concession (from Westney Road to Lake Ridge Road)** – Not recommended for transfer from the City of Pickering to the Region. Should be re-examined in a future road rationalization study, after the deferred 407ETR interchange is constructed.

- **Seventh Concession (from Sideline 26 to Brock Road)** – Not recommended for transfer from the City to the Region. It is located in the future Pickering Airport lands.
- **Salem Road (from Fifth Concession to Seventh Concession)** – Not recommended for transfer at this time from the City to the Region. Should be re-examined in a future road rationalization study, after the deferred 407ETR interchange is constructed.

## 11. Township of Scugog – Road Transfer Candidates

11.1 Table 7 details the road transfer candidates and preliminary recommendations in the Township of Scugog based on the evaluation.

11.2 **Table 7: Scugog – Evaluation of Road Transfer Candidates**

Regional Road	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
Preliminary Recommendation	Island Road	Highway #7A	Carnegie Beach Road	11.6	24.1	Rural	Transfer Candidate
Transfer	Scugog Line 12	23-Lake Ridge Road	Simcoe Street	13.4	26.8	Rural	No transfer
No transfer	Scugog Line 14	23-Lake Ridge Road	Highway 7/12	6.7	13.4	Rural	No transfer
No transfer	Ashburn Road	Townline Road	Scugog Line 4	5	10.1	Rural	No transfer
No transfer	Marsh Hill Road	Scugog Line 4	21-Goodwood Road	1.1	2.3	Rural	No transfer
No transfer	Scugog Line 6	Highway 7A	23-Lake Ridge Road	9.6	19.2	Rural	No transfer
No transfer	Scugog Line 2	Highway 7/12	Simcoe Street	3.6	7.2	Rural	No transfer, reconsider in the future

## 11.3 Region To Local Transfers

- **Island Road (Regional Road 7 from Highway 7A to Carnegie Beach Road)** – Recommended for transfer to the Township of Scugog. Island Road does not serve a Regional function.

Similar to comments from other municipalities, Scugog staff expressed concern with the maintenance and capital costs associated with taking on additional lane kilometres.

#### 11.4 Local To Region Transfers

- There are no candidates recommended for transfer from the Township of Scugog to the Region.
- Scugog Line 6 (from Highway 7A to Lake Ridge Road) has the potential to function as a Regional Road, however, it is adjacent to major Regional Roads on each side (Reach Street or Regional Road 8 and Goodwood Road or Regional Road 21), and it would therefore be redundant.
- Scugog Line 2 (from Highway 7/12 to Simcoe Street) has the potential to be a continuation of Shirley Road (Regional Road 19) could be reconsidered as a candidate for transfer from the Township to the Region in a future road rationalization review.

## 12. Town of Whitby – Road Transfer Candidates

12.1 Table 8 details the road transfer candidates and preliminary recommendations in the Town of Whitby based on the evaluation.

**Table 8: Whitby – Evaluation of Road Transfer Candidates**

Regional Road #	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
22	Victoria Street (old alignment)	0.7 km West of 26-Thickson	0.4 km West of 26-Thickson Road	0.3	0.6	Urban	Transfer Candidate
43	Cochrane Street	Dundas Street	28-Rossland Road	2.1	6.1	Urban	Transfer Candidate
45	Henry Street (South)	22-Victoria Street	Burns Street W	1.2	3.3	Urban	Transfer Candidate
45	Henry Street (North)	Burns Street W	Dundas Street	0.9	2.6	Urban	Transfer Candidate
46	Brock Street (South)	Water Street	Victoria Street	1	2.7	Urban	Transfer Candidate
46	Brock Street (North)	Victoria Street	South Limit of Highway 401	0.3	1.5	Urban	Transfer Candidate
Former 23	Lake Ridge Road (North)	Almond Avenue	Cresser Avenue	0.3	0.6	Urban	Transfer Candidate

Regional Road #	Road	From	To	Length (km)	Lane (km)	Urban/Rural Area	Preliminary Recommendation
Former 23	Lake Ridge Road (South)	0.65 km N of Victoria Street	0.880 km N of Victoria Street	0.2	0.6	Urban	Transfer Candidate
36	Anderson/Hopkins Street	Rossland Road	Consumers Drive	3.7	13.7	Urban	No transfer
26	Thickson Road	Victoria Street	Wentworth St Whitby/	0.9	3.3	Urban	No transfer
60	Wentworth Street	Thickson Road	Oshawa Boundary	1.3	6	Urban	No transfer
25	Champlain Avenue	Future Champlain Ave.	Whitby/Oshawa Boundary	1.3	3.1	Urban	No transfer
58	Manning Road	Brock Street	Garrard Road	3.5	16	Urban	No transfer, reconsider in the future
Local to Regional	Rossland Road	Ajax/Whitby Boundary	Cochrane Street	2.9	8.9	Urban	Transfer Candidate
Local to Regional	Dundas Street (West)	Fothergill Court	Cochrane Street	5.8	23.2	Urban	Transfer Candidate
Local to Regional	Dundas Street (Middle)	Cochrane Street	Garden Street	1.7	6.7	Urban	No transfer, reconsider in the future
Local to Regional	Dundas Street (East)	Garden Street	Whitby/Oshawa Boundary	2.9	14.4	Urban	Transfer Candidate
Local to Regional	Columbus Road	Whitby/Pickering Boundary	Whitby/Oshawa Boundary	7.4	14.7	Urban	No transfer, reconsider in the future
Local to Regional	Hopkins Street (2031 road extension scenario)	Consumers Drive	North limit of Highway 401	1.8	4	Urban	No transfer, reconsider in the future

## 12.2 Region To Local Transfers

- **Victoria Street (old alignment west of Thicksen Road)** – Recommended for transfer to the Town of Whitby, as it will be replaced by the new alignment of Victoria Street.
- **Cochrane Street (Regional Road 43 from Dundas Street to Rossland Road)** – Recommended for transfer to the Town of Whitby, reflecting its local function and character.
- **Henry Street (Regional Road 45 from Victoria Street to Burns Street)** – Recommended for transfer to the Town of Whitby. This short section of Regional road has a local function and character.
- **Henry Street (Regional Road 45 from Burns Street to Dundas Street)** – Recommended for transfer to the Town of Whitby. This short section of Regional road has a local function and character.
- **Brock Street (Regional Road 46 from Water Street to Victoria Street)** – Recommended for transfer to the Town of Whitby. This short section of Brock Street has a local function in the Port of Whitby area.
- **Brock Street (Regional Road 46 from Victoria Street to South Limit of Highway 401)** – This is an extremely short segment of road and thus should be considered for transfer to the Town of Whitby for practical reasons if the transfer of the southern portion of Brock Street is implemented.
- **Former Lake Ridge Road (north and south segments; Almond Avenue to Cresser Avenue; north of Victoria Street)** – Recommended for transfer to the Town of Whitby, as they have local function and character.
- **Manning Road (Regional Road 58 from Brock Street to Garrard Road)** – This segment is not recommended for transfer to the Town of Whitby, but it should be re-examined in a future road rationalization study.

No other roads are recommended for transfer from the Region to the Town of Whitby.

## 12.3 Local To Region Transfers

- **Rossland Road (from Ajax/Whitby boundary to Cochrane Street)** – Recommended for transfer from the Town of Whitby to the Region. Rossland Road is an important east-west arterial serving southern Durham Region.
- **Dundas Street** – The Town of Whitby has advanced planning and urban design goals for Dundas Street through downtown Whitby, and has expressed its desire to manage the planning and design efforts for Dundas Street. From the Region's perspective, Dundas Street is an important part of the Long-Term Transit Strategy, as it is planned to support high order transit service. For the purpose of this analysis and based on consultation with the Town, Dundas Street was divided into three segments:

- (a) **Dundas Street (from Fothergill Court to Cochrane Street)** – Recommended for transfer from the Town of Whitby to the Region, reflecting its importance as an east-west arterial and high order transit corridor.
- (b) **Dundas Street (from Cochrane Street to Garden Street)** – Not recommended for transfer at this time, as the segment traverses Town's downtown core. The transfer opportunity should be re-examined in a future road rationalization review.
- (c) **Dundas Street (from Garden Street to Whitby/Oshawa boundary)** Recommended for transfer from the Town of Whitby to the Region, reflecting its importance as an east-west arterial and high order transit corridor.

### 13. Current Status and Next Steps

- 13.1 As noted earlier in this report, there were two rounds of meetings and ongoing communications with the LAMs to facilitate the sharing of information, including:
- refinement of the criteria;
  - preliminary evaluation results;
  - structure condition data;
  - confirmation of road condition data; and
  - annual maintenance costs and capital needs.
- 13.2 Technical evaluations of road segments identified through discussions with the LAMs using the criteria described earlier in this report have resulted in the list of roads for potential transfer.
- 13.3 Several LAMs have expressed an interest in pursuing transfer opportunities for specific road segments consistent with the candidates list developed through this process. However, the possible transfer opportunities in each municipality have unique considerations and will require further discussion to determine all of the specifics related to the possible transfer opportunities.
- 13.4 It is recognized that the timing of potential transfers could be influenced by resourcing implications. The allocation of staff, equipment and funding are all considerations that may impact the timing of a transfer. A phased in approach that allows for funding and resources to be allocated may be appropriate in specific situations. In other situations transfers in the near future may be appropriate.
- 13.5 It is anticipated that each LAM will review and respond with comments, specific to the preliminary recommendations for each of the road segments identified in the report to allow for focus on early transfer opportunities for transfers.
- 13.6 Upon receipt of comments regarding the road transfer candidates from the LAMs, staff will report back on progress made for potential near term transfers and next steps for a phased approach on future transfers.



- 13.7 As a longer term principle, the list of potential road transfers will be reviewed on a regular basis (i.e. every five years) recognizing that there will be changing conditions and circumstances such as future planning applications.

**14. Conclusion**

- 14.1 To date, open dialogue with the LAMs has resulted in the sharing of detailed information requesting potential road transfers, collaboration on evaluation criteria that respects the various and unique characteristics of some road segments and a mutual understanding of concerns in specific situations. The process to date has provided the basis for continued dialogue on specific near term transfers as well as the development of a plan for phasing in the longer term transfers.

Respectfully submitted,

**Original signed by**

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S. Siopis, P.Eng.  
Commissioner of Works

**Original signed by**

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Information Report

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From: Commissioner of Works and Commissioner of Corporate Services  
Report: #2018-INFO-32  
Date: March 2, 2018

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**Subject:**

Automated Speed Enforcement

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**Recommendation:**

Receive for information.

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide information with respect to the potential use of Automated Speed Enforcement (ASE) technology in School Zones and Community Safety Zones on Regional Roads as permitted by the Safer School Zones Act that amended the Highway Traffic Act in May of 2017.
- 1.2 This report also advises of ongoing staff participation in a joint municipal working group tasked with the implementation of ASE Systems in the Province of Ontario (Province).

**2. Background**

- 2.1 On May 30, 2017, the Legislative Assembly of Ontario passed Bill 65, Safer School Zones Act which amended the Highway Traffic Act (HTA) to authorize the use of ASE technology in school zones and community safety zones on roadways with posted speed limits less than 80 kilometres per hour.
- 2.2 Works Department and Court Services staff have been participating in an inter-municipal working group that was initiated by the Ontario Traffic Council (OTC) in an effort to establish common operating principles for ASE across the Province.

- 2.3 The Highway Traffic Act (HTA) amendments that enable ASE deployments would permit any road authority (Provincial, Regional or Local) to implement ASE on roadways within their jurisdiction that meet the legislated criteria. The OTC has included staff from the Region, Town of Whitby and City of Oshawa in their ASE working group. The Region has been sharing ASE information with their staff counterparts in each local municipality within the Region.
- 2.4 Similar to Red Light Camera Operations, it is expected that decisions on the operation of ASE will likely be prescribed by the Province through Regulation in order to ensure consistency across the Province.

### **3. Schedule for Implementation**

- 3.1 On May 30, 2017, the Legislative Assembly of Ontario amended the HTA to authorize the use of ASE technology. In order to enable this legislation, Regulations must still be enacted by the Province. These Regulations are expected in the spring or summer of 2018.
- 3.2 The inter-municipal working group is currently drafting a joint Request for Proposal (RFP) document for the procurement of ASE equipment and operations. The City of Toronto will issue the RFP on behalf of all participating municipalities in 2018 after the Provincial Regulations are finalized.
- 3.3 The RFP evaluation process and contract award by all participating municipalities is expected to occur in early 2019 at the earliest.
- 3.4 It is anticipated that contract start-up, site design and installation could take up to one year to complete, with the first ASE site commissioned towards the end of 2019.

### **4. Expected Safety Benefits**

- 4.1 Speed is a factor in almost all collisions. It increases the likelihood of a collision occurring and also has a direct impact on the severity of the collision. Any measure to reducing operating speeds will therefore reduce the number of collisions, injuries and fatalities on our transportation system.

- 4.2 ASE is generally identified as a highly effective tool to reduce operating speeds. For example, a 2017 New York City report indicated that speeding in school zones during school hours was reduced by 63 per cent following the introduction of a fixed position automated speed enforcement camera. In Canada, ASE programs exist in the Provinces of Quebec, Manitoba, Alberta and British Columbia.
- 4.3 The legislation passed by the Province focuses on school zones and community safety zones as the only eligible areas for ASE implementation. At this point in time, there are three (3) designated school zones and sixteen (16) designated community safety zones on Durham Regional roads.

## **5. Issues under Consideration**

- 5.1 Key issues under consideration in the inter-municipal working group include: i) expected impacts on court services; ii) fixed location vs. mobile enforcement; iii) initial warning period; iv) enforcement thresholds; and v) common designations of school zone and community safety zone.
- 5.2 A concern raised by several members of the inter-municipal working group is the impact that ASE will have on the existing court system. Speeding infractions are handled by municipal Provincial Offences Act (POA) courts pursuant to a Memorandum of Understanding with the Province. There is concern that ASEs may overwhelm the court system in some municipalities and that the Province will not be able to supply enough judicial officers (Justice of the Peace) for the trials. As one option, the group is evaluating the use of an Administrative Monetary Penalties system for ASEs, similar to the means currently used for parking enforcement by some of the area municipalities.
- 5.3 ASE can either be fixed position (permanent sites that may operate during particular times of day, days of week or 24/7) or mobile units (in vehicle, tripod or trailer mounted equipment). The ASE working group is drafting the RFP document to allow for a combination of fixed and mobile units.
- 5.4 In most jurisdictions where ASE has been deployed, an initial one to three month warning period is provided where infraction notices are issued but no fines are levied. It is anticipated that ASE in Ontario will include a similar warning period.

- 5.5 There is no consistency across jurisdictions using ASE technology with respect to the threshold speed at which the technology is set. In some instances there is zero tolerance. In others, the threshold speed is set at a certain level above posted speed, in which case the threshold is generally well known amongst regular commuters. It is expected that a consistent threshold speed (either a fixed value or on a percentage basis) will be used when ASE is deployed in Ontario.
- 5.6 The legislation allows ASE in school zones and community safety zones. The Community Safety Zone (CSZ) section of the HTA gives officers the opportunity to issue a doubling of any HTA fine if the offence occurs within a CSZ. It is expected that this doubling of fines will be applied on every infraction that is captured by an automated system. Therefore, it has been suggested that all school zones in the ASE area be designated as community safety zones.

## **6. Conclusion**

- 6.1 The Province of Ontario has amended the Highway Traffic Act to enable the use of Automated Speed Enforcement Technology to improve safety in school zones and community safety zones. Regional staff will continue to be involved and informed as the legislation, regulations and process are established.
- 6.2 Implementation of Automated Speed Enforcement on Regional Roads within the Regional Municipality of Durham would remain subject to Regional Council approval. Staff will report as more information becomes available.
- 6.3 This report has been reviewed by the Finance Department and Corporate Services – Legislative Services and Legal Services Divisions.

Respectfully submitted,

### **Original signed by**

S. Siopis, P.Eng.  
Commissioner of Works

### **Original signed by**

D. Beaton  
Commissioner of Corporate  
Services



## The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: #2018-INFO-33  
Date: March 2, 2018

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**Subject:**

Response to February 23, 2018 Letter from PACT-POW to the Honourable Chris Ballard, Minister of Environment and Climate Change

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**Recommendation:**

Receive for information.

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**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to clarify information within the February 23, 2018 letter from Pickering Ajax Citizens Together Protecting Our Water (PACT-POW) to the Honourable Chris Ballard, Minister of Environment and Climate Change (Minister) (Attachment #1).

**2. Background**

- 2.1 On April 4, 2016, the Minister issued an Order to the Regional Municipality of Durham and the Regional Municipality of York (Regions) requesting a Phosphorus Reduction Action Plan (PRAP) Study to be undertaken as part of the Duffin Creek Water Pollution Control Plant (WPCP) Outfall Class Environmental Assessment (Outfall EA). The PRAP Study was posted on the project website on January 10, 2018 and stakeholder comments were accepted by the Ministry of Environment and Climate Change (MOECC) until February 23, 2018. On February 23, 2018 PACT-POW submitted a letter in response to the PRAP Study and related issues to the Minister.

### 3. PACT-POW Letter to the Minister of Environment and Climate Change

#### 3.1 The PACT-POW letter makes the following claims with regard to the PRAP Study and the Duffin Creek WPCP:

- The Duffin Creek WPCP is the cause of nuisance algae in the Ajax nearshore;
- The PRAP Study does not address the algae problems plaguing the Ajax shoreline;
- The Duffin Creek WPCP accounts for 98 per cent of the phosphorus being discharged to Ajax's shoreline;
- The PRAP Study did not address how phosphorus concentrations and loads can be reduced to the lowest achievable level; and,
- The 25-year net present value cost for ballasted flocculation is overestimated.

#### 3.2 The following sections of this report provide clarifications and additional information regarding both the PRAP and other current studies.

### 4. Clarification and Additional Information

#### 4.1 The Duffin Creek WPCP Is Not the Cause of Nuisance *Cladophora* Algae in the Ajax Nearshore

- The most-recent peer-reviewed study from the MOECC confirms that nuisance *Cladophora* is a whole-lake problem, even in areas with very small wastewater treatment plants. Ongoing research from Environment and Climate Change Canada is demonstrating that nuisance *Cladophora* exists even in areas with no wastewater treatment plants. Past research by Ontario Power Generation and the University of Waterloo states clearly that even if the Duffin Creek Plant were removed, nuisance *Cladophora* algae would still be a problem on the Ajax shoreline.

#### 4.2 The PRAP Study Did Not Include a Review of *Cladophora* Algae in the Ajax Nearshore

- PACT-POW'S claim that the PRAP Study did not include a review of *Cladophora* algae in the Ajax nearshore is correct. Such a review was not required by the Minister's request for information. The Minister's Order requested information on wastewater treatment, with the exception that the seasonal growth window for *Cladophora* must be reported on so seasonal treatment could be investigated. Information on the seasonal growth window for *Cladophora* was included and can be found in section "4.2 *Cladophora* Growth Window" of the PRAP Report.

#### 4.3 The Duffin Creek WPCP Does Not Account For 98 per cent of the Phosphorus in the Ajax Nearshore

- The claim that the Duffin Creek WPCP accounts for 98 per cent of the soluble reactive phosphorus in the nearshore is false. This percentage was arrived at by looking at only the Duffin Creek WPCP and the local tributaries discharging to the Ajax nearshore. This analysis completely ignores the ambient soluble reactive phosphorus concentration of Lake Ontario and the soluble reactive phosphorus contributed to the nearshore by dreissenid mussels. Dr. Robert Hecky, editor of the Journal of Great Lakes Science, notes that the contribution by dreissenid mussels alone is approximately twice that of the Duffin Creek WPCP.

#### 4.4 The PRAP Study Did Address How Phosphorus Concentrations and Loads Can Be Reduced to the Lowest Achievable Level

- The PRAP Study does document how phosphorus concentrations and loads can be reduced to the lowest achievable level. Section “7.6.1 Phosphorus Removal Effectiveness” of the PRAP Study documents the treatment effectiveness of each tertiary technology. This is further discussed in Section, “9.6 Lowest Achievable Effluent Total Phosphorus” of the PRAP Study.

#### 4.5 The 25-Year Net Present Value Cost for Ballasted Flocculation Is Not Overestimated

- The PRAP Study confirmed that tertiary treatment could be implemented at the Duffin Creek WPCP at a significant cost. During the PRAP Study the Town of Ajax and their technical experts suggested options to reduce costs. However, many of these options would result in a facility that would not conform to industry best practices and would not meet the Ministry of Environment and Climate Change’s (MOECC’s) minimum design guidelines for sewage works. The PACT-POW letter also criticizes the cost contingencies. At the conceptual design stage, it is standard engineering practice that the contingency allowance reflect the unknowns which are typical for this level of feasibility analysis.

### 5. Conclusion

- 5.1 The claims made by PACT-POW in their February 23, 2018 letter are not accurate. The MOECC has recently found that *Cladophora* is a lake-wide issue based on an intensive study of the Ajax nearshore. Based on the latest independent research, it is increasingly apparent that there is no justification for implementing tertiary treatment at the Duffin Creek WPCP when optimization efforts can achieve appropriate limits with a much lower carbon footprint.



- 5.2 The PRAP Study was completed by the Region's in cooperation with Town of Ajax staff and technical experts. The study provided detailed technical information as specifically required by the Order issued by the MOECC.
- 5.3 A supplemental letter of response was submitted to the MOECC during the review period for the PRAP by the Regions (Attachment #2).
- 5.4 The project team will be forwarding the information included in this report to the Ministry of the Environment and Climate Change in order to ensure there is clarity around the work done to comply with the Order issued by the MOECC within the Outfall Environmental Assessment and Phosphorus Reduction Action Plan.

**6. Attachment**

Attachment #1: Correspondence dated February 23, 2018 from Pickering Ajax Citizens Together Protecting Our Water (PACT-POW) to the Honourable Chris Ballard, Minister of Environment and Climate Change

Attachment #2: Correspondence from the Regions of Durham and York dated February 22, 2018 to Kathleen O'Neill, Director, Environmental Assessment and Permissions Branch, Ministry of the Environment and Climate Change

Respectfully submitted,

**Original signed by**

---

S. Siopis, P.Eng.  
Commissioner of Works

February 23, 2018

The Honourable Chris Ballard, Minister of the Environment and Climate Change  
 Ministry of the Environment and Climate Change  
 11th Floor, Ferguson Block  
 77 Wellesley Street West  
 Toronto, Ontario M7A 2T5  
[minister.moecc@ontario.ca](mailto:minister.moecc@ontario.ca)

Dear Minister Ballard,

**RE: PACT POW's Response re Part II Request, the Minister's Order and the PRAP**

We are writing to you as the Pickering Ajax Citizens Together Protecting Our Water (PACT POW) to formally request that you require the Duffin Creek Water Pollution Control Plant (WPCP) to implement seasonal tertiary treatment in order to significantly reduce the phosphorous load of its effluent. This request follows from our February 2014 request for a Part II Order under s. 16 of the *Environmental Assessment Act*, RSO 1990, c E18, your subsequent Order in April 2016 (the Order), and the resulting Phosphorous Reduction Action Plan (PRAP) Study completed in January 2018 by the Regional Municipalities of Durham and York (Regions). In the proposal put forward in the PRAP Study, the Regions have failed to comply with the Order.

The proposal does not address the current algae problems plaguing the Ajax shoreline. The overgrowth of algae is preventing citizens from enjoying their lakeshore, causing families to avoid its waters, preventing cyclists and pedestrians from using its trails, and barring nearby residents from using their backyards or even opening their windows in the summer months due to the stench from rotting algae. This is the situation at current levels of phosphorous load from the WPCP, which has been demonstrated to account for 98% of the phosphorous being discharged into Ajax's nearshore. The PRAP Study demonstrates that tertiary treatment has the capacity to reduce effluent phosphorous load to the levels required to remedy the algae problem nearshore. However, the Regions have deemed tertiary treatment "not necessary" to the solution. Instead, the Regions have recommended little more than the status quo. With the Duffin Creek WPCP forecasted to double its flow in the near future, the Regions' recommended approach of secondary treatment optimization and diffusers will only serve to increase the phosphorous load by over 2.5 times the current levels and aggravate the already nuisance-levels of algae growth. Optimization and diffusers are a short term fix to meet the 20:1 dilution rates in the ECA. The algae bloom will spread into Pickering to the west and beyond Whitby to the east. This fails to meet the Order requirement to prepare a study that determines "how phosphorous concentrations and loads in the effluent from the WPCP can be reduced to the lowest achievable level prior to entering the outfall...".

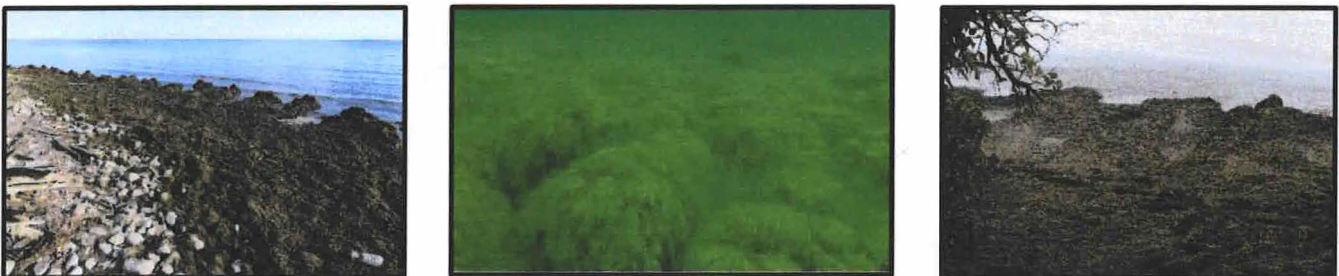


Figure 1: Photos of nuisance algae growth along Ajax's shoreline.

We know what the solution is, we know how to implement it, and there should be no reason not to require the Regions to implement it now. The Great Lakes Quality Agreement (GLWQA) of 1978 and Provincial Water Quality Objectives set in 1979 did a great job of cleaning up offshore pollution in our lakes. Now the focus has shifted to fully rehabilitating our nearshores. The new 2012 Great Lakes Water Quality Protocol (GLWQP) amending the GLWQA mandates new phosphorous reduction targets for nearshore waters with the goal of avoiding nuisance levels of algae growth. We are already taking this approach here in Ontario, with Lake Simcoe as an example. We now have to follow suit with respect to the nearshore surrounding the WPCP. In requiring the Regions to comply with the Order, we ask you to lead by example and protect Lake Ontario nearshore as we have protected Lake Simcoe.

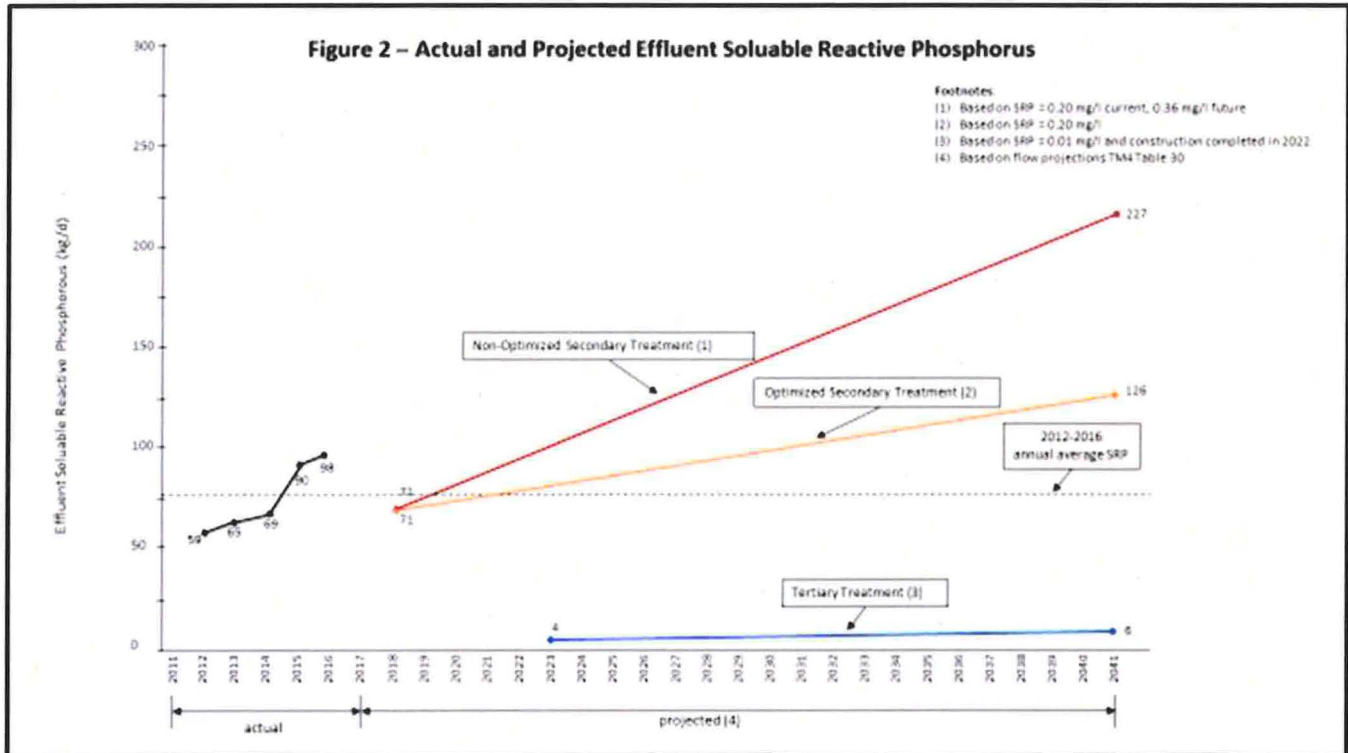


Figure 2: Graph showing the success of tertiary treatment (blue line) in reducing phosphorous levels compared to optimized secondary treatment (yellow line).

Furthermore, reclaiming and restoring our waterfront will likely cost less than \$200 Million between now and 2041. Over a 25-year lifecycle, the Regions have found that ballasted flocculation as a tertiary treatment will cost \$218 Million, using a decentralized construction. However, a centralized design would be just as functional and more cost-effective. The Town of Ajax's wastewater expert, Alan Saikkonen, confirms that the Region's cost estimate of \$206 Million for a centralized design is correct, already making it \$12 Million less. In addition, this number is likely over-estimated as the Regions calculated the cost based on a peak-load scenario of 1070 Million L/Day flowing through the WPCP. The average is only 630 Million L/Day, which is the number the Regions used to cost tertiary treatment options in their own Environmental Study Report, resulting in a lower cost estimate. There is no justification for using the higher flow estimate to calculate costs. A tertiary treatment capturing only average flow loads would have a vastly greater impact than proceeding under the current secondary treatment model under which zero litres of water undergo tertiary treatment. Finally, the Regions have added a 30% contingency to the cost estimate without justification. This is out of line with typical contingency rates and artificially inflates their cost estimates for tertiary treatment.



The Regions' own report demonstrates that Actiflo has "the potential to provide the lowest achievable [total phosphorous] and [soluble reactive phosphorous]" and that it is one of "the most cost-effective options when considering...lifecycle costs" (PRAP, s. 7.7). Durham and York already have the funds available to fund this option. Financial constraints should not be a reason for them to avoid taking this critical action, particularly as the identification of a method to *reduce* phosphorous in the effluent over the short, medium and long term was precisely what was mandated under the Order. The "polluter pays" system in place in Ontario additionally puts the onus on the Regions to rectify the destructive environmental situation that their own operations have caused.

We look to the Ministry to protect our waters for swimming, drinking, recreational pursuits, quality of life, and the health of all residents. The Towns of Ajax and Pickering have made their shorelines on Lake Ontario a public park for the enjoyment of all locals and visitors. The growth and smell of algae along the shoreline reduces the use and enjoyment of the beautiful lakeside park and nearby residences. The management of effluent by the Regions at the Duffin Creek WPCP should not be permitted to override the benefit the local municipalities seek to provide and into which millions of dollars of taxpayers' money has been invested over many years. We need your help to require the Regions to implement tertiary treatment in order to protect our waters.

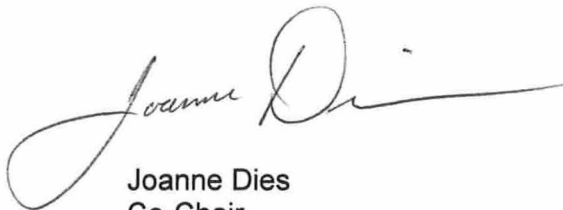
Action is required now and a pro-active approach must be taken to remedy the situation. Over the years that the capacity upgrade to the WPCP has been under consideration, the phosphorous and algae problems have worsened. The status quo must not be permitted to continue. Change is required.

We ask that your decision be guided by the impact the effluent has on the natural environment around it. Currently, and under the Regions' proposed approach, that effluent has and will continue to have a significant negative impact to the water and shoreline habitat and to the resident of Ajax, Pickering and Whitby if tertiary treatment is not implemented now. This is not acceptable to residents, visitors, and the local municipalities, nor is it reflective of today's regard for environmental sustainability and the precautionary principle of environmental management. We ask that you require the Regions to implement tertiary treatment and help restore our waterfront.

Sincerely,



Paul Wealleans  
Co-Chair



Joanne Dies  
Co-Chair

Pickering Ajax Citizens Together to Protect Our Water

cc: Ms. Kathleen O'Neil, Director, Environmental Assessment and Permissions Branch, MOECC  
Dr. Diane Saxe, Environmental Commissioner of Ontario  
Mr. Roger Anderson, Regional Chair and CEO, The Regional Municipality of Durham  
Mr. Barry Laverick, P.Eng., The Regional Municipality of Durham  
Mr. Wayne Emmerson, Chairman and CEO, The Regional Municipality of York  
Mr. Wayne Green, P. Eng., The Regional Municipality of York  
Mr. Joe Dickson, MPP, Ajax-Pickering  
His Worship Steve Parish, Mayor of the Town of Ajax  
Members of Ajax Town Council

His Worship, David Ryan, Mayor of the City of Pickering  
Members of Pickering City Council  
Mr. Don Huff, Ecostrategy  
Ms. Rebecca Harrison, Swim Drink Fish  
Mr. Shane Schofield, Swim Drink Fish  
Ms. Kristina Jackson, Sierra Club  
Ms. Nancy Goucher, Fresh Water Future  
Mr. Paul White, President, Fairport Beach Ratepayers Association  
Mr. Andre Pilon, President, Pickering West Shore Community Association



February 22, 2018

Kathleen O'Neill, Director  
Environmental Assessment and Permissions Branch  
Ministry of the Environment and Climate Change  
135 St Clair Ave W, 1st Floor  
Toronto, ON M4V 1P5

Dear Ms. O'Neill:

**Re: Duffin Creek Plant Outfall Environmental Assessment  
Phosphorus Reduction Action Plan Study**

Please accept this comment letter from The Regional Municipality of Durham and The Regional Municipality of York (Regions) on the Duffin Creek Plant Phosphorus Reduction Action Plan Study (PRAP Study). The PRAP Study has confirmed the findings of the Duffin Creek Plant Outfall Environmental Assessment that plant optimization is the recommended strategy for managing phosphorus discharges as flows increase to the 630 MLD design flow. Furthermore, the duration of the PRAP Study has allowed critical *Cladophora* research specific to the Ajax nearshore to be published and Ontario regulatory policy on algae control in Lake Erie to be confirmed. The latest research and proposed regulations indicate that tertiary treatment will not reduce algae blooms in Lake Erie or Lake Ontario. In addition, this year is the 2018 Bi-National Cooperative Science and Monitoring Initiative for Lake Ontario, which will result in additional information on algae and phosphorus inputs to the Lake.

The Town of Ajax and Dr. Martin Auer have come to a different conclusion regarding Great Lakes algae control; however, that opinion is not shared by a growing number of researchers in the international scientific community nor is it reflected in the latest government policy proposed for Lake Erie. It is clear that implementing tertiary treatment at the Duffin Creek Plant will not eliminate algae along Ajax's shoreline.

**Outfall Environmental Assessment tertiary treatment findings confirmed by  
Phosphorus Reduction Action Plan Study**

The PRAP Study confirmed the Outfall Environmental Assessment finding that tertiary treatment could be implemented at the Duffin Creek Plant at a significant cost. During the PRAP Study the Town of Ajax and their technical experts suggested a few options to reduce costs. Unfortunately, many of these options would result in a facility that

February 22, 2018

Duffin Creek Plant Outfall Environmental Assessment Phosphorus Reduction Action Plan Study

would fail to comply with industry best practices and the Ministry of the Environment and Climate Change's (Ministry) minimum design guidelines for sewage works.

### **Ministry *Cladophora* research in Ajax**

Recently the Ministry published a study that presented algae data from Ajax and other sites in Lake Ontario with significantly smaller wastewater treatment plants than found in Ajax. The Ministry study confirms that excessive levels of *Cladophora* occur in areas with significantly smaller wastewater treatment plants to the same or to an even greater extent than it occurs along Ajax's shoreline. Furthermore, the Ministry findings demonstrate that excessive *Cladophora* growth is a lake-wide phenomenon. The Regions respectfully submit that the Ministry now has sufficient evidence to render a decision, which is defensible both environmentally and otherwise, regarding the Duffin Creek Plant given the Ministry's extensive research on this issue.

### **Environment and Climate Change Canada ongoing *Cladophora* research in Ajax**

Environment and Climate Change Canada (ECCC) has also been carrying out *Cladophora* research at numerous Lake Ontario sites including the Ajax nearshore. Preliminary findings show that rural areas with minor or no phosphorus inputs from wastewater treatment plants have levels of *Cladophora* algae comparable to that found in Ajax. Other ECCC research involves tracing phosphorus from the Duffin Creek Plant in *Cladophora* tissue samples. Preliminary findings indicate that the Duffin Creek Plant is having negligible influence on the Ajax *Cladophora* problem. The Regions anticipate that this research will be published or presented soon.

### **International findings and provincial policy to combat Lake Erie algae**

In 2012, the International Joint Commission (IJC) established the Lake Erie Ecosystem Priority (LEEP) in response to an unprecedented algal bloom and cyanobacteria incident that was so severe Toledo, Ohio had to temporarily shut down its water treatment plant. The LEEP looked at reducing phosphorus loadings and harmful algal blooms in Lake Erie and was comprised of top water scientists from both Canada and the United States. Based on the LEEP report, the Canada-Ontario Draft Action Plan was developed and recommended a total phosphorus effluent discharge limit of 0.5 mg/L for Lake Erie wastewater treatment plants. Although Lake Ontario has a much less severe problem, there is consideration of implementing a similar effluent limit for Lake Ontario wastewater treatment plants. As discussed in our final PRAP Study report, optimization at the Duffin Creek Plant can achieve this limit with a much lower carbon footprint. The Regions look forward to co-operating with all Lake Ontario wastewater treatment plants on any joint actions or recommendations and we are confident in our

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Duffin Creek Plant Outfall Environmental Assessment Phosphorus Reduction Action Plan Study

ability to meet any fair, consistent and evidence-based guidelines required to achieve a reduction in harmful algal blooms.

## **2018 Bi-National Collaborative Science and Monitoring Initiative for Lake Ontario**

This year top water scientists from Canada and the United States are converging on Lake Ontario for the 2018 Bi-National Cooperative Science and Monitoring Initiative (CSMI). Work will include algae and phosphorus research, which may be used to implement a comprehensive phosphorus policy for Lake Ontario. Preliminary indications are that tertiary treatment will not be a recommendation resulting from this effort.

## **Regulatory environment in Ontario in question**

It is evident that the Town of Ajax and their advocates desire a change to the regulations governing Lake Ontario. This larger agenda is apparent in a recent journal article, by Dr. Martin Auer *Onondaga to Ontario: Management of bioavailable phosphorus in municipal wastewaters for control of Cladophora*. This article contemplates the implementation of tertiary treatment for all wastewater treatment plants across the Greater Toronto Area. This major change is not consistent with the latest provincial, federal and international policy and research. Any requirement for tertiary treatment at the Duffin Creek Plant will establish a troubling and unwarranted precedent that will impact ratepayers in the City of Toronto as well as Halton and Peel Regions and possibly other treatment plant installations across the province.

## **Summary**

We appreciate that the Minister and the Ministry have been presented with a great deal of varying information during the Duffin Creek Plant Outfall Environmental Assessment and Phosphorus Reduction Action Plan Study. However, the Ministry itself has now found that excessive *Cladophora* is a lake-wide issue based on an intensive study of the Ajax nearshore. It is increasingly apparent that there is no justification for implementing tertiary treatment at the Duffin Creek Plant. We remain committed to implementing optimization efforts to achieve appropriate limits with a much lower carbon footprint. Requiring unnecessary tertiary treatment at Duffin Creek Plant creates a lake-wide expectation for change at a cost in the order of Billions of dollars. In Ontario today, regulatory requirements must be based on strong, sound scientific evidence weighing the environmental benefit achieved for the investment required. We expect that other municipalities with treatment plants discharging to the open waters of Lake Ontario would strongly oppose unfounded changes to the current regulatory requirements.

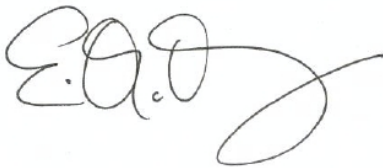


February 22, 2018

Duffin Creek Plant Outfall Environmental Assessment Phosphorus Reduction Action Plan Study

We believe that the international scientific community and Great Lakes studies completed by federal and provincial scientists combined with the PRAP study, Outfall EA and Part II Order response documentation will provide the Minister with the required information to make a science-based decision on this important project. The Regions are anxious to realize the benefits of the \$850 million expansion completed in 2010 at the Duffin Creek Plant to meet the future growth targets outlined in the *Places to Grow Act*. Our plant performance demonstrates our continued commitment to environmental leadership. Thank you for your consideration of our submissions and we welcome the opportunity meet with you should this be required in your deliberation of these materials.

Sincerely,




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Erin Mahoney  
Commissioner of Environmental Services  
The Regional Municipality of York




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Susan Siopis  
Commissioner of Works  
The Regional Municipality of Durham

Copy to: Annamaria Cross, The Ministry of Environment and Climate Change  
Dolly Goyette, The Ministry of Environment and Climate Change  
Dorothy Moszynski, The Ministry of Environment and Climate Change  
Lisa Trevisan, The Ministry of Environment and Climate Change  
Barry Laverick, The Regional Municipality of Durham  
John Presta, The Regional Municipality of Durham  
Wayne Green, The Regional Municipality of York  
Mike Rabeau, The Regional Municipality of York  
Ansel Bather, CH2M Hill Jacobs  
Laurie Boyce, CH2M Hill Jacobs  
Fred Jahn, Chair, Regional Public Works Commissioners of Ontario



## The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: #2018-INFO-44  
Date: March 9, 2018

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**Subject:**

Strategic Road Safety Action Plan for the Regional Municipality of Durham

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**Recommendation:**

Receive for information.

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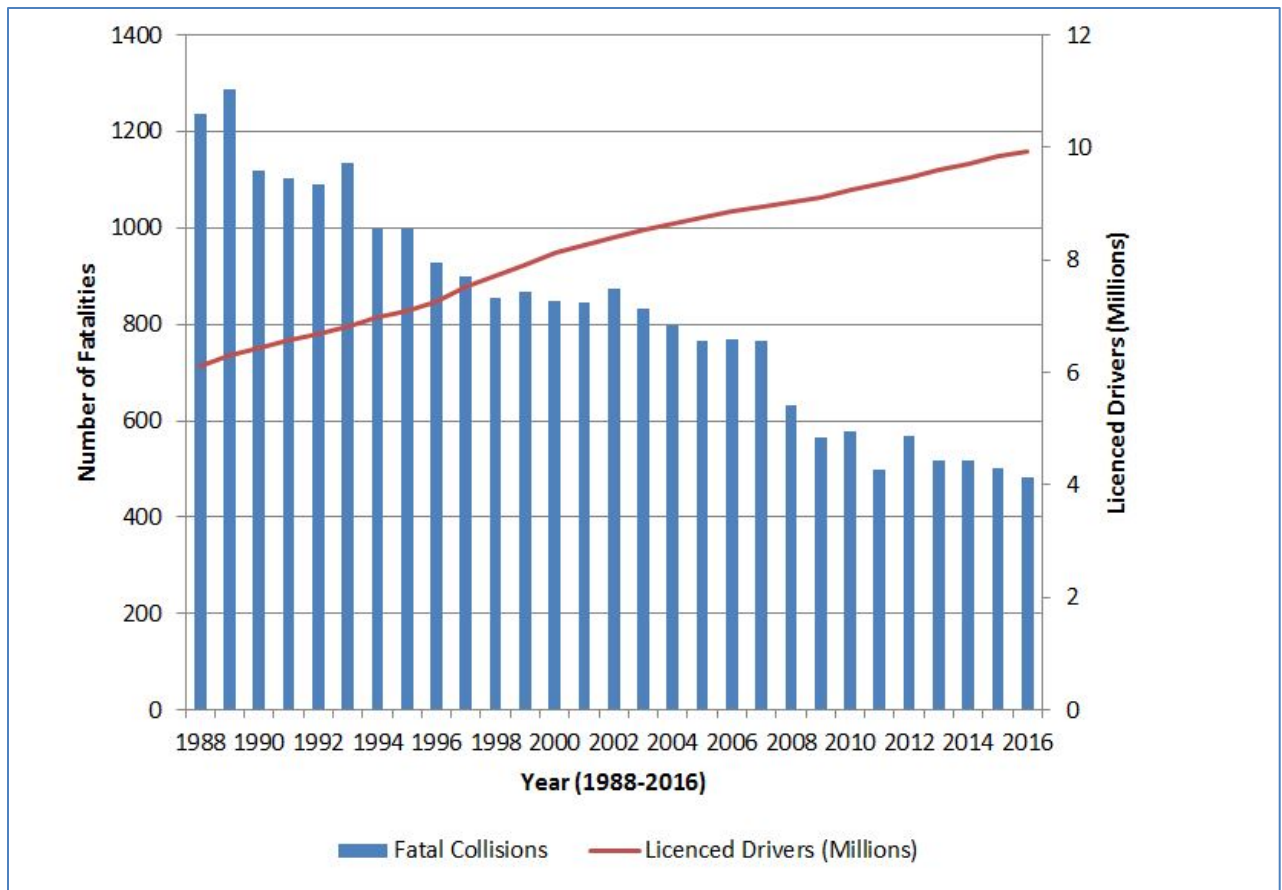
**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to update Regional Council on the Strategic Road Safety Action Plan study.

**2. Background**

- 2.1 In 2015, Regional Council considered reports from staff regarding the use of Red Light Camera Automated Enforcement Technology to improve safety. It was decided that the Region would focus on other safety initiatives including the preparation of a Strategic Road Safety Action Plan to identify priorities.
- 2.2 Traffic collisions are the leading cause of injury and death for 18-24 year olds across the Province of Ontario. In 2017, approximately 1,500 people were injured or killed on Durham Regional and Local municipal roads due to motor vehicle collisions. Twenty one people lost their lives. Victims were across all ages, male/female, passengers/drivers, pedestrians, cyclists, impaired, at fault and other wise.
- 2.3 Overall, fatalities on roads in the Province have been decreasing even as the number of licensed drivers increased. Vehicle design, seatbelt use, impaired driving campaigns and improvements in road design have all contributed to this decline. Figure 1 illustrates the number of fatalities in the Province related to motor vehicle collisions between 1988 and 2016, along with the number of licensed drivers. Statistics in the Region has generally followed the same trend that has been seen across Ontario and Canada.



**Figure 1 – Ontario Traffic Fatalities and Licensed Drivers (1988-2016)**

### **3. A Strategic Road Safety Action Plan for the Region**

- 3.1 In 2015, Regional Council directed staff to initiate a Strategic Road Safety Action Plan (SRSAP) for Durham.
- 3.2 A steering committee was established with representatives from each local municipality, Durham Regional Police Service, Ontario Provincial Police, Durham Public Health, Durham District School Boards, Durham Cycling Coalition and others.
- 3.3 CIMA+, a consulting engineering firm specializing in road safety was retained to assist the Region with developing the SRSAP. CIMA+ has been involved in the development of similar plans for the City of Toronto, City of Ottawa, City of London, Region of Peel and City of Halifax.

#### 4. Public Consultation

4.1 Durham residents continue to be involved in the study through multiple means:

- Public information centres held in the fall of 2017;
- A public engagement survey (online and telephone) that resulted in approximately 2,500 responses; and
- A project website allowing additional input and comments ([www.durhamvisionzero.com](http://www.durhamvisionzero.com)) throughout the course of the study.

4.2 The public identified the following as top safety concerns within the Region:

- impaired driving
- distracted driving
- aggressive driving
- school zones
- intersections
- pedestrians
- truck routes
- seat belts/car seats
- young drivers
- cyclists

#### 5. What is Vision Zero?

5.1 Vision Zero is a program that was initiated in Sweden in 1997. The program established a long term vision of eliminating traffic fatalities and injuries that result from motor vehicle collisions. The basic premise of the program is that **“Life and health can never be exchanged for other benefits within a society.”**

5.2 In Canada, Vision Zero programs have been implemented in the City of Toronto, City of Edmonton, Region of Peel, City of Halifax and others.

5.3 Around the world, Vision Zero is now accepted as the state of the practice with respect to Road Safety initiatives. New York City, San Francisco, Los Angeles have all implemented Vision Zero approaches to traffic safety.

#### 6. SRSAP – Vision, Goal and Emphasis Areas

6.1 The steering committee has recommended a Vision Zero approach to Road Safety within the Region, with the following statement:

*“Vision Zero - Zero people killed or injured across all modes of transportation”*

- 6.2 The steering committee has recommended the following goal for the first five years of the Region's Vision Zero program:

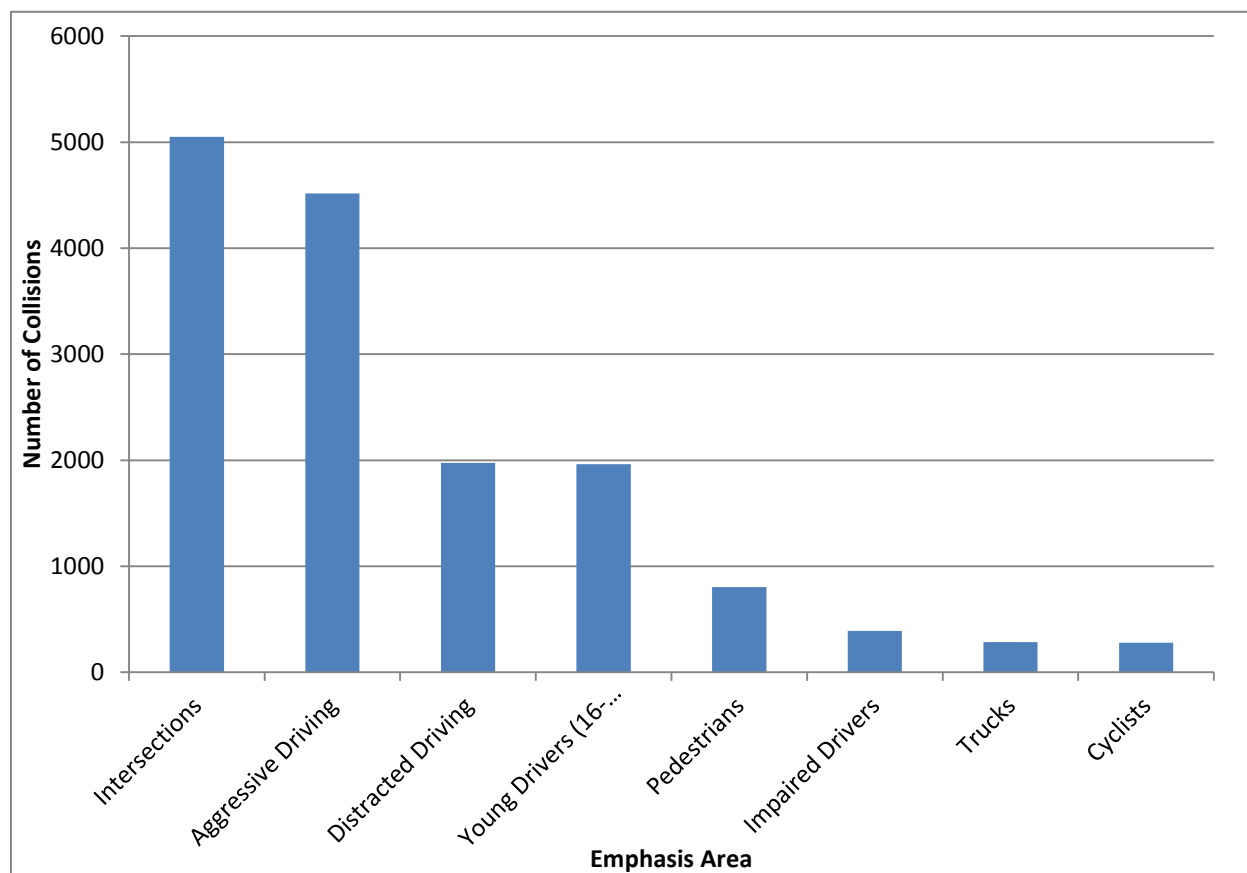
*"A 10 per cent reduction in fatal and injury collisions over the first five years on Regional and Local municipal roads."*

- 6.3 Based on 2012-2016 collision data and consideration of the comments from public consultation, the steering committee has recommended the following eight emphasis areas for the Vision Zero program:

1. intersections
2. aggressive driving
3. distracted driving
4. young drivers
5. pedestrians
6. impaired drivers
7. trucks
8. cyclists

Although school zones and seat belts/car seats were noted by the public as safety concerns, historical collision data did not support that emphasis.

6.4 The number of injury and fatal collisions on Regional and Local municipal roads over the 2012-16 period, by emphasis area, are shown in Figure 2 below:



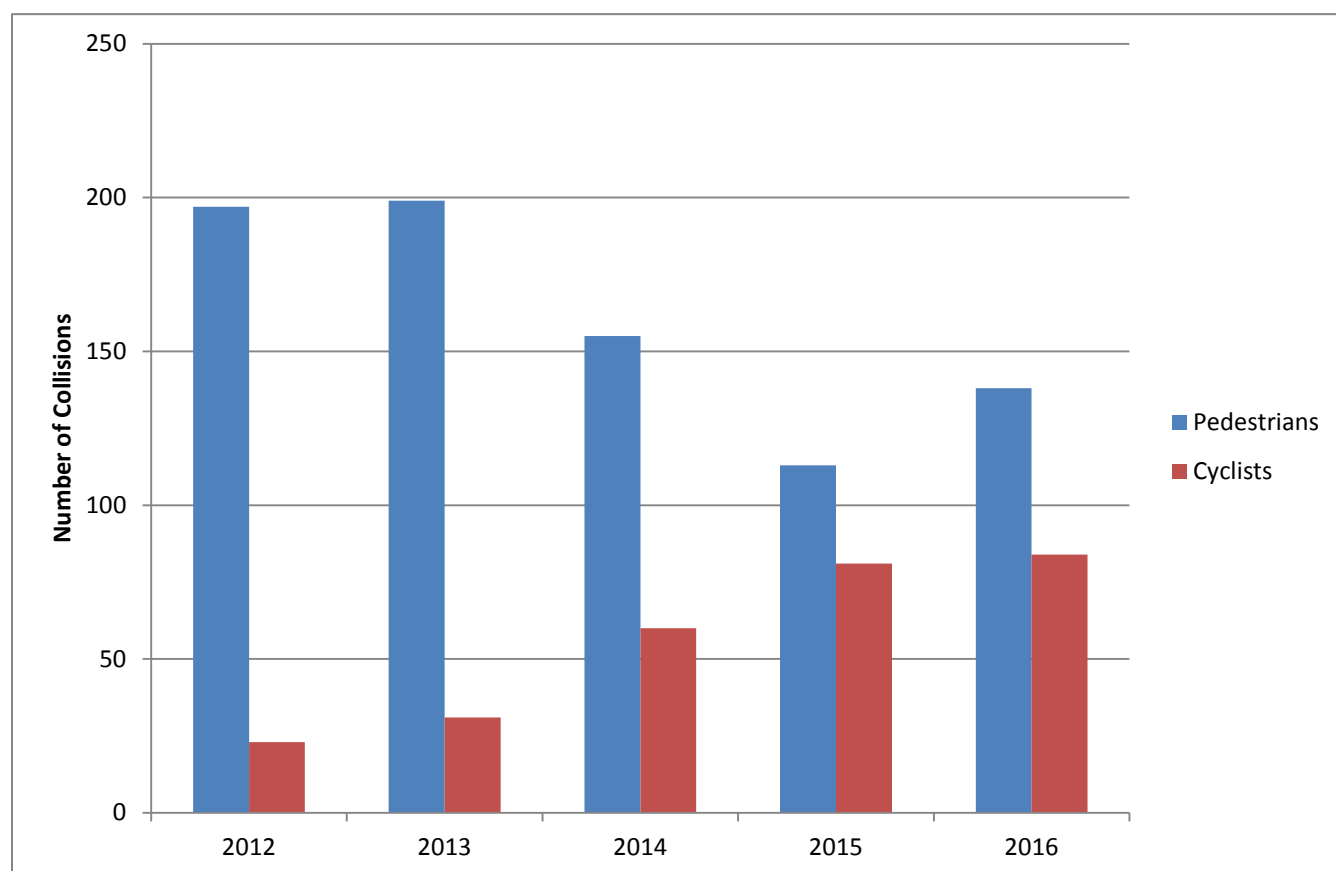
**Figure 2 – Total Collisions by Emphasis Area (2012-2016)**

6.5 The project team is currently identifying specific countermeasures to address each emphasis area. A countermeasure is a specific safety program (e.g. guiderail installations, automated speed enforcement, public education campaigns) designed to target the selected emphasis areas.

## **7. Vulnerable Road Users**

7.1 As shown in Figure 1, over the past twenty years, road related fatalities have decreased even as the number of licenced drivers has increased in the Province. Many believe that this decrease in fatalities is largely related to improvements in vehicle design and tougher regulations with respect to seatbelt use, impaired driving and distracted driving.

- 7.2 Unfortunately, the most vulnerable road users (pedestrians and cyclists) do not benefit from advancements in vehicle design and regulations. In urban areas across North America, pedestrians and cyclists are involved in a larger proportion of roadway fatalities although the total number of fatalities is decreasing. Increasing numbers of pedestrians and cyclists are sharing road space with other modes as we promote increased physical activity and less reliance on the personal automobile. This is a growing trend that needs to be recognized. Figure 3 below summarizes pedestrian and cyclist injury collisions over the 2012-2016 period on Regional and Local municipal roads. The SRSAP has identified both pedestrian and cyclist collisions as emphasis areas.



**Figure 3 – Pedestrian and Cyclist Collisions (2012-2016)**

## **8. Project Schedule and Next Steps**

- 8.1 The SRSAP project is expected to be completed by the end of 2018. Specific countermeasures addressing emphasis areas are being developed and it is anticipated that programs to implement these countermeasures will be presented to Regional Council for consideration as part of the 2019 budget process.

**9. Conclusion**

- 9.1 Traffic Safety continues to be one of the most frequent areas of concern identified by the residents of the Regional Municipality of Durham. The Strategic Road Safety Action Plan and a Vision Zero approach is being developed to place a higher emphasis on road safety in an effort to eliminate deaths and injuries resulting from motor vehicle collisions on our transportation system.

Respectfully submitted,

**Original signed by** \_\_\_\_\_

Susan Siopis, P.Eng.  
Commissioner of Works





## The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-54  
Date: April 4, 2018

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### **Subject:**

Approval to Negotiate a Sole Source Engineering Services Agreement for Detailed Design and Tender Documentation for the Proposed Sanitary Sewer on Highway 2 and Regional Road 57 in Bowmanville, in the Municipality of Clarington

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That approval be granted to negotiate a sole source engineering services agreement with CIMA Canada Inc. for detailed design and tender documentation for the proposed sanitary sewer extension along Highway 2 and Regional Road 57, in the Municipality of Clarington, at an upset limit not to exceed \$150,000\*, and
  - B) That the Commissioner of Finance be authorized to execute the engineering services agreement.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to provide details and seek approval to sole source engineering services with CIMA Canada Inc. (CIMA) for the proposed sanitary sewer on Highway 2 and Regional Road 57 in Bowmanville, in the Municipality of Clarington (Clarington). Dollar amounts followed by an asterisk (\*) are before applicable taxes.

#### **2. Background**

- 2.1 In September 2014, a Request for Proposal (RFP) #613-2014 was issued and awarded to CIMA to undertake the Municipal Class Environment Assessment Study and detailed design for the proposed widening of Regional Road 57 from

Baseline Road to Nash Road in the amount of \$485,890. The proposed road widening construction is scheduled for 2019.

### **3. Discussion and Sole Source Justification**

- 3.1 The detailed design budget for the proposed sanitary sewer extension on Highway 2 from 400 metres (m) east of Regional Road 57, along Regional Road 57 from Highway 2 to Stevens Road, was approved in the 2017 Sanitary Sewerage System Capital Budget.
- 3.2 Based on the updated project schedule, the Region intends to construct the proposed sanitary sewer in conjunction with the Regional Road Program in 2019. In order to meet the 2019 construction schedule, the design and tender documentation for the proposed sanitary sewer extension must be completed in 2018.
- 3.3 CIMA is familiar with Regional Road 57 and Highway 2 based on their extensive involvement with the Environment Assessment Study and the detailed design of the road widening project. It is recommended that based on the short timeline and CIMA's familiarity with the project that they be retained to provide the engineering services for the detailed design and tender documentation for the proposed sanitary sewer extension.

### **4. Financial Implications**

- 4.1 Section 9.4.2 of the Region's Purchasing By-law 68-2000 (Amended) requires the approval of the Committee of the Whole and Regional Council to acquire services through a sole source consulting or professional service assignment where the project or annual value is expected to be more than \$60,000.
- 4.2 The financing for the proposed project detailed design and tender documentation at an upset limit not to exceed \$150,000\* can be provided from within the approved project budget of \$400,000 (Project R1309).

### **5. Conclusion**

It is recommended that approval be granted to negotiate a sole source engineering services agreement with CIMA Canada Inc. for the detailed design and tender preparation for the proposed sanitary sewer extension on Highway 2 and Regional Road 57 in Bowmanville, in the Municipality of Clarington at an upset limit not to exceed \$150,000\*.

5.1 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

**Original signed by:**

---

S. Siopis, P. Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-55  
Date: April 4, 2018

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### **Subject:**

Approval for the Unbudgeted Capital Construction of a 200-Millimetre Diameter Watermain at Cannington Municipal Well Number 4, in the Township of Brock

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### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

A) That approval be granted for the unbudgeted capital construction of a 200-millimetre diameter watermain at Cannington Municipal Well Number 4, in the Township of Brock, estimated at \$110,000\*; and

B) That financing in the amount of \$110,000 for the project work be provided as follows:

2018 Water Supply System Capital Budget

Item #21 – Water Works to Rectify Identified System Deficiencies Independent of Roads Program in Various Locations

User Revenue	<u>\$110,000</u>
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<b>Total Reallocated Financing</b>	<b><u>\$110,000</u></b>
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### **Report:**

#### **1. Purpose**

1.1 The purpose of this report is to obtain approval for unbudgeted capital work and related financing to construct approximately 70 metres (m) of a 200-millimetre (mm) diameter watermain at Cannington Municipal Well Number 4 (Cannington MW4), in the Township of Brock, to provide adequate chlorine contact time for

treatment. Dollar amounts followed by an asterisk (\*) are before applicable taxes.

## 2. Background

- 2.1 In 2017, following Ministry of the Environment and Climate Change (MOECC) inspections, Regional Municipality of Durham (Region) staff performed a review on the disinfection calculations at each of the water supply locations owned by the Region. The watermain is used to provide chlorine contact time for the disinfection process for the water supply. Cannington MW4 was deemed to be out of compliance due to the location of customers connected to the watermain just outside of Cannington MW4 that did not exist based on the original engineer's report in 2000 and was taken out of service.
- 2.2 In order to provide adequate chlorine contact time for disinfection, approximately 70 m of a 200-mm diameter watermain will be constructed at Cannington MW4 site to ensure adequate treatment prior to the connection to the distribution system. The proposed watermain construction is estimated to cost \$110,000\* and will allow Cannington MW4 to be put back into service to provide water supply to the community of Cannington.

## 3. Financial Implications

- 3.1 Section 8.2.2 of the Region's Budget Management Policy requires approval of the Committee of the Whole and Regional Council for unbudgeted capital expenditures in excess of \$25,000.
- 3.2 Financing for the unbudgeted capital construction of approximately 70 metres of 200-mm diameter watermain at Cannington MW4 can be financed as follows with the balance of the budget item to be \$218,500:

2018 Water Supply System Capital Budget

Item #21 (Project M1899) – Water Works to Rectify Identified System  
Deficiencies Independent of Road Programs in Various Locations

User Revenue	<u>\$110,000</u>
<b>Total Reallocated Financing</b>	<b><u>\$110,000</u></b>

#### **4. Conclusion**

- 4.1 It is recommended that the unbudgeted capital work and related financing to construct approximately 70 metres of a 200-millimetre diameter watermain at Cannington Municipal Well #4, in the Township of Brock, be approved.
- 4.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

**Original signed by:**

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S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-56  
Date: April 4, 2018

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**Subject:**

Reallocation of Savings Realized During the Construction of the Projects Approved Under the Clean Water and Wastewater Fund

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That the unspent funding in the amount of \$3,225,000\* from completed projects funded under the Clean Water and Wastewater Fund be reallocated as indicated below; and

Project Title	Original Project Budget (\$000s)	Revised Project Budget (\$000s)	Surplus / (Shortfall) (\$000s)	Federal Share (\$000s)	Provincial Share (\$000s)	Durham Share (\$000s)
Watermain replacement on King Street from Arthur Street to Dunlop Street, James Street from Kings Street to Centre Street, and Ontario Street West from Henry Street to King Street, Town of Whitby (W1607)	1,500	1,241	259	621	310	310
Sanitary sewer replacement on King Street from Arthur Street to Dunlop Street, James Street from King Street to Centre Street, and Ontario Street West from Henry Street to King Street, Town of Whitby (W1607)	1,400	990	410	495	248	248
Watermain replacement crossing Highway 401 east of Brock Street, Town of Whitby (W1315)	1,600	1,600	-	800	400	400

<b>Project Title</b>	<b>Original Project Budget (\$000s)</b>	<b>Revised Project Budget (\$000s)</b>	<b>Surplus / (Shortfall) (\$000s)</b>	<b>Federal Share (\$000s)</b>	<b>Provincial Share (\$000s)</b>	<b>Durham Share (\$000s)</b>
Whitby Water Supply Plant - dechlorination equipment for backwash prior to discharge, Town of Whitby (D1703)	400	815	(415)	408	204	204
Sanitary Sewer on Regional Road 25 (Consumers Drive) extension from east of Thickson Road to Thornton Road, Town of Whitby (W1705)	1,240	882	358	441	221	221
Watermain on Regional Road 25 (Consumers Drive) extension from east of Thickson Road to Thornton Road, Town of Whitby (W1705)	1,100	1,100	-	550	275	275
Sanitary Sewer on Regional Road 52 (Thornton Road) from Champlain Avenue to Consumers Drive, Town of Whitby (D1736)	410	691	(281)	346	173	173
Replacement of a feedermain on Bloor Street from Grandview Street to Townline Road, City of Oshawa (O1501)	2,000	2,000	-	1,000	500	500
Harmony Creek Water Pollution Control Plant Upgrades - Phase 3, City of Oshawa (D1523)	15,500	15,804	(304)	7,902	3,951	3,951
Oshawa Water Supply Plant - Plant #1 - Filter Rehabilitation, City of Oshawa (O1516)	3,200	3,200	-	1,600	800	800
Courtice Water Pollution Control Plant - Resource Recovery Study - Phase 2, Municipality of Clarington (D1319)	300	300	-	150	75	75
Twinning of the sanitary forcemain from Water Street Sanitary Sewage Pumping Station to the intersection of Carlan Drive and Regional Road 8 (Reach Street), Township of Scugog (S9732)	4,100	2,160	1,940	1,080	540	540
Rehabilitation of existing watermains (cement lining) (D1712 and D1733)	3,000	3,000	-	1,500	750	750
Cathodic Protection of watermains (T-214-2016)	2,800	2,800	-	1,400	700	700



Project Title	Original Project Budget (\$000s)	Revised Project Budget (\$000s)	Surplus / (Shortfall) (\$000s)	Federal Share (\$000s)	Provincial Share (\$000s)	Durham Share (\$000s)
Polybutylene water service connection replacement program (D1619, D1620, and D1621)	5,528	5,270	258	2,635	1,318	1,318
New: Replacement of the watermain on Madawaska Avenue, Sauble Street, and Quetico Avenue, City of Oshawa	0	1,300	(1,300)	650	325	325
New: Replacement of a watermain on Laval Street from Hillside Avenue to Laval Court, City of Oshawa	0	555	(555)	277	139	139
New: Replacement of a watermain on Regional Road 52 (Thornton Road) from Champlain Avenue to 300 metres north, City of Oshawa	0	370	(370)	185	93	93
<b>Total</b>	<b><u>44,078</u></b>	<b><u>44,078</u></b>	<b><u>0</u></b>	<b><u>22,039</u></b>	<b><u>11,019</u></b>	<b><u>11,019</u></b>

**Note: Values in table may not add due to rounding.**

- B) That financing for the additional commitments in the amount of \$245,550\* be provided from the approved 2018 Water Supply System Capital Budget under Item 17C – Whitby Road Program.

## Report:

### 1. Purpose

- 1.1 The purpose of this report is to provide an update on the projects receiving funding under the Clean Water and Wastewater Fund (CWWF) and to seek Regional Municipality of Durham (Region) Council approval for the use of savings realized on the projects that have now been completed. Dollar amounts followed by an asterisk (\*) are before applicable taxes.

## **2. Background**

- 2.1 The Government of Canada established the CWWF in its 2016 Federal Budget, aimed at supporting the rehabilitation and modernization of drinking water, wastewater and stormwater infrastructure across Canada. The Province of Ontario (Province) entered into an agreement with the Federal Government to provide provincial funding under the CWWF program.
- 2.2 The Region submitted a list of 15 projects to the Ontario Ministry of Infrastructure, totaling nearly \$44.1 million. On May 23, 2017, the Federal Government announced that all 15 of the Region's submitted projects were approved for CWWF funding. The approved projects were presented to Regional Council in Report #2017-COW-184.
- 2.3 On January 3, 2018, the Ontario Minister of Infrastructure provided an update eliminating the requirement for 60 per cent of the work to be completed by March 31, 2018, and extending the deadline for completion of the work until March 31, 2020.
- 2.4 On January 24, 2018, a reporting webinar hosted by the Province confirmed the revised deadline and introduced that the savings identified on any CWWF project can be transferred to other approved projects.
- 2.5 As of February 28, 2018, the Region has identified savings on five approved projects resulting in \$3,225,000\* being available to reallocate to other approved projects.

## **3. Reallocation of Funds**

- 3.1 Regional staff identified three existing projects approved for CWWF funding where the available funds can be used as follows:
  - A) Sanitary sewer extension on Regional Road 52 (Thornton Road) from Champlain Road to Consumers Drive: Additional costs were incurred as a result of removing the sewer work from the overall contract for the road construction. This was done to meet the March 31, 2018, deadline. The tender cost was higher than estimated due to having the contract proceed shortly after the preloading for the road was completed, requiring winter construction to meet the deadline, and using imported backfill material was also required. (\$281,000\*)
  - B) Whitby Water Supply Plant (WSP): Additional work has been identified at the Whitby WSP for a new sample line, modifications to the chemical feed system, modifications to valves, pipe, pipe supports and the static mixer, and additional training and commissioning of the equipment. (\$415,000\*)

- C) Harmony Creek Water Pollution Control Plant (WPCP): Additional work has been identified at the Harmony Creek WPCP under the Phase 3 Upgrades contract to replace the waste gas burner. Although this was not included in the original scope of work, the existing waste gas burner requires significant modifications to comply with the Technical Safety and Standards Authority (TSSA) Digester, Landfill, and Biogas Approval Code and staff recommend replacement. (\$304,000\*)
- 3.2 Regional staff have identified the following new projects to be completed using available CWWF funding:
- A) Replacement of watermain on Madawaska Avenue, Sauble Street, and Quetico Avenue, in the City of Oshawa. (\$1,300,000\*)
  - B) Replacement of watermain on Laval Street, from Hillside Avenue to Laval Court, in the City of Oshawa. (\$555,000\*)
  - C) Replacement of watermain on Regional Road 52 (Thornton Road) from Champlain Road to 300 metres (m) north, in the City of Oshawa. (\$370,000\*)
- 3.3 There will be a funding shortfall of \$245,550\* for the replacement of the watermain on Madawaska Avenue, Sauble Street, and Quetico Avenue, in the City of Oshawa, project because the total savings in the CWWF projects is not sufficient to cover the entire cost of this project.

#### **4. Cathodic Protection Contract**

- 4.1 In order to meet the original CWWF project deadlines, the cathodic protection work was awarded to C.P. Systems by the Commissioners of Works and Finance as authorized in Report #2017-COW-184. Contract T-214-2016 for magnesium anodes and test stations in the Region was awarded to C.P. Systems for a three-year term with an annual value of \$480,067\*.
- 4.2 The approved CWWF program included \$2,800,000\* for cathodic protection throughout the Region. There was \$2,362,610\* spent on cathodic protection under the CWWF program in 2017. The remaining \$437,390\* under the CWWF program is scheduled to be completed in 2018, in addition to the yearly allocation of \$480,067\* included in the 2018 Water Supply System Operating Budget.
- 4.3 The upset limit on contract T-214-2016 was increased by \$2,319,934\* to a total revised upset limit of \$3,760,133\* to account for the significant increase in scope resulting from the completion of additional works under the CWWF project.

#### **5. Financial Implications**

- 5.1 Section 8.2 of the Region's Budget Management Policy requires approval of Committee of the Whole and Regional Council for unbudgeted capital work that exceeds \$25,000.

- 5.2 Financing for the shortfall related to the replacement of the watermain on Madawaska Avenue, Sauble Street, and Quetico Avenue, in the City of Oshawa, in the amount of \$245,550\* can be provided from a reallocation from the 2018 Water Supply Capital Budget Item Number 17C – Whitby Road Program (Project W1899).
- 5.3 The following table identifies the current approved project budget and the adjustments made as a result of additional project costs and the savings to date on new opportunities.

Project Title	Original Project Budget (\$000s)	Revised Project Budget (\$000s)	Surplus / (Shortfall) (\$000s)	Federal Share (\$000s)	Provincial Share (\$000s)	Durham Share (\$000s)
Watermain replacement on King Street from Arthur Street to Dunlop Street, James Street from Kings Street to Centre Street, and Ontario Street West from Henry Street to King Street, Town of Whitby (W1607)	1,500	1,241	259	621	310	310
Sanitary sewer replacement on King Street from Arthur Street to Dunlop Street, James Street from King Street to Centre Street, and Ontario Street West from Henry Street to King Street, Town of Whitby (W1607)	1,400	990	410	495	248	248
Watermain replacement crossing Highway 401 east of Brock Street, Town of Whitby (W1315)	1,600	1,600	-	800	400	400
Whitby Water Supply Plant - dechlorination equipment for backwash prior to discharge, Town of Whitby (D1703)	400	815	(415)	408	204	204
Sanitary Sewer on Regional Road 25 (Consumers Drive) extension from east of Thickson Road to Thornton Road, Town of Whitby (W1705)	1,240	882	358	441	221	221
Watermain on Regional Road 25 (Consumers Drive) extension from east of Thickson Road to Thornton Road, Town of Whitby (W1705)	1,100	1,100	-	550	275	275
Sanitary Sewer on Regional Road 52 (Thornton Road) from Champlain Avenue to Consumers Drive, Town of Whitby (D1736)	410	691	(281)	346	173	173

<b>Project Title</b>	<b>Original Project Budget (\$000s)</b>	<b>Revised Project Budget (\$000s)</b>	<b>Surplus / (Shortfall) (\$000s)</b>	<b>Federal Share (\$000s)</b>	<b>Provincial Share (\$000s)</b>	<b>Durham Share (\$000s)</b>
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Harmony Creek Water Pollution Control Plant Upgrades - Phase 3, City of Oshawa (D1523)	15,500	15,804	(304)	7,902	3,951	3,951
Oshawa Water Supply Plant - Plant #1 - Filter Rehabilitation, City of Oshawa (O1516)	3,200	3,200	-	1,600	800	800
Courtice Water Pollution Control Plant - Resource Recovery Study - Phase 2, Municipality of Clarington (D1319)	300	300	-	150	75	75
Twinning of the sanitary forcemain from Water Street Sanitary Sewage Pumping Station to the intersection of Carlan Drive and Regional Road 8 (Reach Street), Township of Scugog (S9732)	4,100	2,160	1,940	1,080	540	540
Rehabilitation of existing watermains (cement lining) (D1712 and D1733)	3,000	3,000	-	1,500	750	750
Cathodic Protection of watermains (T-214-2016)	2,800	2,800	-	1,400	700	700
Polybutylene water service connection replacement program (D1619, D1620, and D1621)	5,528	5,270	258	2,635	1,318	1,318
New: Replacement of the watermains on Madawaska Avenue, Sauble Street, and Quetico Avenue, City of Oshawa	0	1,300	(1,300)	650	325	325
New: Replacement of a watermain on Laval Street from Hillside Avenue to Laval Court, City of Oshawa	0	555	(555)	277	139	139
New: Replacement of a watermain on Regional Road 52 (Thornton Road) from Champlain Avenue to 300 metres north, City of Oshawa	0	370	(370)	185	93	93

Project Title	Original Project Budget (\$000s)	Revised Project Budget (\$000s)	Surplus / (Shortfall) (\$000s)	Federal Share (\$000s)	Provincial Share (\$000s)	Durham Share (\$000s)
Total	<u>44,078</u>	<u>44,078</u>	<u>0</u>	<u>22,039</u>	<u>11,019</u>	<u>11,019</u>

Note: Values in table may not add due to rounding.

## 6. Conclusion

- 6.1 It is recommended that the unspent funding in the amount of \$3,225,000\* from completed projects being funded under the Clean Water and Wastewater Fund be reallocated as indicated in this report.
- 6.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

**Original signed by:**

\_\_\_\_\_  
S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

\_\_\_\_\_  
G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-57  
Date: April 4, 2018

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**Subject:**

Award of Request for Proposal #347-2017 for Sewer, Storm, and Watermain Contracting Services Registry for Work at Various Locations within the Regional Municipality of Durham

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

A) That Request for Proposal #347-2017 be awarded to the six selected contractors listed below to form the registry for the provision of sewer, storm, and watermain contracting services having an estimated value of less than \$125,000 per project, for the period of three years from the date of award:

- Hard Co Construction Ltd.
- Eagleson Construction O/A 1356594 Ontario Ltd
- Broz Excavating Inc.
- Dave Boyle Excavating Ltd.
- Bry Ron Contracting Ltd
- Nick Carchidi Excavating Ltd

B) That the Commissioner of Finance be authorized to execute the necessary agreements.

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**Report:**

**1. Purpose**

1.1 The purpose of this report is to provide details and seek authorization to award

Request for Proposal (RFP) #347-2017 to the selected contractors listed in this report to form the registry for the provision of sewer, storm, and watermain contracting services having an estimated value of less than \$125,000 per project. The registry will remain in effect for a period of three years from the date of award, in accordance with the terms and conditions of the RFP.

## **2. Background**

- 2.1 The Regional Municipality of Durham (Region) has established competitively bid service registries for more than 16 years, which have been utilized to perform various infrastructure related construction projects quickly and cost effectively.
- 2.2 For work estimated at less than \$125,000, a contractor can be quickly engaged in accordance with the contract and the Region's Purchasing By-law. Once projects are assigned, payment is made on the basis of the successful completion of the work and rates competitively bid during the RFP process.

## **3. Request for Proposal #347-2017**

- 3.1 RFP #347-2017 for the provision of sewer, storm, and watermain contracting services less than \$125,000, was issued on January 8, 2018, and advertised publicly through the Region's website with a notice sent to known contractors.
- 3.2 The RFP closed on February 6, 2018. Nineteen proposals were received from the following firms of which 18 were deemed compliant:
  - Hard Co Construction Ltd.
  - Eagleson Construction O/A 1356594 Ontario Ltd
  - Brennan Paving and Construction Ltd.
  - VM Dimonte Construction Ltd.
  - Todd Brothers Contracting Ltd.
  - Dig Con International Ltd.
  - FDM Contracting Co. Ltd.
  - Elirpa Construction and Materials Ltd
  - N.S.J. Waterworx Group Inc.
  - Broz Excavating Inc.
  - KAPP Contracting Inc.



- Gio Crete Construction Ltd.
- Dave Boyle Excavating Ltd.
- Esposito Bros. Construction Ltd.
- Vic's Group Inc.
- Trisan Construction O/A 614128 Ontario Ltd
- Hard Rock Sewer and Watermain Ltd.
- Bry Ron Contracting Ltd
- Nick Carchidi Excavating Ltd

3.3 The evaluation team was comprised of staff from the Region's Works Department including representatives of Construction Management Services. The Purchasing Section of the Finance Department oversaw the evaluation process.

3.4 The proposals were evaluated against the following evaluation criteria:

- Company Background Qualifications and Experience (20 per cent);
- Vehicles, Equipment and Other Resources (20 per cent);
- Organization & Key Personnel Qualifications & Experience (20 per cent);
- Quality Control and Assurance (15 per cent);
- Pricing (25 per cent); and
- References (Pass/Fail).

3.5 The RFP allowed for selection of up to six of the highest scoring respondents.

3.6 As a result, the evaluation team recommends the following six contractors for the provision of sewer, storm, and watermain contracting services less than \$125,000 as stipulated in RFP #347-2017.

- Hard Co Construction Ltd.
- Eagleson Construction O/A 1356594 Ontario Ltd
- Broz Excavating Inc.

- Dave Boyle Excavating.Ltd.
- Bry Ron Contracting Ltd
- Nick Carchidi Excavating Ltd

#### **4. Financial Implications**

- 4.1 Section 10.4 of the Region's Purchasing By-law #68-2000 (Amended) requires the approval of the Committee of the Whole and Regional Council for the award of contracts where proposals are used and the total value will exceed \$125,000.
- 4.2 Financing for services procured from the sewer, storm, and watermain contracting services registry will be available from the approved operating and capital budgets for sewer, storm, and watermain contracting services.

#### **5. Conclusion**

- 5.1 It is recommended that Request for Proposal #347-2017 be awarded to the six contractors listed within this report to form the Regional Municipality of Durham's Sewer, Storm, and Watermain Contracting Services Registry for a term beginning upon Council approval, and ending three years thereafter, in accordance with the terms and conditions of the Request for Proposal.
- 5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

Respectfully submitted,

**Original signed by:**

---

S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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G.H. Cubitt, MSW  
Chief Administrative Officer



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-58  
Date: April 4, 2018

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**Subject:**

Interim Improvements – Harmony Road / Bloor Street Intersection, City of Oshawa

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That a copy of this report be forwarded to the Honourable Kathryn McGarry, Ontario Minister of Transportation, as a request to the Province of Ontario to:
- i) Examine and implement interim improvements at the Highway 401 / Harmony Road / Bloor Street interchange in the immediate term, to address the poor level of service at the intersection of Harmony Road and Bloor Street; and
  - ii) Identify the ultimate planned reconstruction of the Highway 401 / Harmony Road / Bloor Street interchange as a priority construction project in the Ontario Ministry of Transportation's 10-year capital plan.
- B) It is also recommended that a copy of this report be forwarded to Jennifer K. French, MPP (Oshawa) and Granville Anderson, MPP (Durham).
- 

**Report:**

**1. Purpose**

- 1.1 This report has been prepared in response to Regional Municipality of Durham (Region) Council direction of November 8, 2017, requesting staff to report back to Regional Council on an interim solution for improving traffic operations at the intersection of Harmony Road (Regional Road 33) and Bloor Street (Regional Road 22), in the City of Oshawa (Oshawa).

**2. Background**

- 2.1 The intersection of Harmony Road and Bloor Street (Intersection) is under the jurisdiction of the Ontario Ministry of Transportation (MTO). Figure 1 displays the limits

of MTO's jurisdiction in the vicinity of the Intersection and the current configuration of its interchange with Highway 401 (Interchange). Current MTO jurisdiction on Harmony Road extends 175 metres (m) north of the Bloor Street north side curb line.

**Figure 1: MTO Jurisdiction and Current Interchange Configuration (MTO, 2015)**



- 2.2 Harmony Road is a “Type A” arterial road through Oshawa, connecting to Highway 401 and Highway 407. Bloor Street is also a “Type A” arterial road, acting as a service road for Highway 401. Both roads are planned to accommodate large volumes of traffic, including truck traffic. Land use in the vicinity of the intersection is urban, predominantly low density residential. Sidewalks are located on both sides of Harmony Road and on the north side of Bloor Street. The intersections of Harmony Road at Bloor Street and Harmony Road at Olive Avenue (800 m north of Bloor) are signalized. The south leg of the Intersection is part of the partial Interchange with Highway 401.
- 2.3 In the vicinity of the Intersection, Harmony Road and Bloor Street carry approximately 29,000 and 18,000 vehicles per day, respectively. Site observations and traffic camera monitoring show the morning peak hour occurring typically from 8:00 a.m. to 9:00 a.m., and the evening peak hour occurring from 5:15 p.m. to 6:15 p.m.
- 2.4 The Intersection operates under congested conditions during the weekday morning and afternoon peak periods on a recurring basis. On weekday mornings, southbound-through motorists from Harmony Road and westbound left-turning motorists from Bloor Street experience significant delay in accessing the westbound Highway 401 on-ramp. Similarly, on weekday early evenings, motorists exiting Highway 401 and proceeding to turn eastbound left from Bloor Street to Harmony Road also experience significant delay. Table 1 summarizes the delay (95th percentile) currently experienced by motorists at the intersection, as modelled for the typical hourly traffic volumes clearing the intersection during weekday peak periods.



**Table 1 – Existing Delay Estimates**

<b>Movement</b>	<b>Delay (seconds per vehicle)</b>	<b>Volume (vehicles per hour)</b>
Southbound Through (a.m.)	80	585
Westbound Left (a.m.)	297	527
Eastbound Left (p.m.)	136	975

- 2.5 A review of the five-year collision history on Harmony Road between Bloor Street and Olive Avenue indicated 141 collisions, including 66 (47 per cent) that involved southbound rear end collisions/movements. This rear end collision pattern is an overrepresentation of expected conditions.
- 2.6 MTO completed an Environmental Assessment in 2015 that proposed a reconstruction of the Interchange. Key improvements as illustrated in Figure 2 include:
- A) A new southbound Harmony Road to westbound Highway 401 on-ramp. This movement is designed to be free flow, allowing southbound Harmony Road traffic to bypass signalized control at the Intersection of Bloor Street;
  - B) A new westbound Bloor Street to westbound Highway 401 on-ramp that would allow westbound Bloor Street traffic to forego the signalized Intersection at Harmony Road; and
  - C) Replacement of the existing Highway 401 eastbound off-ramp with a new ramp that would significantly reduce the eastbound left turn traffic volumes at the Harmony/Bloor intersection and redirect exiting Highway 401 motorists to the south leg of the Intersection.

**Figure 2: Proposed Interchange Reconstruction (MTO, 2015)**

- 2.7 Relevant to traffic operations at the Intersection, the Region's 10-year forecast includes the following projects forecasted for 2025 construction at a total cost of approximately \$24.2 million:
- Widening of Bloor Street to four/five lanes, from east of Harmony Road easterly to Grandview Street;
  - Grade separation of the Canadian Pacific (CP) rail west of Grandview Street. Regional staff have requested Metrolinx to include this work as part of their GO Transit (GO) rail extension easterly to Bowmanville, in the Municipality of Clarington, with appropriate cost-sharing, but to date there has not been agreement from Metrolinx;
  - Realignment of Bloor Street east of Harmony Road to remove the horizontal curve and facilitate the new Highway 401 on/off-ramp proposed by MTO; and
  - Associated structural requirements at Farewell Creek and Harmony Creek.
- 2.8 In order to avoid substantial throwaway costs and to ensure interagency coordination, scheduled timelines for the above projects are influenced by current forecasts for both Metrolinx's GO rail extension and MTO's anticipated reconstruction of the Interchange.

### **3. Interim Actions by the Region**

- 3.1 As previously noted, the jurisdiction for road improvements at the Intersection remains exclusively with MTO. However, recognizing that even interim interchange modifications could be three to five years away, Regional staff are continuing to carry out routine operations and have planned further actions:
- As per the agreement between MTO and the Region that requires the Region to carry out all signage and pavement marking operations, Regional staff continue to review and upgrade existing traffic signage and pavement markings where appropriate.
  - In an attempt to influence driver behaviour and reduce the frequency of southbound rear end collisions on Harmony Road, Regional staff are considering options for a Queue End Warning System (QWS) and speed display devices. The purpose of the QWS is to advise southbound Harmony Road motorists of the potential for stopped vehicles ahead.
  - Staff in the Region's Traffic Operations Centre (TOC) routinely monitor intersection operations and implement signal timing adjustments accordingly. Most recently, signal operations at the subject Intersection were reviewed and further optimized to reflect heavy southbound and westbound left turn movements during the morning peak period. Staff will continue to seek opportunities to optimize signal timings, including modified phasing and associated systems and infrastructure improvements.

- 3.2 It is recognized that the above noted Regional actions will not provide sustainable solutions to existing traffic operations concerns at the Intersection beyond the near term, as they do not address the capacity constraint on the south leg of the Intersection which represents the critical “bottleneck” at this location.

#### **4. Advancing the Interchange Reconstruction**

- 4.1 The proposed reconstruction of the Interchange by MTO represents the most effective solution to improving traffic operations at the Intersection, as it would provide relief to all critical movements. Specifically, traffic entering Highway 401 westbound in the morning peak period that currently relies on a single lane ramp would benefit from multiple access points. It is also expected that eastbound traffic exiting Highway 401 and accessing Harmony Road or Bloor Street during the afternoon peak period would experience far less delay. However, the proposed reconstruction is not currently funded or scheduled in MTO's immediate (five-year) or medium (10-year) term plans.
- 4.2 It is acknowledged that the planned ultimate reconstruction of the Interchange involves relatively expensive and long-term actions, including property acquisition. Therefore, while the timing for the ultimate reconstruction is firmed up, an interim improvement to the Interchange is both necessary and feasible.
- 4.3 A new southbound Harmony Road to westbound Bloor Street on-ramp (shown as A [ramp] in Figure 2) would be feasible as an effective interim solution, with minimal or no property acquisition requirements and relatively low throwaway costs. Simulation modelling conducted by staff suggests that providing such alternate access (or variations on this option) to the highway for southbound Harmony Road and westbound Bloor Street motorists would be effective in mitigating traffic operations concerns within the immediate area of the Intersection.
- 4.4 Recognizing this, over the last four months Regional staff have:
- Engaged MTO staff to advance dialogue on the feasibility of interim improvements to the Interchange, in advance of the planned ultimate reconstruction.
  - Requested in writing that the MTO consider immediate interim Interchange improvements to address traffic operations at the Intersection, and identify the proposed ultimate Interchange reconstruction project as a priority in their capital plan. MTO staff have since expressed support to the request.
  - Reiterated the request in a delegation to the Ontario Minister of Transportation at the February 2018 Ontario Good Roads Association.
- 4.5 The initial response to the Region's actions from MTO has been positive. Regional staff will continue to work closely with MTO staff to further advance this matter.

## **5. Conclusion**

- 5.1 Modifications are required and planned in order to address the traffic operations concerns at the Highway 401 and Harmony Road / Bloor Street interchange. Outstanding design work, property acquisition, and funding commitment by the Ministry of Transportation prevent completion of the planned interchange reconstruction in the immediate term.
- 5.2 Regional staff will continue to apply operational improvements where possible to improve traffic operations at the Harmony Road / Bloor Street intersection.
- 5.3 Simultaneously, staff will continue to engage the Ministry of Transportation to seek commitment on potential interim improvements and ultimate reconstruction of the interchange. To reiterate this request, it is recommended that a copy of this report be forwarded to the Honourable Kathryn McGarry, Ontario Minister of Transportation. It is also recommended that a copy of this report be forwarded to Jennifer K. French, MPP (Oshawa) and Granville Anderson, MPP (Durham).

Respectfully submitted,

### **Original signed by:**

---

S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

### **Original signed by:**

---

G.H. Cubitt, MSW  
Chief Administrative Officer





## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2018-COW-72  
Date: April 4, 2018

---

### **Subject:**

Revisions to the Mattamy (Seaton) Limited Subdivision Agreement

---

### **Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That the necessary revisions be made to the Seaton-Specific Standard Subdivision Agreement to allow Phase 1 of the Mattamy (Seaton) Limited Plan of Subdivision to proceed as follows:
- i) Mattamy (Seaton) Limited be allowed to register the first phase of their Plan of Subdivision once the construction contract(s) for Whites Road (Regional Road 38) sanitary sewer and water supply works, up to the north side of Highway 407, and the earthworks for Whites Road, and the Regional Subdivision Agreement are fully executed;
  - ii) Mattamy (Seaton) Limited be provided with the required sanitary sewer and water connection permits for their Phase 1 subdivision, provided that, a letter of credit security for 100 per cent of all of the remaining Whites Road works is given to the Region, the Toronto and Region Conservation Authority is satisfied with the erosion and sediment control plans for the Whites Road earthworks, and all other requirements of the Regional Subdivision Agreement have been met; and
- B) That the Regional Chair and Clerk be authorized to execute the resulting Subdivision Agreement with Mattamy (Seaton) Limited.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to seek approval to prepare and execute a

Subdivision Agreement for Phase 1 of the Mattamy (Seaton) Limited (Mattamy) Plan of Subdivision which differs from the Seaton-Specific Standard Subdivision Agreement.

## **2. Background**

- 2.1 Committee of the Whole Report# 2017-COW-143 (Attachment #1) approved a Seaton-Specific Standard Subdivision Agreement.
- 2.2 Mattamy has requested, through a letter from the Landowners' Trustee (the Trustee) for the Seaton Phase 1 Regional Infrastructure Front Ending Agreement (the RFEA) (Attachment #2), certain relief from the requirements of the RFEA and the Seaton-Specific Standard Subdivision Agreement. In addition, the Trustee confirms that all future phases of the Mattamy subdivision, as well as all of the other Landowners' Plans of Subdivision will continue to follow the Seaton-Specific Standard Subdivision Agreement approach described in Report #2017-COW-143 (Attachment #1).

## **3. Whites Road (Regional Road 38) Landowner Constructed Works Contracts**

- 3.1 The RFEA requires that the identified Employment Lands Works must be in executed construction contracts prior to certain subdivision approvals being provided. All of these Employment Lands Works are in construction contracts with the exception of works required within Whites Road, north of Taunton Road (Regional Road 4).
- 3.2 Based on the detailed design and approvals, the RFEA Landowners have proposed that the Landowner Constructed Works required on Whites Road will occur over several construction contracts.
- 3.3 The first construction contract for the required tree clearing along Whites Road is nearing completion.
- 3.4 The second construction contract will include the sanitary sewer and water supply works, up to the north side of Highway 407, and all of the earthworks required for the road construction works.
- 3.5 A final contract will be required to construct the balance of the works, which is primarily the construction of the Whites Road extension.
- 3.6 It is estimated that the Whites Road works construction will commence in 2018 and be completed in 2019 subject to all the necessary approvals and performance of the contractor.

#### **4. Specific Mattamy Subdivision Agreement Revisions**

- 4.1 The current Seaton-Specific Standard Subdivision Agreement requires that the sanitary sewer and water supply works required to service the Employment Lands be in an executed construction contract prior to the registration of any Plan of Subdivision, and that the construction of Whites Road be in an executed construction contract prior to the issuance of Regional connection permits for the lots within the registered Plans of Subdivision.
- 4.2 Mattamy has requested that these requirements be revised as follows:
- i) Mattamy be allowed to register the first phase of their Plan of Subdivision once the Whites Road sanitary sewer and water supply works, up to the north side of Highway 407, and the earthworks for Whites Road are in a signed construction contract and the Regional Subdivision Agreement is fully executed.
  - ii) In exchange for providing a letter of credit security for 100 per cent of all of the remaining Whites Road works, Mattamy will be provided with the required sanitary sewer and water connection permits for Phase 1, provided that the Toronto and Region Conservation Authority (TRCA) is satisfied with the erosion and sediment control plans for the Whites Road earthworks and all other requirements of the Regional Subdivision Agreement have been met.

#### **5. Financial Implications**

- 5.1 The proposed letter of credit from Mattamy will ensure that 100 per cent percent of all of the remaining Whites Road (Regional Road 38) sanitary sewer, water supply works and road works will be fully constructed in order to ensure that the servicing of the Seaton Employment Lands is provided concurrently with the residential development.

#### **6. Conclusion**

- 6.1 It is recommended that the revisions discussed in this report be incorporated into the Subdivision Agreement for Phase 1 of the Mattamy (Seaton) Limited Plan of Subdivision.
- 6.2 This report has been reviewed by the Legal Services Division of the Corporate Services Department and the Finance Department.

#### **7. Attachments**

Attachment #1: Committee of the Whole Report 2017-COW-143

Attachment # 2: Correspondence dated March 27, 2018, from North Pickering Community Management Inc. care of Andrew Orr, President/Trustee regarding Regional Infrastructure Front Ending Agreement

Respectfully submitted,

**Original signed by J. Presta, P.Eng.**

for:

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S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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G.H. Cubitt, MSW  
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



## The Regional Municipality of Durham Report

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To: The Committee of the Whole  
From: Commissioner of Works  
Report: #2017-COW-143  
Date: June 7, 2017

---

**Subject:**

Revisions to the Seaton-Specific Standard Subdivision Agreement

---

**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That the following revisions be made to the Seaton-Specific Standard Subdivision Agreement:
  - a. The requirement that the works needed to service the employment lands must be tendered, awarded and all approvals in place prior to the registration of any subdivision agreement be revised to allow registration of subdivision agreements prior to the Whites Road (Regional Road 38) road works being tendered, awarded and all approvals being in place and, instead, withhold Regional sanitary sewer and water connection permits until this criterion is met;
  - b. The requirement that the road works related to the extension of Concession 3 (Rossland Road) into Seaton must be tendered, awarded and all approvals in place "prior to the registration of any subdivision agreement" be revised to "prior to the registration of any residential subdivision agreement north of Taunton Road (Regional Road 4)";
- B) That the Regional Solicitor be directed to prepare a by-law to authorize the Regional Chair and Clerk to execute Seaton Phase 1 subdivision agreements provided that they are in the revised standard form.

---

**Report:****1. Purpose**

- 1.1 The purpose of this report is to seek approval to revise the Seaton-Specific Standard Subdivision Agreement.

**2. Background**

- 2.1 Works Committee Report 2016-W-62 (Attachment #1) approved a standard Seaton-Specific Subdivision Agreement.
- 2.2 Since that time, the design and implementation of the Seaton community has advanced significantly and more information has become available. This additional information has led to requests from the Landowner Group to revise the standard subdivision agreement.

**3. Specific Revisions**

- 3.1 The following Seaton specific concept was stated in Report 2016-W-62:

*“The works required to service the employment lands adjacent to the future Whites Road interchange must be tendered, awarded and all approvals in place prior to the registration of any subdivision agreement.”*

- 3.2 This requirement stems from the Seaton Phase 1 Regional Infrastructure Front Ending Agreement (RFEA) which states that the works required to service the employment lands must be tendered, awarded and all approvals in place prior to the Region allowing one of the following:
- (i) Clearance for the registration of any plan of subdivision;
  - (ii) Signing of a subdivision or servicing agreement; or
  - (iii) Permitting the connection by a landowner to any Regional services
- 3.3 Constructing sanitary sewage and water supply services to the employment lands is more critical to the Region and the City of Pickering than the construction of Whites Road because the employment lands already have road access from Highway 7. In an effort to service the employment lands with sanitary sewer and water supply services as quickly as possible, the Landowner Group has separated the Whites Road construction works from the sanitary sewer and water supply construction contracts to advance the employment land servicing.
- 3.4 In exchange for facilitating this servicing change, the Landowner Group has requested that the Region revise the Seaton-Specific Subdivision Agreement to enforce item (iii) rather than item (i), above, with respect to the Whites Road construction works. The sanitary sewer and water supply construction works will

continue to be subject to item (i), above. This will allow the Landowners to continue with their home construction schedule while aiding the Region and the City of Pickering in servicing the employment lands.

- 3.5 The following Seaton specific requirement was also stated in Works Committee Report #2016-W-62:

*“The RFEA Landowners must produce a construction staging plan and the Region must approve this plan. This process has led to a subdivision agreement requirement that the road works related to the extension of Concession 3 (Rossland Road) into Seaton must be tendered, awarded and all approvals in place prior to the registration of any subdivision agreement.”*

- 3.6 The design and approvals process for the road works extension of Concession 3 into Seaton has proven very difficult. Issues still being addressed are:

- (i) The crossing of the Ganatsekaigon Creek (Redside Dace habitat) with either a bridge or a culvert which must be constructed underneath the Hydro One Networks Inc. high voltage transmission lines;
- (ii) A grade separated bridge crossing of the CP rail line, including coordination with Metrolinx and their long term plans for this rail line; and
- (iii) The crossing of an Enbridge pipeline with a sanitary sewer and a significant road embankment.

The Landowner Group continue to work towards resolving these matters.

- 3.7 All of these issues have led the Landowner Group to request that they be allowed to register the plans of subdivision south of Taunton as well as the commercial block on the north side of Taunton prior to these road works being tendered, awarded and having all approvals in place. The sanitary sewer (there are no water supply works) construction works within this road extension will continue to be subject to the original criterion.

#### **4. Conclusion**

- 4.1 It is recommended that the revisions discussed in this report be incorporated into the Seaton-Specific Standard Subdivision Agreement.
- 4.2 This report has been reviewed by the Legal Services Division of the Corporate Services Department and the Finance Department.

**5. Attachments**

Attachment #1: Works Committee Report 2016-W-62

Respectfully submitted,

**Original signed by:**

---

S. Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

---

G.H. Cubitt, MSW  
Chief Administrative Officer



If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



## The Regional Municipality of Durham Report

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To: The Works Committee  
From: Commissioner of Works  
Report: #2016-W-62  
Date: May 25, 2016

---

**Subject:**

Seaton-Specific Standard Subdivision Agreement

---

**Recommendations:**

That subject to the approval of the Finance and Administration Committee (Recommendations A, and B), the Works Committee recommends to Regional Council:

- A) That the Seaton-specific standard Subdivision Agreement (Attachment #1) be approved for use within Seaton Phase 1; and
  - B) That the Regional Solicitor be directed to prepare a by-law to authorize the Regional Chair and Clerk to execute Seaton Phase 1 subdivision agreements provided that they are in the standard form.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to seek approval to standardize the subdivision agreement to be used within Phase 1 of the Seaton community. Changes to the Regional Municipality of Durham's (Region) standard subdivision agreement are required to address:

- The Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law.
- All commitments made by the parties within the Seaton Phase 1 Regional Infrastructure Front Ending Agreement (RFEA).

**2. Background**

- 2.1 Development Charges (DCs) for water supply and sanitary sewerage services within the Seaton community have always been recognized as being unique within the Region. As such, these services have always been excluded from the Region-

wide DC by-law with the intent that an area specific approach would be more appropriate for these services in Seaton. In April 2013, Regional Council gave final approval to the Seaton Water Supply and Sanitary Sewerage Service Area Specific (ASDC) Development Charge Background Study and By-law.

- 2.2 Phase 1 of the Seaton Community, representing 9,800 single detached equivalent (SDE) residential units and 200 acres of prestige employment lands, in north Pickering has been in the planning stages for many years. The planning culminated in the Region signing the Seaton Phase 1 RFEA in late 2015.
- 2.3 The RFEA imposes commitments, on both the Region and the Landowners, which need to be included in the subsequent subdivision agreements between the Region and the individual landowners as they register each phase of their plans of subdivision.

### **3. Seaton Specific Concepts**

- 3.1 Several concepts in the ASDC and the RFEA need to be included in the Seaton-specific standard subdivision agreement. These include:
  - The water supply and sanitary sewerage ASDC service components and unit rates.
  - The works required to service the employment lands adjacent to the future Whites Road interchange must be tendered, awarded and all approvals in place prior to the registration of any subdivision agreement.
  - The RFEA Landowners must produce a construction staging plan and the Region must approve this plan. This process has led to a subdivision agreement requirement that the road works related to the extension of Concession 3 (Rossland Road) into Seaton must be tendered, awarded and all approvals in place prior to the registration of any subdivision agreement.
  - The RFEA Trustee must provide written instructions on the use of Water Supply, Sanitary Sewerage and Road Development Charge credits to be included in the subdivision agreement.
  - If insufficient Water Supply, Sanitary Sewerage and Road Development Charge credits are available at the time of the subdivision agreement and more are known to be forthcoming, the subdivider can post a letter of credit for the shortfall until such time as credits become available.
  - The RFEA Trustee must provide written instructions to assign the fraction of the 9,800 SDE water supply and sanitary sewage capacity through the subdivision agreement.

Report #2016-W-62

Page 3 of 3

- The RFEA Trustee must provide written instructions regarding the proportion of the \$9 million voluntary transit payment to be made within the subdivision agreement.
  - The Region Share Policy can only apply to the road works since there is a Seaton Area Specific Development Charge By-law for sanitary sewerage and water supply works which does not include a Region Share Policy.
- 3.2 All of these concepts have been addressed in the attached Seaton-specific standard subdivision agreement

#### **4. Conclusion**

- 4.1 It is recommended that the Seaton-specific standard Subdivision Agreement (Attachment #1) be approved for use within Seaton Phase 1.
- 4.2 This report has been reviewed by the Legal Services Division of the Corporate Services Department and the Finance Department.

#### **5. Attachments**

Attachment #1: Seaton Specific Standard Subdivision Agreement

Respectfully submitted,

*Clifford Curtis*

---

C.R. Curtis, P.Eng., MBA  
Commissioner of Works

Recommended for Presentation to Committee

*Garry Cubitt*

---

G.H. Cubitt, MSW  
Chief Administrative Officer

SUBDIVISION AGREEMENT  
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Legal File AGT-  
Works File

**SUBDIVISION AGREEMENT**

This Agreement dated \_\_\_\_\_, 2016 is made

BETWEEN:

\_\_\_\_\_  
(the "Subdivider")

- and -

THE REGIONAL MUNICIPALITY OF DURHAM  
(the "Region")

- and -

\_\_\_\_\_  
(the "Encumbrancers")

**RECITALS****WHEREAS:**

- (a) The Subdivider is the registered owner of the Lands;
- (b) The Subdivider warrants the Encumbrancers are the only Encumbrancers of the Lands;
- (c) The Draft Plan of Subdivision was approved the City of Pickering subject to the terms and conditions contained in Schedule B; and
- (d) The 40M-Plan will not be registered until the terms and conditions of draft plan approval herein contained have been met, pursuant to Section 51 of the *Planning Act*.

NOW THEREFORE the Subdivider, the Region and the Encumbrancers agree as follows:

**INTERPRETATION****Definitions**

- 1. In this Agreement and in the recitals above,
  - (a) "Agreement" means this subdivision agreement and all referenced Schedules including the drawings referenced in the definition of "Works" which shall all inclusively be considered the complete and entire Agreement.
  - (b) "Allocation of Capacity Schedule" shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
  - (c) "Commissioner" means the Commissioner of Works for the Regional Municipality of Durham or his/her designate.
  - (d) "Completion Acceptance Letter" means the letter described in Section 14.

## Attachment #1 to Report #2018-COW-72

- (e) **"Development Charges Letter of Credit"** means the letter of credit described in Section 24.
- (f) **"Final Acceptance Letter"** means the letter described in Section 15.
- (g) **"Lands"** means the lands legally described as \_\_\_\_\_ in the City of Pickering in the Regional Municipality of Durham.
- (h) **"Performance and Maintenance Letter of Credit"** means the letter of credit or surety bond described in Section 36.
- (i) **"Plan"** means the draft M-Plan.
- (j) **"Region"** means The Regional Municipality of Durham acting as a body corporate and, where the context requires, includes all employees, officers, servants and agents of The Regional Municipality of Durham.
- (k) **"Regional Attribution Water Supply DC Prepayment"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (l) **"Regional Attribution Sanitary Sewerage DC Prepayment"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (m) **"Regional Front-Ending Agreement"** means the front-ending agreement for the first phase of Seaton executed by the parties identified on Schedule "J" and dated November 26, 2015.
- (n) **"Roads Development Charges"** means development charges in accordance with the *Development Charges Act, 1997*, as amended, and the terms of the Regional Front-Ending Agreement, towards the Regional Roads component of the total development charges payable from time-to-time.
- (o) **"Regional Roads DC Act Credits"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (p) **"Regional Sewage System"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (q) **"Regional Water System"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (r) **"Sanitary Sewerage DC Act Credits"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (s) **"Seaton Landowners"** shall mean those parties identified on Schedule "K".
- (t) **"Single Detached Equivalent Units"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (u) **"Trustee"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (v) **"Water DC Act Credits"** shall have the meaning ascribed to it in the Regional Front-Ending Agreement.
- (w) **"Works"** means all of the sanitary sewers and appurtenances, sanitary sewer connections, watermains and appurtenances, water service connections, Regional storm sewers and appurtenances, Regional storm sewer connections, and Regional road work to be installed as shown on the engineering drawings titles as \_\_\_\_\_ and

upon contractual agreement between the parties shall be available at the Works Department of the Region for viewing and includes the removal of any existing services as noted on such drawings.

#### **Schedules**

2. The following Schedules are attached to and form part of this Agreement:

Schedule A	Solicitor's Certificate of Ownership of the Lands
Schedule B	City of Pickering's Conditions for Draft Plan Approval
Schedule C	List of Lots for which Development Charges are Paid
Schedule D	Estimated Cost of the Works
Schedule E	Calculation of Performance Guarantee
Schedule F	Lands, Easements or Licences to be Conveyed or Transferred to the Region
Schedule G	Special Conditions
Schedule H	Region's Policy on Cost Sharing of Services
Schedule I	Contact Information for Prime Contractor
Schedule J	List of Parties to the Regional Front-Ending Agreement
Schedule K	List of the Seaton Landowners
Schedule L	Trustee Notice

#### **References**

3. References in this Agreement to Sections and Schedules are to Sections and Schedules in this Agreement.

#### **Extended Meanings**

4. This Agreement shall be read with all changes in gender or number as the context may require.

#### **Subdivider's Expense**

5. Every provision of this Agreement by which the Subdivider is obligated in any way shall be deemed to include the words "at the expense of the Subdivider" unless the context otherwise requires.

#### **REGIONAL FRONT-ENDING AGREEMENT ARRANGEMENTS**

6. The subdivider acknowledges and confirms all its commitments, requirements and obligations set-out in the Regional Front-Ending Agreement, both general and specific, and the Subdivider acknowledges and agrees that nothing herein shall modify, cancel, relieve or diminish any such commitments, requirements or obligations except as may be expressly set out herein.
7. The Subdivider shall obtain from the Trustee and provide to the Region, with the request to enter into a subdivision agreement, notice, in the form attached as Schedule "L" and otherwise in a form satisfactory to the Region, which notice shall irrevocably advise, warrant, certify and confirm the following matters to the Region with regard to the Plan:

**Attachment #1 to Report #2017-COW-143**

- (a) as described in sections 7.3.2 and 8.1.9 of the Regional Front-Ending Agreement, the amount of Road DC Act Credits, Sanitary Sewerage DC Act Credits and Water DC Act Credits that are available and being applied to the Subdivider's Plan;
- (b) as described in section 12.3.3 of the Regional Front-Ending Agreement, that portion of the 9800 Single Detached Equivalent Units allocation of capacity in the Regional Water System and the Regional Sewage System provided to the Subdivider and:
  - i. that the Subdivider is in good standing and is not in any financial default under the Regional Front-Ending Agreement or any landowner cost-sharing agreement or agreements; and
  - ii. that the lots or units in the plan of subdivision or plan of condominium are consistent with the Allocation of Capacity Schedule;
- (c) as described and identified in section 14.1.1 of the Regional Front-Ending Agreement, and in particular the Subdivider's share of the transit contribution described therein; and
- (d) the matters in section 7.3.2 of the Regional Front-Ending Agreement.

**REGIONAL SERVICES****Design and Installation**

- 8. (1) In this Section, "plans" means the plans, profiles, contours, surveys and other engineering reports, materials, drawings, data and investigations required to complete the design and installation of the Works.
- (2) The Owner shall be responsible for the preparation of all plans and the installation of all Works. The plans shall be prepared and the installation of the Works shall be undertaken in accordance with all applicable federal, provincial and municipal laws, by-laws, rules, regulations, standards and other governmental requirements and the Design and Construction Specifications for Regional Services. Where no materials are specified in the Design and Construction Specifications for Regional Services, the materials shall be approved by the Region prior to the installation of the Works.
- (3) At the request of the Region, the Owner shall make all necessary changes or deletions to the plans and the scope of the Works shall be adjusted accordingly.

**Authorization to Commence Work**

- 9. The Subdivider shall not commence the installation of the Works without written permission from the Region. Such permission shall not be given until,
  - (a) all monies, securities and insurance policies required by this Agreement have been delivered to the Region;
  - (b) this Agreement has been registered against title to the Lands;
  - (c) the lands and easements set out in Schedule F have been conveyed to the Region; and
  - (d) the Subdivider has obtained all necessary approvals for the installation of the Works.



**Attachment #1 to Report #2017-COW-143****Additional Work**

10. If at any time prior to completing the installation of the Works the Region is of the opinion that additional Regional services are necessary to service the Lands or that existing Regional services need to be removed from the Lands, the Subdivider shall install or remove such services at the request of the Region.
11. The Subdivider's cost of any additional regional road services, Regional storm sewer works and appurtenances and shared stormwater management facility shall be calculated in accordance with Schedule H and for the purposes of Schedule H and the Cost Sharing Policy for Regional Services the Subdivider is deemed to be the minimum sizer in all cases. For greater clarity the provisions of Schedule H and the Cost Sharing Policy for Regional Services do not apply to water and sanitary sewer works identified in an area specific development charges by-law applicable to the Lands.

**Completion of the Works**

12. The completion dates for the installation of the Works shall be as follows:
  - (a) All regional underground services on or before \_\_\_\_\_
  - (b) Base course asphalt on Regional roads on or before \_\_\_\_\_
  - (c) Surface course asphalt and sodding on Regional roads on or before \_\_\_\_\_
13. If the Subdivider fails to complete the installation of the Works by such dates, the Subdivider shall pay to the Region, as predetermined liquidated damages, the sum of one hundred dollars (\$100.00) per day beyond the completion date for every hundred thousand dollars worth of uncompleted work unless the Subdivider has been prevented from so doing by reason of strike, lock-out, material shortages, or natural calamities beyond the reasonable control of the Subdivider.
14. After the Works have been installed to the satisfaction of the Region, the Region shall issue a Completion Acceptance Letter confirming completion of the Works and the commencement date for the Maintenance Period.

**Maintenance of the Works**

15. The Subdivider shall maintain the Works for a minimum period of two (2) years. At the conclusion of the maintenance period, the Region shall re-inspect the Works and, if acceptable, the Region shall issue the Final Acceptance Letter confirming such acceptance and the termination of the maintenance period. Upon the issuance of the Final Acceptance Letter, the Region shall assume ownership of, and all operation and maintenance responsibilities for, the Works.

**"As Recorded" Drawings**

16. Prior to the issuance of the Final Acceptance Letter, the Subdivider shall submit to the Region, complete in accordance with Regional standards, "as recorded" drawings for the Works.

**Emergency Repairs**

17. The Region may enter upon the Lands at any time for the purpose of making emergency repairs to any of the Works. In such situation the Region shall not be deemed to have accepted any of the Works or assumed any liability in connection with the Works.

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**Restoration of Roads**

18. The Subdivider shall be responsible for the clean-up and repair of all Regional and local roads, including boulevards, which become dirty or damaged as a result of the installation of the Works. Within 48 hours of verbal notification to the Subdivider by the Region, the Subdivider shall undertake such works as are necessary to clean-up or repair the roads. In the event the Subdivider fails to comply, the Region may arrange for the necessary work to be undertaken at the expense of the Subdivider. At the Region's discretion and without further notice to the Subdivider, the monies for these works may be drawn or claimed against any financial securities filed with the Region in accordance with Section 36.

**FINANCIAL MATTERS****Cost of the Works**

19. (a) The Subdivider's Cost of the regional road services, Regional storm sewer works and appurtenances and shared stormwater management facilities shall be calculated in accordance with the Cost Sharing Policy for Regional Services contained herein at Schedule H and for the purposes of Schedule H and the Cost Sharing Policy for Regional Services the Subdivider is deemed to be the minimum sizer in all cases. The estimated Subdivider's cost is as set out herein at Schedule D. The Region will finance the balance of the cost, that is, the difference between the total cost and the Subdivider's cost. The Region's estimated cost of the Works is as set out herein at Schedule D. For greater clarity, the provisions of Schedule H and the Cost Sharing Policy for Regional Services do not apply to water and sanitary sewer works identified in an area specific development charges by-law applicable to the Lands.
- (b) After the construction of the Works is complete and the Region has issued a Completion Acceptance Letter, the Region will reimburse the Subdivider, upon receipt of an invoice and a Statutory Declaration for the Region's share of the cost of the Works. Included with the invoice shall be all pertinent data and calculations, including copies of the tender(s) used to determine the Region's share.

**Development Charges**

20. The Subdivider shall pay to the Region, Regional development charges for each dwelling unit within the Plan at the rate in effect at the time payment is made in accordance with the Region's development charge by-laws. The development charges calculated as of the date of this Agreement are as follows:

**(a) Sanitary Sewerage Services****i. Seaton Landowner Constructed Sanitary Sewerage**

_____ Single and Semi Detached @ \$2,438.00/unit	\$ _____
_____ Medium Density Multiples @ \$1,933.00/unit	\$ _____
_____ Apartments @ \$1,113.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____
Less Applicable Credits Identified in Schedule L	(\$ _____)
<b>Total:</b>	\$ _____

**ii. Regional Seaton Specific Sanitary Sewerage**

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_____ Single and Semi Detached @ \$1,320.00/unit	\$ _____
_____ Medium Density Multiples @ \$1,047.00/unit	\$ _____
_____ Apartments @ \$604.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____
Less Applicable Credits Identified in Schedule L	(\$ _____)
<b>Total:</b>	\$ _____

## iii. Regional Attribution Sanitary Sewerage

_____ Single and Semi Detached @ \$2,085.00/unit	\$ _____
_____ Medium Density Multiples @ \$1,653.00/unit	\$ _____
_____ Apartments @ \$953.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

## (b) Water Supply Services

## i. Seaton Landowner Constructed Water Supply

_____ Single and Semi Detached @ \$2,602.00/unit	\$ _____
_____ Medium Density Multiples @ \$2,065.00/unit	\$ _____
_____ Apartments @ \$1,190.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____
Less Applicable Credits Identified in Schedule L	(\$ _____)
<b>Total:</b>	\$ _____

## ii. Regional Seaton Specific Water Supply

_____ Single and Semi Detached @ \$3,907.00/unit	\$ _____
_____ Medium Density Multiples @ \$3,099.00/unit	\$ _____
_____ Apartments @ \$1,785.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____
Less Applicable Credits Identified in Schedule L	(\$ _____)
<b>Total:</b>	\$ _____

## iii. Regional Attribution Water Supply

_____ Single and Semi Detached @ \$3,390.00/unit	\$ _____
_____ Medium Density Multiples @ \$2,689.00/unit	\$ _____
_____ Apartments @ \$1,549.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

## (c) Regional Road Services

_____ Single and Semi Detached @ \$8,130.00/unit	\$ _____
_____ Medium Density Multiples @ \$6,532.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$4,723.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$3,078.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____
Less Applicable Credits Identified in Schedule L	(\$ _____)
<b>Total:</b>	\$ _____

## (d) Regional Police Services

_____ Single and Semi Detached @ \$620.00/unit	\$ _____
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_____ Medium Density Multiples @ \$498.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$360.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$235.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(e) Long-Term Care**

_____ Single and Semi Detached @ \$30.00/unit	\$ _____
_____ Medium Density Multiples @ \$23.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$17.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$11.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(f) Development Related Studies**

_____ Single and Semi Detached @ \$24.00/unit	\$ _____
_____ Medium Density Multiples @ \$19.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$14.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ 9.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(g) Emergency Medical Services**

_____ Single and Semi Detached @ \$142.00/unit	\$ _____
_____ Medium Density Multiples @ \$114.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$83.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$54.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(h) GO Transit**

_____ Single and Semi Detached @ \$671.00/unit	\$ _____
_____ Medium Density Multiples @ \$594.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$421.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$250.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(i) Regional Transit**

_____ Single and Semi Detached @ \$534.00/unit	\$ _____
_____ Medium Density Multiples @ \$429.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$309.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$201.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**(j) Health and Social Services**

_____ Single and Semi Detached @ \$96.00/unit	\$ _____
_____ Medium Density Multiples @ \$78.00/unit	\$ _____
_____ Two Bedroom Apartment and Larger @ \$55.00/unit	\$ _____
_____ One Bedroom Apartment and Smaller @ \$36.00/unit	\$ _____
<b>Sub-Total:</b>	\$ _____

**Method of Payment of Development Charges**

21. The Subdivider shall pay to the Region the development charges described in Section 20 with respect to each dwelling unit within the Plan on the date a building permit is issued.

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22. Notwithstanding Section 21, The Subdivider shall pay to the Region the development charges with respect to sanitary sewerage services and water supply services immediately upon execution of this agreement or issuance of building permit, whichever comes first.
23. Notwithstanding Section 21, the Subdivider, which shall not include a Subdivider of any high density blocks or condominium blocks, shall pay to the Region the development charges with respect to regional road services in the following manner:
- (a) At any time at the option of the Subdivider by cash or certified cheque 100 percent of the outstanding development charges with respect to regional road services;
- OR
- (b) (i) on the date of the execution of this Agreement, 50 percent of the development charges which will be applied to the lots listed in Schedule "C" with respect to regional road services adjusted in accordance with the provisions of the Region's development charge by-law to the date of payment;
- (ii) on the first anniversary date of the execution of this Agreement, 50 percent of the development charges with respect to regional road services adjusted in accordance with the provisions of the Region's development charge by-law to the date of payment;
24. The balance of any outstanding development charges payable in accordance with Section 22(b), unless otherwise provided for in the Regional Front-Ending Agreement shall be secured by a Letter of Credit, in a form acceptable to the Regional Solicitor and the Treasurer of the Region, in the amount of \$\_\_\_\_\_ being 110 percent of the outstanding balance. The Region may draw on the Letter of Credit for the full or partial payment of development charges owing to the Region and may recover the outstanding balance of development charges, if any, from the Subdivider.
25. The Letter of Credit described in sections 23(b) and 24, if any, shall be kept in good standing for an initial period of one year and, if deemed necessary by the Region, shall be renewed for further one year periods for any outstanding balance of development charges owing to the Region at the time of the renewal. If the letter of credit is not so renewed, the Region shall have the right to draw the full payment of development charges owing to the Region and may recover the outstanding balance of development charges, if any, from the Subdivider.
26. In addition to section 23 of this Agreement, and with respect to Regional Road Development Charges only, the Subdivider may elect to pay such charges in accordance with section 8.1.7 of the Regional Front-Ending Agreement in place of either option described in section 22 of this Agreement.
27. Notwithstanding Section 23, with respect Landowner Constructed Water Supply DCs, Landowner Constructed Sanitary Sewerage DCs, Regional Seaton-Specific Water Supply DCs and Regional Seaton-Specific Sanitary Sewerage DCs only, the Subdivider may elect to pay such charges in accordance with section 11.1.7 of the Regional Front-Ending Agreement.
28. The rates used in calculating the outstanding balance of development charges owing to the Region shall be established in accordance with the provisions of the Region's Development Charge By-law and the Regional Front-Ending Agreement. In the event the development charges are:
- (e) Increased and the letter of credit is insufficient to satisfy the payment of outstanding development charges to which the Region is entitled to be paid in

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accordance with Section 23(b), the Region shall give written notice to the Subdivider requiring the Subdivider to increase the letter of credit to an amount equal to 55 percent of the development charges as determined under Section 20 or 110 percent of the outstanding balance, whichever is less. In the event the letter of credit is not so increased within 20 days after the Region's notice in that regard, the Region may, without further notice to the Subdivider, draw upon the letter of credit for the total amount outstanding and may recover the balance from the Subdivider.

- (f) Reduced, the Region will authorize the reduction of the letter of credit to an amount equivalent to 55 percent of the development charges as determined under Section 20 or 110 percent of the outstanding balance, whichever is less.

29. If, at the time of the issuance of a building permit or permits in regard to a lot on the Plan for which payments have been made pursuant to Section 23(b):

(a) Change in Type of Dwelling Unit (Increase)

Where the type of dwelling unit for which building permits are being issued is different than that used for the calculation and payment under Section 23, and there has been no change in the zoning affecting such lot, and the development charges for the type of dwelling unit for which building permits are being issued were greater at the time that payments were made pursuant to Section 22 than for the type of dwelling unit used to calculate the payment under Section 23, an additional payment to the Region is required (and/or a correction is to be made to the credits used), which payment and/or correction, in regard to such different unit types, shall be the difference between the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits, and the development charges previously collected in regard thereto, adjusted in accordance with the Region's development charge by-law to the date of issuance of the building permit or permits.

(b) Change in Type of Dwelling Unit (Decrease)

Where the type of dwelling unit for which building permits are being issued is different than that used for the calculation and payment under Section 22, and there has been no change in the zoning affecting such lot, and the development charges for the type of dwelling units for which building permits are being issued were less at the time that payments were made pursuant to Section 22 than for the type of dwelling unit used to calculate the payment under Section 22, a refund in regard to such different unit types shall be paid by the Region (and/or a correction is to be made to the credits used), which refund and/or correction shall be the difference between the development charges previously collected, adjusted in accordance with the Region's development charge by-law to the date of issuance of the building permit or permits, and the development charges payable in respect of the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

(c) Change in Number of Dwelling Units (Increase)

Where the total number of dwelling units of a particular type for which building permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under Section 22, and there has been no change in the zoning affecting such lot, an additional payment to the Region is required (and/or a correction is to be made to the credits used), which payment and/or correction shall be calculated on the basis of the number of additional

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dwelling units at the rate prevailing as at the date of issuance of the building permit or permits.

(d) Change in Number of Dwelling Units (Decrease)

Where the total number of dwelling units of a particular type for which building permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under Section 23, and there has been no change in the zoning affecting such lot, a refund shall be paid by the Region (and/or a correction is to be made to the credits used), which refund and/or correction shall be calculated on the basis of the number of fewer dwelling units at the rate prevailing as at the date of issuance of building permit or permits.

30. Notwithstanding Section 29, a refund shall not exceed the amount of the development charges paid under Sections 20, 21, 22, 25, 28, and/or 29 hereof.
31. The Parties hereto acknowledge that the amount payable by the Subdivider under this Agreement on account of the Regional Attribution Water Supply DC Prepayment and the Regional Attribution Sanitary Sewerage DC Prepayment is nil.

**Transit Contribution**

32. On the date of execution of this Agreement the Subdivider shall pay to the Region by way of certified cheque the Subdivider's share of the transit contribution pursuant to Article 14 of the Regional Front-Ending Agreement being the amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_) as more particularly described in Schedule "L". The provisions of section 29 shall apply *mutatis mutandis* to the transit contribution payment.

**Commutation of Rates and Charges**

33. Prior to the execution of this Agreement by the Region, the Subdivider shall commute and pay all local improvement charges, sewer rates and water works rates imposed against the Lands.

**Fees**

34. (1) In this Section,
- (a) "Engineering Fee" means all costs and expenses incurred by the Region in reviewing, examining and inspecting the design and installation of the Works;
  - (b) "Local Connections" means all water connections, sanitary sewer connections and Regional storm sewer connections related to the Lands previously installed or paid for by the Region;
  - (c) "Local Services" means all watermains and appurtenances, sanitary sewers and appurtenances, Regional storm sewers appurtenances, and Regional road work related to the Lands previously installed or paid for by the Region; and
  - (d) "MOE Credit" means any payments made by the Subdivider for processing a Ministry of the Environment certificate for sanitary sewers, watermains and/or Regional storm sewers.
- (2) The Engineering Fee is calculated by applying the applicable formula in the following chart to the total cost of the Works:

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<u>Total Cost of the Works</u>	<u>Engineering Fee</u>
Less than \$100,000	3% (minimum \$250.00)
\$100,001-\$200,000	\$3,000 on first \$100,000 & 2.5% on next \$100,000
\$200,001-\$500,000	\$5,500 on first \$200,000 & 2.25% on next \$300,000
\$500,001-\$1,000,000	\$12,250 on first \$500,000 & 2.0% on next \$500,000
\$1,000,001-\$2,000,000	\$22,250 on first \$1,000,000 & 1.50% on next \$1,000,000
\$2,000,001-\$4,000,000	\$37,250 on first \$2,000,000 & 1.20% on next \$2,000,000

(3) The Engineering Fee only includes periodic inspection. If the Region is required to provide full-time on-site inspection services for the installation of the Works, then the Subdivider shall reimburse the Region for all costs and expenses incurred by the Region for such services. All such costs and expenses shall be in addition to the Engineering Fee.

(4) Prior to execution of this Agreement by the Region, the Owner shall pay to the Region by certified cheque the sum of \$\_\_\_\_\_ calculated as follows:

(a) Engineering Fee	\$ _____
(b) MOE Credit	( _____ )
(c) Local Services	
(i) Regional roads and storm sewers	_____
(ii) Watermains	_____
(iii) Sanitary sewers	_____
(d) Local Connections	
(i) Regional storm sewer connection	_____
(ii) Water service connection	_____
(iii) Sanitary sewer connection	_____
(e) legal fees for the preparation and processing of this Agreement	<u>2,125.00</u>
(f) financial administration fee	<u>475.00</u>
<b>TOTAL</b>	<b>\$ _____</b>

35. The Subdivider shall reimburse the Region for the cost of registering this Agreement and all related documents against title to the Lands.

**Performance and Maintenance Security**

36. The Subdivider shall file with the Region a Performance and Maintenance Letter of Credit or Surety Bond in the amount of \$\_\_\_\_\_ as calculated in accordance with Section 37 and as shown on Schedule E in order to guarantee the due performance of all of the Subdivider's obligations under this Agreement with respect to the installation of the Works. The Performance and Maintenance Letter of Credit shall be in a form satisfactory to the Region's Treasurer.

37. The amount of the Performance and Maintenance Letter of Credit or Surety Bond was calculated as follows:

- (b) For those Works within the Plan which are of benefit to other lands outside the limits of the Plan and for those Works external to the Plan, 100% of the estimated cost of said Works.
- (b) For those Works within the Plan which are of benefit only to the Lands, as follows:

Estimated cost  
of construction

Security Amount



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Less than \$100,000	25% (with a minimum of \$10,000 or estimated cost of construction whichever is less)
\$100,001 to \$200,000	\$25,000 on the first \$100,000; 20% on the remainder
\$200,001 to \$500,000	\$45,000 on the first \$200,000; 15% on the remainder
\$500,001 to \$1,000,000	\$90,000 on the first \$500,000; 12% on the remainder
Greater than \$1,000,000	\$150,000 on the first \$1,000,000; 10% on the remainder

38. The Performance and Maintenance Letter of Credit or Surety Bond shall be reduced to an amount in accordance with Section 39 provided the Completion Acceptance Letter has been issued and the Subdivider has filed with the Region a statutory declaration stating that,
- (c) all services and materials with respect to the installation of the Works have been supplied and no amounts are owing to any person in relation to such materials or services;
  - (b) no person has given notice of a claim for lien under the *Construction Lien Act*, R.S.O. 1990, c.30 against the Lands or any part thereof, and no person is entitled to make such a claim;
  - (c) there are no judgments or executions filed against the Subdivider;
  - (d) nothing is owing by the Subdivider or claimed against it for unemployment insurance deductions, income tax deductions or premiums under the *Workplace Safety and Insurance Act, 1997*, S.O. 1997. c. 16, Sch. A;
  - (e) the Subdivider has not made any assignment for the benefit of creditors, no receiving order has been made against it under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 and no petition for such an order been served upon the Subdivider; and
  - (f) forty-five (45) days have passed since the completion of the installation of the Works.
39. The reduction of the Performance and Maintenance Letter of Credit or Surety Bond, for the construction of the Works, shall be determined as follows:

<u>Estimated cost of construction</u>	<u>Security Amount</u>
Less than \$100,000	25% (with a minimum of \$10,000 or estimated cost of construction whichever is less)
\$100,001 to \$200,000	\$25,000 on the first \$100,000; 20% on the remainder
\$200,001 to \$500,000	\$45,000 on the first \$200,000; 15% on the remainder
\$500,001 to \$1,000,000	\$90,000 on the first \$500,000; 12% on the remainder
Greater than \$1,000,000	\$150,000 on the first \$1,000,000; 10% on the remainder

40. Upon issuance of the Final Acceptance Letter and provided no outstanding claims remain by the Region against the Subdivider under or arising out of this Agreement, the Region shall release the Letter of Credit or Surety Bond.

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**Pay Assurance**

41. The following provisions shall apply where the Subdivider has posted security in accordance with this Agreement, and the Subdivider enters into a contract with a Prime Contractor to construct the works to which this Agreement relates, and provided that the Subdivider has notified the Region in writing of the name of the Prime Contractor prior to the commencement of construction by filling out Schedule I and provided that the Prime Contractor operates at arm's length to the Subdivider and is not otherwise under the control of the Subdivider.

In the event that a Prime Contractor then notifies the Region's Commissioner of Works in writing that monies are payable to the Prime Contractor from the Subdivider, the Subdivider acknowledges and agrees that the Region may make payment into escrow from the securities posted by the Subdivider subject to the following:

- a) The Prime Contractor has delivered to the Region a true copy of its invoice addressed to the Subdivider for payment of the installation of the works;
- b) The Prime Contractor has delivered to the Region proof that the Prime Contractor has made a written demand for payment to the Subdivider to which the Subdivider has not responded for a period of sixty-one (61) days. The Prime Contractor has delivered to the Region a copy of the contract;
- c) The Prime Contractor has delivered to the Region an Engineer's Certificate certifying that the works invoiced to the Subdivider by the Prime Contractor for which payment is sought from the Region has been completed satisfactorily in accordance with the Subdivider's obligations under this Agreement, and has further certified the date upon which the Prime Contractor's invoice became due and payable under the Subdivider's contract with the Prime Contractor, and has further confirmed that the Prime Contractor has performed and continues to perform its obligations under the terms of its contract with the Subdivider;
- d) The Prime Contractor has executed a release and indemnity in a form satisfactory to the Region, releasing the Region from any and all claims the Prime Contractor may have against the Region and indemnifying the Region against any and all claims for loss arising from any source whatsoever resulting from the Region's disclosure of any amount in the Letter of Credit, from the Region's payment or non-payment into escrow, from the Region's release of any monies from the Letter of Credit to the Subdivider and shall agree to submit to arbitration and sign an agreement to be bound by the dispute resolution process pursuant to the *Arbitration Act, 1991*, S.O. 1991, c. 17, as amended;
- e) The Subdivider agrees that the Prime Contractor may request at any time from the Region the amount remaining in the Subdivider's Letter of Credit upon signing the above release and indemnity.
- f) The amount claimed by the Prime Contractor is at least Twenty-Five Thousand Dollars (\$25,000.00) and at least Thirty Thousand Dollars (\$30,000.00) is available in security posted by the Subdivider;
- g) The Region shall be entitled to reimbursement of its Administrative costs, by deducting the Region's actual costs from any amount to be paid to the Prime Contractor;

## Attachment #1 to Report #2017-COW-143

- h) The Subdivider agrees that it shall make no claims against the Region and hereby release and indemnify the Region of and from any claims arising from the payment or non-payment into escrow from the security posted by the Subdivider, or as a result of any action taken or not taken under this Agreement;
- i) After Completion Acceptance, pursuant to Section 14, the Subdivider hereby acknowledges that the Region is authorized to call for the reduction of the Subdivider's security and to authorize payments into escrow of the amount in reserve if same is available where there exists a dispute between the parties;
- j) The Region shall not make payment into escrow any money in excess of the estimated value of the Works, as set out in Schedule D of this Agreement, less the amount to be secured for maintenance, such amount being calculated as the amount held in Section 30 less the amount held in Section 32;
- k) Under no circumstances will the Region be obliged to draw down and pay the full amount of security it holds under this Agreement, and for greater certainty, the Region shall not be left with less than such amount being calculated as the amount held in Section 30 less the amount held in Section 32 and the amount for the Region's Administrative fees;
- l) The Subdivider has made explicit reference to the Region's Pay Assurance provisions in any contract it enters into with a Prime Contractor for carrying out any of the works to be installed by the Subdivider under this Agreement;
- m) The Region shall have no obligation to pay the Subdivider's Prime Contractor;
- n) The Subdivider agrees that if for any reason the Region has released securities or is unable to cash or access the letter of credit, there shall be no claim against the Region available to the Prime Contractor; and

The Subdivider acknowledges and agrees that the Region may make payment out of escrow from the securities posted by the Subdivider subject to the following:

- o) The Region shall pay monies out of escrow only in accordance with the formal award under the Arbitration Act, 1991, S.O. 1991, c. 17, as amended.
- p) That the Subdivider acknowledges and agrees that it shall provide the required Engineer's Certificate in subsection (c) to the Prime Contractor.
- q) If the Region makes a payment or payments to the Prime Contractor in accordance with this Agreement, the Works for which the Prime Contractor receives payment from the Region out of the Subdivider's security shall be credited toward the Subdivider's obligations under this Agreement less the amount to be held under Section 30 on account of maintenance and less the Region's administrative charges;
- r) In the event that a Prime Contractor does not notify the Region's Commissioner in writing that monies are payable to the Prime Contractor from the Subdivider by the time the Subdivider satisfies Section 33, the Subdivider acknowledges that the reduction and Release of the securities provided by the developer shall follow Section 31 of this agreement.

**Attachment #1 to Report #2017-COW-143****Insurance**

42. (1) The Subdivider shall obtain and maintain policies of insurance with the following types of coverage and associated limits:
- (a) General Liability coverage to a limit of \$5,000,000;
- (2) Any insurance obtained under this Section shall name the Region as additional insured so that it is protected from claims by third parties, is protected from claims by insurers, and, in the case of insurance insuring against major perils, is able to receive the proceeds for the purposes of correcting any deficiencies arising as a result of any perils insured against which are not being rectified by the Subdivider.
- (3) No policy of insurance shall contain a clause for exclusion for blasting.
- (4) All insurance policies shall specify that they shall not be cancelled or changed to reduce the coverage unless the insurance company has given thirty (30) days prior written notice to the Region.
- (5) Certificates of insurance setting out the essential terms and conditions of the insurance shall be provided to the Region prior to the Region executing this Agreement and shall be continued until the Final Acceptance Letter has been issued. The certificate of insurance shall be in a form satisfactory to the Region's Treasurer.
- (6) The issuance of any policy of insurance shall not be construed as relieving the Subdivider from responsibility from other or larger claims, if any, for which the Subdivider may be held responsible.

**Indemnification**

43. Until the Final Acceptance Letter has been issued, the Subdivider shall indemnify and save harmless the Region from all losses, damages, costs, expenses, claims, demands and actions of every nature and kind whatsoever including death or injury (collectively referred to as "losses") arising directly or indirectly from the design, installation, maintenance or operation of the Works or any other obligation of the Subdivider under this Agreement, whether or not such losses are incurred by reason of negligence on the part of the Subdivider and whether such losses are sustained by the Region, the Subdivider or their employees, workmen, servants, agents or councillors or any other person or corporation.

**DEFAULT****Events of Default**

44. The Subdivider shall be in default under this Agreement if,
- (a) the Subdivider fails to install or maintain any part of the Works as required by this Agreement or fails to carry out any other obligation under this Agreement;  
or
- (b) the Region receives legal notice, or otherwise finds, that the Subdivider has ceased to carry on business, whether such cessation of business is voluntary or involuntary.

**Remedies of Default**

45. If the Subdivider is in default and such default has continued for a period of seven (7) days (or such longer period as may be reasonably required in the circumstances to cure the default) after receipt of notice from the Region setting out the particulars of the

**Attachment #1 to Report #2017-COW-143**

default, the Region may enter upon the Lands and do all such matters and things as are required to remedy the default, including the repair or reconstruction of faulty work and the replacement of substandard materials. Nothing in this Section shall require the Region to give notice in any situation deemed by the Region to be an emergency.

46. Actual costs incurred by the Region in carrying out any remedial work plus twenty five (25%) percent of such costs as a charge for overhead (to be construed as a liquidated amount, not as a penalty) shall be paid by the Subdivider to the Region.
47. The Region may draw upon the Letter of Credit to satisfy any costs associated with remedying any default.
48. Failure by the Region to exercise any of its rights, powers or remedies under this Agreement or any delay in doing so shall not constitute a waiver of those rights, powers or remedies. The single or partial exercise of a right, power or remedy shall not prevent its subsequent exercise or the exercise of any other right, power or remedy.

**OTHER MATTERS****Use of the Lands**

49. Pursuant to Schedule G, the Subdivider agrees it shall fulfill all conditions and requirements of Column III prior to making use of any lands in Column I for the purposes described in Column II.

**Notice of Agreement**

50. This Agreement shall be registered against title to the Lands and shall be enforceable against the Subdivider and all subsequent owners of the Lands.
51. The Subdivider shall give to every purchaser of any part of the Lands actual notice of the existence and the terms of this Agreement and include such notice in any offer to purchase or other similar document dealing with the Lands.
52. At the request of the Subdivider, the Region shall release this Agreement from title to the Lands provided the Final Acceptance Letter has been issued and the Subdivider has paid to the Region the Region's fee and registration expenses for such release.

**Postponement**

53. All rights and interests which the Encumbrancers have in the Lands are hereby postponed to this Agreement and any easement given pursuant to this Agreement.

**Conveyances**

54. The Subdivider shall convey or ensure that the necessary party conveys to the Region on the signing of this Agreement the lands and interests in land set out in Schedule F. Any such conveyances shall be in a form acceptable to the Regional Solicitor.

**Approval of the Plan for Registration**

55. The Subdivider shall, before the final approval of the Plan for registration, deliver to the Region the following:
  - (a) The Subdivision Agreement fully executed by the Subdivider and the Encumbrancers and including the completed certificate forming Schedule A to this Agreement;
  - (b) The monies, securities and insurance as noted in this Agreement; and

## Attachment #1 to Report #2017-COW-143

- (c) Completely executed copies, in a form suitable for registration of any deeds, easements, licences, transfers and other documents required by Section 54 of this Agreement and as shown on Schedule F.
- (d) Signed copies of all of the Landowner Construction Contracts, as defined in the Regional Front-Ending Agreement, covering all of the Employment lands Works, as defined in the Regional Front-Ending Agreement.
- (e) Signed copies of all Landowner Construction Contracts, as defined in the Regional Front-Ending Agreement, covering all Regional sanitary sewer, water supply, Regional road and stormwater works required on the Rossland Road extension from Brock Road to north of the CPR as well as copies of all required external agency approvals required to construct these works.

**Connection Approvals**

56. Prior to making connection to the sanitary sewers and watermain being installed under the terms of this Agreement, the Subdivider shall obtain connection approvals from the Region. The Region shall not issue a connection approval until the Completion Acceptance Letter has been issued.

**Further Assurances**

57. The Subdivider shall execute such further assurances of the rights hereby granted as deemed necessary by the Region.

**Notices**

58. (1) Any notice required in writing in this Agreement shall be delivered to the following address:

To the Subdivider at:

- 
- , Ontario
- 

Attention: •

Fax No. •

And to the Region at:

605 Rossland Road East  
Whitby, ON L1N 6A3

Attn: Regional Clerk

- (2) Notice shall be sufficiently given if,
  - (a) delivered in person;
  - (b) sent by registered mail; or
  - (c) sent by facsimile transmission during normal business hours on a business day.
- (3) Each notice sent shall be deemed to have been received,
  - (a) on the day it was delivered;

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- (b) on the third business day after it was mailed (excluding each business day during which there existed any general interruption of postal services due to strike, lockout or other cause); or
  - (c) on the same day that it was sent by facsimile transmission or on the first business day thereafter if the day on which it was sent by facsimile transmission was not a business day.
- (4) The Subdivider may change its address for notice by giving notice to the Region's Clerk in the manner provided in this Section.

**Successors and Assigns**

59. This Agreement shall enure to the benefit of and shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**Recitals**

54. The Recitals contained in this agreement are true and correct and are legally binding and form a true part of this agreement.

IN WITNESS WHEREOF the parties have executed this Agreement.

**[SUBDIVIDER]**

2015/ /

\_\_\_\_\_  
Name:

Title:

2015/ /

\_\_\_\_\_  
Name:

Title:

I/We have authority to bind the Corporation

**THE REGIONAL MUNICIPALITY OF DURHAM**

2016/ /

\_\_\_\_\_  
Roger Anderson, Regional Chair and CEO

2016/ /

\_\_\_\_\_  
D. Bowen, Regional Clerk

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[ENCUMBRANCER]

2016/ /

\_\_\_\_\_  
Name:  
Title:

2016/ /

\_\_\_\_\_  
Name:  
Title:



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SCHEDULE "A"

Solicitor's Certificate

IN THE MATTER OF: An application by Name of Subdivider (the "Subdivider") for final approval and release by the Regional Municipality of Durham (the "Region") of a proposed Plan of Subdivision (the "Lands") between the Subdivider and the Region dated Date of Agreement (the "Agreement").

I,  
a Solicitor duly qualified to practise law in the Province of Ontario hereby certify that the Subdivider is the owner in fee simple of the Lands in the Agreement.

I further certify that there are no mortgages or other encumbrances upon the Lands or any part thereof save and except the following:

A Charge in favour of registered by Instrument No. .

I further certify that Name of Subdivider is the owner in fee simple of all lands to be conveyed to the Region or over which easements or rights are to be conveyed to the Region pursuant to Paragraph 47 and Schedule "F" of the Agreement free from all encumbrances save and except the following:

A Charge in favour of registered by Instrument No.

This certificate is given by me to the Regional Municipality of Durham for the purpose of having the said Regional Municipality rely upon it and to act on it in approving and releasing the proposed Plan of Subdivision and for certifying the title.

DATED at                      this                      day of                      2016.

\_\_\_\_\_  
Solicitor

TO: THE REGIONAL MUNICIPALITY OF DURHAM

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SCHEDULE "B"

Conditions of Approval of the City of Pickering

The Region's conditions and amendments thereto applying to the approval of the final plan for registration of the subject subdivision are as follows:

following pages

## Attachment #1 to Report #2017-COW-143

SCHEDULE "C"

For lots for which development charges for Regional road services have been paid on the date of execution of the agreement. This Schedule is final and conclusive.

<u>Lot No.</u>	<u>Lot Type</u>	<u>Payment (Regional Roads Only)</u>
Subtotal		\$ _____
Additional amount required for 50% of development Charges		\$ _____
Total		\$ _____

## Attachment #1 to Report #2017-COW-143

SCHEDULE "D"Estimated Cost of the Works

- (a) Estimated cost of the Subdivider's share of Regional services to be installed under paragraph 17(a) of this Agreement.

(i)	Regional roads and appurtenances	\$ _____
(ii)	Regional storm sewers and appurtenances	\$ _____
(iii)	Regional storm sewer connections	\$ _____
(iv)	Sanitary sewers and appurtenances	\$ _____
(v)	Sanitary Sewer connections	\$ _____
(vi)	Watermains and appurtenances	\$ _____
(vii)	Water connections	\$ _____
	TOTAL	\$ _____

- (b) Estimated cost of the Region's share of Regional services to be installed under paragraph 17(a) of this Agreement.

(i)	Regional roads and appurtenances	\$ _____
(ii)	Regional storm sewers and appurtenances	\$ _____
(iii)	Regional storm sewer connections	\$ _____
(iv)	Sanitary sewers and appurtenances	\$ _____
(v)	Sanitary Sewer connections	\$ _____
(vi)	Watermains and appurtenances	\$ _____
(vii)	Water connections	\$ _____
	TOTAL	\$ _____

## Attachment #1 to Report #2017-COW-143

SCHEDULE "E"CALCULATION OF PERFORMANCE GUARANTEE1. WORKS OF BENEFIT TO OTHER LANDS

Regional Roads	\$ _____
Regional Storm Sewers	\$ _____
Regional Storm Sewer Connections	\$ _____
Sanitary Sewers	\$ _____
Sanitary Sewer Connections	\$ _____
Watermains	\$ _____
Water Connections	\$ _____
	\$ _____

Bonding Required \$ \_\_\_\_\_

2. WORKS OF BENEFIT TO ONLY THE LANDS

Regional Roads	\$ _____
Regional Storm Sewers	\$ _____
Regional Storm Sewer Connections	\$ _____
Sanitary Sewers	\$ _____
Sanitary Sewer Connections	\$ _____
Watermains	\$ _____
Water Connections	\$ _____
	\$ _____

Bonding Required: - \$ + % of \$ \$ \_\_\_\_\_

TOTAL BONDING REQUIRED FOR 1. AND 2. \$ \_\_\_\_\_

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SCHEDULE "F"

LANDS, EASEMENTS OR LICENCES TO BE GRANTED OR TRANSFERRED UNDER SECTION 54 OF  
AGREEMENT

## Attachment #1 to Report #2017-COW-143

SCHEDULE "G"GENERAL AND SPECIAL CONDITIONS GOVERNING PLAN

<u>Column I</u>	<u>Column II</u>	<u>Column III</u>
All lots included in the Plan	Make application to connect to the sanitary sewer and/or water connections to be constructed under the terms of this Agreement.	The Region has issued a "Completion Acceptance Certificate" for the Works.
All lots included in the Plan	Make application to connect to the sanitary sewer and/or water connections to be constructed under the terms of this Agreement.	The Region has issued a "Completion Acceptance Certificate" for all required downstream Sanitary Sewer Works and External Water Supply Works.
All lots included in the Plan	Apply for a building permit	The Region has issued a "Completion Acceptance Certificate" for the Works.
All lots including in the Plan	Apply for a building permit	The Region has issued a "Completion Acceptance Certificate" for all required downstream Sanitary Sewer Works and External Water Supply Works.

## Attachment #1 to Report #2017-COW-143

SCHEDULE "H"COST SHARING POLICY FOR REGIONAL SERVICES

## A. DEFINITION OF TERMS

Abutting service	- shall include a service either existing or proposed, that is either located on a road allowance outside the limit of a subdivision but abuts the subdivision or located on a road allowance within the limit of a subdivision but abuts other lands outside the subdivision.
Cost	- for an existing service, shall be the current cost, as determined by the Region, of constructing the service.  - for a proposed service, shall be the final cost of designing and constructing the service, as determined by the Region, after the construction is complete.
External service	- shall include a service, either existing or proposed, that is located outside the limit of a subdivision but shall not include abutting service.
Internal service	- shall include a service, either existing or proposed, that is located within the limit of a subdivision but shall not include an abutting service.
Minimum size	- shall be the size of a service of sufficient size, as determined by the Region, to service a subdivision provided that the minimum size shall not be less than a two lane urban cross section road for regional roads, 200 millimetres in diameter for sanitary sewers, 100 millimetres in diameter for sanitary sewer connections, 300 millimetres in diameter for storm sewers, 150 millimetres in diameter for storm sewer connections, 150 millimetres in diameter for watermain and 19 millimetres in diameter for water connections.
Regional road	- shall be a road and related appurtenances that form part of the road system under the jurisdiction and control of the Regional Municipality of Durham and designed in accordance with Regional standards.
Regional road connection	- shall be that portion of a road and related appurtenances designed in accordance with Regional standards that provide direct access from the travelled portion of the regional road to a road under or planned to be under the jurisdiction of a lower-tier municipality or to a private driveway issued in accordance with the Region's Entranceway policy and by-law.
Sanitary sewer	- shall refer to a sanitary sewer system and related appurtenances designed in accordance with regional standards.
Sanitary sewer connection	- shall refer to a sanitary sewer service connection and related appurtenances designed in accordance with regional standards.



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- Sequential development - the next development which may proceed geographically for which all necessary external regional service infrastructure is in place.
- Service - shall be a sanitary sewer, sanitary sewer connection, storm sewer, storm sewer connection, watermain or water connection.
- Shared stormwater management facility - shall refer to the portion of a storm sewer system, such as a storm water detention or retention pond, and related appurtenances that accommodates storm water drainage from a Regional Road, and may be shared with other benefiting users.
- Storm sewer - shall refer to a storm sewer system including catchbasins, connections, outfalls, inlets and related appurtenances under the jurisdiction and control of the Regional Municipality of Durham and designed in accordance with regional standards.
- Storm sewer connection - shall refer to a storm sewer service connection and related appurtenances under the jurisdiction and control of the Regional Municipality of Durham and designed in accordance with regional standards.
- Subdivision - shall mean the draft plan of subdivision approved, in accordance with the Planning Act, by the Regional Municipality of Durham, the Ministry of Housing or the Ontario Municipal Board subject to the conditions set out in Schedule D of this Agreement.
- Water connection - shall refer to a water service connection and related appurtenances designed in accordance with regional standards.
- Watermain - shall refer to a watermain system and related appurtenances designed in accordance with regional standards.

**B. POLICY****1. Sanitary Sewer, Storm Sewer and Watermain****(1) Internal service**

The cost of an internal service shall be shared between the Region and the Subdivider on the following basis:

- (a) For an internal service, which is not required to service the subdivision, the Region shall pay for 100 percent of the cost.
- (b) For an internal service, which is required to service the subdivision, the Subdivider shall pay for 100 percent of the cost for the minimum size required to service the subdivision and the Region shall pay for the balance of the cost.

**(2) Abutting service**

**Attachment #1 to Report #2017-COW-143**

The cost of an abutting service shall be shared between the Region and the Subdivider on the following basis:

- (a) For an abutting service, which is not required to service the subdivision, the Region shall pay for 100 percent of the cost.
- (b) For an abutting service which is required to service the subdivision as well as other lands which are located outside the limit of the subdivision and abut the service, the Subdivider shall pay 50 percent of the cost for the minimum size required to service the subdivision and the Region shall pay for the balance of the cost.
- (c) For an abutting service, which is required to service the subdivision, but will not service other lands which are located outside the limit of the subdivision and abut the service, the Subdivider shall pay for 100 percent of the cost for the minimum size required to service the subdivision and the Region shall pay for the balance of the cost.

(3) **External service**

The cost of an external service shall be shared between the Region and the Subdivider on the following basis:

- (a) For an external service, which is required to service the subdivision, the Subdivider shall pay 100 percent of the cost for the minimum size required to service the subdivision and the Region shall pay for the balance of the cost.
- (b) For an external service, which is not required to service the subdivision, the Region shall pay for 100 percent of the cost.

**2. Sanitary Sewer Connection, Storm Sewer Connection and Water Connection**

The cost of sanitary sewer connections, storm sewer connections and/or water connections shall be shared between the Region and the Subdivider on the following basis:

(1) **For lands within the subdivision**

The Subdivider's cost of sanitary sewer connections, storm sewer connections and/or water connections shall be the total cost of the connections to each lot, block or building site within the subdivision.

(2) **For lands external to the subdivision**

The cost of sanitary sewer connections, storm sewer connections and/or water connections to lands external to the subdivision shall be 100 percent paid for by the Region.

**3. Regional Road Connection**

The cost of a regional road connection shall be shared between the Region and the Subdivider on the following basis:

- (1) The cost of underground electrical works and pole bases at locations determined by the Region to be candidates for future traffic signals shall be 100 percent paid for by the Region.

**Attachment #1 to Report #2017-COW-143**

- (2) All other costs necessary to provide safe and efficient access and egress to the subdivision, including, but not limited to, costs for turning lanes, tapers and traffic control measures, shall be 100 percent paid for by the Subdivider.

**4. Shared Stormwater Management Facility**

The cost of a shared stormwater management facility shall be shared between the Region and the Subdivider on the following basis:

- (1) The Subdivider shall pay for 100 percent of the cost for the minimum size to service the subdivision and the Region shall pay for its share of the oversizing cost based on its percentage of area multiplied by the runoff coefficient for that portion of the stormwater system controlled by the shared stormwater management facility.

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SCHEDULE "I"

CONTACT INFORMATION FOR PRIME CONTRACTOR

Attachment #1 to Report #2017-COW-143

SCHEDULE "J"

LIST OF PARTIES TO THE REGIONAL FRONT-ENDING AGREEMENT

Attachment #1 to Report #2017-COW-143

SCHEDULE "K"

LIST OF THE SEATON LANDOWNERS

## Attachment #1 to Report #2017-COW-143

## SCHEDULE "L"

## TRUSTEE NOTICE

Pursuant to the Subdivision Agreement dated \_\_\_\_\_, 20\_\_ between the Subdivider, as hereinafter defined, North Pickering Community Management Inc. (the "Trustee") and the Regional Municipality of Durham.

**TO: THE REGIONAL MUNICIPALITY OF DURHAM**  
605 Rossland Road East  
Whitby, ON L1N 6A3

**Attention:** \_\_\_\_\_

**FROM: NORTH PICKERING COMMUNITY MANAGEMENT INC.**  
[Address]  
[Address]

**RE: COMMUNITY OF SEATON  
SUBDIVISION AGREEMENT  
SUBDIVIDER:** \_\_\_\_\_

The Trustee warrants and represents to the Region that the following is correct and true as of the date of this Notice and the Trustee acknowledges and agrees that the Region may rely on the contents of this Notice:

1. The total allocation of Roads DC Credits, as defined in the Regional-Front Ending Agreement entered into between the Subdivider, the Trustee, the Region and various other parties, and dated November 26, 2015 (the "RFEA"), to the Subdivider is:

_____	Single and Semi Detached @ \$8,130.00/unit	\$ _____
_____	Medium Density Multiples @ \$6,532.00/unit	\$ _____
_____	Two Bedroom Apartment and Larger @ \$4,723.00/unit	\$ _____
_____	One Bedroom Apartment and Smaller @ \$3,078.00/unit	\$ _____
	<b>Total Credits:</b>	\$ _____

2. The total allocation of Sanitary Sewerage DC Act Credits and Water DC Act Credits, both as defined in the RFEA, to the Subdivider is:

**i. Seaton Landowner Constructed Sanitary Sewerage**

_____	Single and Semi Detached @ \$2,438.00/unit	\$ _____
_____	Medium Density Multiples @ \$1,933.00/unit	\$ _____
_____	Apartments @ \$1,113.00/unit	\$ _____
	<b>Total Credits:</b>	\$ _____

**ii. Regional Seaton Specific Sanitary Sewerage**

_____	Single and Semi Detached @ \$1,320.00/unit	\$ _____
_____	Medium Density Multiples @ \$1,047.00/unit	\$ _____
_____	Apartments @ \$604.00/unit	\$ _____
	<b>Total Credits:</b>	\$ _____

**iii. Seaton Landowner Constructed Water Supply**

_____	Single and Semi Detached @ \$2,602.00/unit	\$ _____
_____	Medium Density Multiples @ \$2,065.00/unit	\$ _____
_____	Apartments @ \$1,190.00/unit	\$ _____
	<b>Total Credits:</b>	\$ _____

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## iv. Regional Seaton Specific Water Supply

_____	Single and Semi Detached @ \$3,907.00/unit	\$ _____
_____	Medium Density Multiples @ \$3,099.00/unit	\$ _____
_____	Apartments @ \$1,785.00/unit	\$ _____
Total Credits:		\$ _____

3. The allocation of capacity in the Regional Water System and the Regional Sewage System, both as defined in the RFEA, to the Subdivider is as indicated on the Allocation of Capacity Schedule, as defined in the RFEA and represent the following Single Detached Equivalents (SDE):

_____	Single and Semi Detached @ (1.0 SDE/unit)	_____ SDE
_____	Medium Density Multiples @ (0.79 SDE/unit)	_____ SDE
_____	Apartments @ (0.46 SDE/unit)	_____ SDE
Total:		_____ SDE

4. The Subdivider is in good standing and is not in any default, including financial default, under the RFEA.
5. The Subdivider is in good standing and is not in any default, including financial default under the Landowner Cost Sharing Agreement, as defined in section 7.3.1 of the RFEA.
6. The units on the plan of subdivision in respect of which the Subdivision Agreement has been entered into is consistent with the Allocation of Capacity Schedule, as defined in the RFEA.
7. The Subdivider's share of the transit contribution identified in Article 14 of the RFEA for this Subdivision Agreement only is \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which figure is based on the following calculation:

	Unit Quantity:	Per Unit Charge:	Sub-Total:
Single and Semi-Detached:		\$918.40	
Medium Density Multiple:		\$725.54	
Apartment Unit:		\$422.46	
Total Transit Contribution:			

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NORTH PICKERING COMMUNITY MANAGEMENT INC.

Per: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have authority to bind the Corporation/Trustee



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**NORTH PICKERING COMMUNITY MANAGEMENT INC.**


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March 27, 2018

Regional Municipality of Durham  
 Works Department  
 Development Approvals Division  
 Regional Headquarters – 4th Floor  
 605 Rossland Rd. E.  
 Whitby, Ontario  
 L1N 6A3

Attention: Mr. Paul Gillespie, P. Eng.,  
 Manager - Development Approvals  
 Works Department

Dear Sir:

**RE: Seaton Phase 1 Regional Infrastructure Front Ending  
 Agreement dated November 26, 2015  
 Mattamy (Seaton) Limited, Phase 1  
 Part of Lots 25 and 26 and  
 Part of Road Allowance between Lots 24 and 25, Concession 3  
 Draft Plan SP-2009-13  
 City of Pickering  
 Region of Durham**

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I am the President of and an Authorized Signing Officer for North Pickering Community Management Inc. ("NPCMI"), the Trustee appointed pursuant to the provisions of the Seaton Phase 1 Regional Infrastructure Front Ending Agreement dated November 26, 2015 (the "RFEA"). For the purposes of the RFEA, NPCMI acts on behalf of various landowners in the Seaton Community (the "Seaton Landowners Group").

The Seaton Landowners Group understands that Mattamy (Seaton) Limited ("Mattamy") is seeking approval from the Region of Durham to get connection permits for Mattamy's Phase 1 lands and that the Region of Durham has agreed to issue the permits subject to the Seaton Landowners Group agreeing to the following:

1. Each member of the Seaton Landowners Group will be allowed to register its plan of subdivision for its phase 1 lands once the sewer and water works and earthworks for Assignment 4 (Whites Road) including the sewer and water work north of the south employment collector are in an awarded construction contract and the relevant Regional Subdivision Agreement is fully executed.

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2. In exchange for Mattamy providing letter of credit security for 100% of all remaining Employment Land works, Mattamy will be provided with the required connection permits for Phase 1 of its SP-2009-13 lands, provided that the Toronto and Region Conservation Authority is satisfied with the Erosion and Sediment Control plans for the earthworks and all other requirements of the Regional Subdivision Agreement have been met.
3. All other phases of Mattamy's development plan as well as all of the other plans of subdivision brought by the other members of the Seaton Landowners Group will continue to follow the Seaton Specific Subdivision Agreement approach described in Council Report# 2017-COW-143.

Please be advised that the Seaton Landowners Group has reviewed the above conditions and hereby agrees to them.

I trust the above is satisfactory. Should you require anything further please do not hesitate to contact the undersigned.

Thank you.

Yours truly,

**NORTH PICKERING COMMUNITY MANAGEMENT INC.**



Andrew Orr  
President/Trustee

cc. Mattamy – Mr. Roy Werner  
Seaton Project Manager/Group Engineer – Mr. Glenn Pitura (via email only)  
CSA Assistant Group Engineer – Ms. Julie Bottos (via email only)  
CSA Solicitor – Mr. Daniel Steinberg (via email only)  
CSA Accountant – Mr. Joseph Di Ilio (via email only)  
North Pickering Landowners (via email only)

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