

SECTION 1

MINUTES

THE REGIONAL COUNCIL OF DURHAM

Wednesday, September 12, 2018

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Roll Call: All members of Council were present with the exception of Councillors Rowett and Smith
Councillor Collier left the meeting at 11:45 AM
Councillor Mitchell left the meeting at 11:35 AM
Councillor Parish left the meeting at 11:35 AM
Councillor Rowett was absent due to illness
Councillor Roy left the meeting at 11:45 AM
Councillor Smith was absent on municipal business

Declarations of Interest

1. Councillor Carter made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 18 of the Eighth Report of the Committee of the Whole, Report #2018-COW-172, Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Vacant Lands located at 80 Bond Street East in the City of Oshawa. He indicated that he is a Business Improvement Area (BIA) member and owns property in the area.

Announcements

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

- Patricia MacDonald, Uxbridge resident received the governor general medal for Volunteers award for her work in helping increase public knowledge of Canada's participation in the First and Second world wars.
- Victoria McDonald won 5 gold medals in swimming at the Special Olympics Summer Games.
- Chair O'Connor was praised for her exceptional work as Regional Chair.
- Regional Chair O'Connor paid tribute to two long standing members of Regional Council: former Councillor Nancy Diamond, who provided service to her community for many years; and former Regional Chair Anderson, who was also recognized by Association of Municipalities Ontario (AMO) with a lifetime membership.
- Regional Chair O'Connor thanked all members of Regional Council, both past and present, the Chief Administrative Officer and all Regional staff for their support. She stated it has been an honour to have held the position of Regional Chair.

- The unveiling of the first monument in Canada to Women War Workers recognizing women and their contribution to the war will be held at Pat Bayly Square, in the Town of Ajax on September 16, 2018.
- Durham Agricultural Advisory Committee (DAAC) will be holding their annual farm tour on September 13, 2018.
- The University of Ontario Institute of Technology (UOIT) will be holding a Smart Cities Forum on September 29, 2018 on how technology can be used to strengthen decision making and improve service delivery for the people who live and work in Durham's communities.

Mr. Garry Cubitt, Chief Administrative Officer was congratulated on his upcoming retirement after serving the Region of Durham for 47 years. He was recognized by Council for his hard work and dedication to the Region during his time as Chief Administrative Officer.

Mr. Cubitt thanked his wife and family, as well as Regional Council and staff for their support throughout the years.

Presentations

1. Regional Chair O'Connor, on behalf of Regional Council and the Accessibility Advisory Committee (AAC), presented a token of appreciation to Councillor Drumm for his long service on the AAC since its inception 14 years ago.
2. Regional Chair O'Connor, Councillor Pickles, Chair, Health & Social Services Committee, Mr. Cubitt, Chief Administrative Officer, and Dr. Hugh Drouin, Commissioner of Social Services, presented an Accreditation Canada Certificate with Exemplary Standing to the Long Term Care and Services for Seniors Division. To obtain this award, the Region's four long-term care homes being Fairview Lodge, Hillsdale Estates, Hillsdale Terraces and Lakeview Manor, and the three Adult Day programs met more than 96 per cent of national quality and safety standards.

Adoption of Minutes

Moved by Councillor McLean, Seconded by Councillor Kolodzie,

(195) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on June 13, 2018;
- Special Regional Council meeting held on July 25, 2018;
- Closed Regional Council meeting held on July 25, 2018;
- Regular Committee of the Whole meeting held on September 5, 2018.

CARRIED

Discussion ensued with respect to the confidential minutes from the Chief Administrative Officer Selection Committee (Ad Hoc Committee) being made available to members of Regional Council. The Regional Chair declared that the confidential minutes will only be provided to the members of the Ad Hoc Committee who attended the meeting.

Councillor Joe Neal challenged the ruling of the Chair declaring that the confidential minutes from the Chief Administrative Officer Selection Committee should be made available to all members of Regional Council. The Ruling of the Chair was UPHOLD ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Kolodzie
Councillor McLean
Councillor Mitchell
Councillor Molloy
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair O'Connor

No

Councillor McQuaid-England
Councillor Joe Neal
Councillor John Neal
Councillor Parish

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

Correspondence Requiring Motion for Direction

CC 16 Association of Municipalities of Ontario (AMO), emailing Corporate Services – Legislative Services Division, advising at its June 21st meeting, AMO's Board of Directors passed a resolution in support of the Governments of Canada and Ontario successfully resolving the North American Free Trade Agreement (NAFTA) renegotiation:

That the AMO board approve the proposed NAFTA resolution to be shared with members, the Federal Government, the Provincial Government, and Federation of Canadian Municipalities (FCM).

Whereas, the North American Free Trade Agreement (NAFTA) governs nearly every aspect of Canada and the United States economic relationship including manufacturing, agriculture, resources industries, and services;

Whereas, about 80% of all of Ontario's exports go to the United States and Ontario is the top trading partner of half of all American States;

Whereas, even minor changes to the established trade relationship between Canada and the United States could have significant consequences for workers, consumers, and governments on both sides of the border;

Whereas, Canada's and Ontario's economic future and the continued well-being of communities and their local economies depend on free and fair trading relationships based in current future trade agreements;

Therefore, be it:

Resolved that Ontario municipal governments, represented by the Association of Municipalities of Ontario (AMO), stand together with the Federal and Ontario governments in their efforts to protect Canadian jobs and local economies;

Resolved that AMO will work with the Province of Ontario to support the interests of municipalities and communities affected by trade disputes and during ongoing trade agreement negotiations;

Resolved that AMO will work with the Federation of Canadian Municipalities to ensure that Canada understands the municipal impacts affected by trade disputes and during ongoing trade agreement negotiations; and be it further

Resolved that The Regional Municipality of Durham supports AMO's resolution; and

That this resolution be copied to the Prime Minister, Premier, AMO and FCM. (Our File: C05)

Moved by Councillor Henry, Seconded by Councillor Collier,
(196) That Council Correspondence Item (CC 16) be endorsed.
CARRIED

Additional Correspondence

CC 17 Memorandum from Don Beaton, Commissioner of Corporate Services, re:
Procedural By-law Update (2018-COW-158)

Moved by Councillor Henry, Seconded by Councillor Carter,
(197) That Council Correspondence Item (CC 17) be referred to consideration of Item #19 of the Eighth Report of the Committee of the Whole.
CARRIED

CC 18 Memorandum from Susan Siopis, Commissioner of Works, re: Ontoro Boulevard Area Petition for Water Supply Services, Town of Ajax

Moved by Councillor Henry, Seconded by Councillor Carter,
(198) That Council Correspondence Item (CC 18) be received for information.
CARRIED AS AMENDED LATER IN THE
MEETING
(See Following Motions)

Moved by Councillor Jordan, Seconded by Councillor Collier,
(199) That the main motion (198) of Councillors Henry and Carter to receive for information Council Correspondence Item (CC 18) be amended by lettering the main motion as Part A) and adding the following as a new Part B):

B) That staff review and report back to Regional Council through the 2019 Budget process on any potential mechanisms to reduce costs for the extension of water as per the Ontoro Boulevard area petition, such as: interest rates, deferrals of fees for vacant properties, length of term of any potential loan, potential grants, and any other mechanisms to reduce costs.

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

Moved by Councillor McLean, Seconded by Councillor Ryan,
(200) That the foregoing amending motion (199) of Councillors Jordan and Collier be amended by adding to the end of the paragraph the words, "such as cost sharing with the Town of Ajax".

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Drumm
Councillor Foster
Councillor Kolodzie
Councillor McLean
Councillor John Neal
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo

No

Councillor Carter
Councillor Collier
Councillor Drew
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Mitchell
Councillor Molloy
Councillor Joe Neal
Councillor Parish
Regional Chair O'Connor

Members Absent: Councillor Gleed
Councillor McQuaid-England
Councillor Rowett
Councillor Smith

Declarations of Interest: None

The foregoing amending motion (199) of Councillors Jordan and Collier was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Aker	Councillor Carter
Councillor Ashe	Councillor Collier
Councillor Ballinger	Councillor Drew
Councillor Drumm	Councillor Grant
Councillor Foster	Councillor Kolodzie
Councillor Gleed	Councillor Mitchell
Councillor Henry	Councillor Molloy
Councillor Jordan	Councillor Joe Neal
Councillor McLean	Councillor Parish
Councillor McQuaid-England	Councillor Pidwerbecki
Councillor John Neal	Regional Chair O'Connor
Councillor Pickles	
Councillor Roy	
Councillor Ryan	
Councillor Sanders	
Councillor Woo	

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

The main motion (198) of Councillors Henry and Carter to adopt the recommendations contained in Council Correspondence Item (CC 18) was then put to a vote and CARRIED AS AMENDED.

The main motion (198) of Councillors Henry and Carter now reads as follows:

- A) That Council Correspondence Item (CC 18) be received for information; and
- B) That staff review and report back to Regional Council through the 2019 Budget process on any potential mechanisms to reduce costs for the extension of water as per the Ontoro Boulevard area petition, such as: interest rates, deferrals of fees for vacant properties, length of term of any potential loan, potential grants, and any other mechanisms to reduce costs, such as cost sharing with the Town of Ajax.

Delegations

There were no delegations.

Notice of Motion

1. OPG Resolution [TABLED]

Moved by Councillor Jordan, Seconded by Councillor Drumm,

(201) Whereas Ontario Power Generation's (OPG) Pickering nuclear station is one of Durham Region's largest employers with operations scheduled to end in 2024 when the reactor will be decommissioned; and

Whereas a full federal environmental assessment of the OPG Pickering site will allow governments to gather information and recommend measures to mitigate or eliminate potential environmental, social and economic impacts of the decision to close; and

Whereas reactor decommissioning was excluded from the list of projects required to undergo an environmental assessment under the revised 2012 Canadian Environmental Assessment Act (CEAA); and

Whereas Durham Region has asked the Canadian Nuclear Safety Commission (CNSC) to be engaged in an environmental assessment for the decommissioning of the Pickering nuclear station, but neither CNSC nor OPG are legally required to carry out such an assessment; and

Whereas the federal government is currently revising Canada's environmental assessment legislation with a public comment period in fall 2018 on what projects should be subject to an environmental assessment under the proposed Impact Assessment Act;

Therefore be it resolved:

That Durham Regional Council requests the Minister of Environment and Climate Change (Canada) designate reactor decommissioning, and, in particular, the decommissioning of the Pickering nuclear station, as a project requiring assessment under the proposed Impact Assessment Act; and

That a copy of this motion be sent to:

- Hon. Catherine McKenna, Minister of the Environment and Climate Change
- Hon. Amarjeet Sohi, Minister of Natural Resources
- Members of Parliament
 - Colin Carrie (Oshawa)
 - Celina Caesar-Chavannes (Whitby)
 - Jamie Schmale (Haliburton-Kawartha Lakes-Brock)
 - Hon. Mark Holland (Ajax)
 - Jennifer O'Connell (Pickering-Uxbridge)
 - Erin O'Toole (Durham)
 - Kimberly Rudd (Northumberland-Peterborough South)

- Hon. Rod Phillips, Minister of the Environment, Conservation and Parks
- Members of Provincial Parliament
 - Hon. Peter Bethlenfalvy (Pickering-Uxbridge)
 - Laurie Scott (Haliburton-Kawartha Lakes-Brock)
 - Lindsey Park (Durham)
 - Lorne Coe (Whitby)
 - David Piccini (Northumberland-Peterborough South)
 - Jennifer French (Oshawa)
- Canadian Environmental Assessment Agency
- Canadian Nuclear Safety Commission
- Ontario Power Generation

TABLED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Ryan, Seconded by Councillor Foster,
(202) That the Notice of Motion (201) of Councillors Jordan and Drumm regarding Ontario Power Generation's (OPG) Pickering nuclear station be tabled to the next term of Regional Council commencing December 1, 2018; and

That the Canadian Nuclear Safety Commission (CNSC) be invited to attend and address this issue at a Regional Council meeting in early 2019.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Molloy
Councillor Joe Neal
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Woo
Regional Chair O'Connor

No

Councillor Jordan
Councillor Kolodzie
Councillor McQuaid-England

Members Absent: Councillor McLean
Councillor Mitchell
Councillor John Neal
Councillor Parish
Councillor Rowett
Councillor Sanders
Councillor Smith

Declarations of Interest: None

Eighth Report of the Committee of the Whole

Committee Reports

Moved by Councillor Pickles, Seconded by Councillor McLean,
(203) That the recommendations contained in the Eighth Report of the Committee of the Whole be adopted; save and except Items 15, 18, and 19 of the Finance & Administration Section, and Item 25 of the Confidential Matters Section of the Report of the Committee of the Whole.

CARRIED

Health & Social Services

1. [Memorandum from Dr. R. Kyle, Commissioner and Medical Officer of Health – re: A Publicly Funded Oral Health Program for Low Income Adults and Older Adults](#)
[CARRIED]
 - A) That the correspondence from the Halton Regional Chair regarding a provincially-funded oral health program for low-income adults and older adults be endorsed; and
 - B) That the Premier of Ontario, Ministers of Finance and Health and Long-Term Care, Durham's MPPs, Chief Medical Officer of Health and all Ontario boards of health be so advised.
2. A New By-law to Regulate Disclosure of Health Inspection Information to the Public ([2018-COW-174](#))
[CARRIED]
 - A) That the attached new Durham Notice of Inspection Disclosure By-law in the form appended to Report #2018-COW-174 (Attachment #1) of the Commissioner & Medical Officer of Health regulating the disclosure of inspection information to the public for all premises inspected by the Durham Region Health Department which are not addressed in the Durham Region Personal Services Settings By-law (#17-2016) and the Region of Durham's Food Safety Disclosure By-law (#54-2008) be adopted; and

- B) That the Regional Solicitor be directed to apply for Part 1 Offences and Short Form Wordings with the Regional Senior Justice, Ontario Court of Justice and that any approval of which be attached to the By-law once approved.
3. Additional Unbudgeted Provincial Funding in 2018 to Increase the Direct Care Hours for the Region of Durham's Long Term Care Homes (2018-COW-175)
[CARRIED]
- A) That additional unbudgeted 100 per cent Provincial funding in the amount of \$212,000 be received as supplementary to the 2018 Social Services Department – Long Term Care and Services for Seniors Business Plan and Budget; and
 - B) That the additional unbudgeted Provincial funding received in 2018 be allocated to support increases in direct resident care hours provided by existing direct care staff.

The recommendations contained in Items 1 to 3 inclusive of the Health & Social Services Section of the Eighth Report of the Committee of the Whole were adopted through motion (203).

Planning & Economic Development

4. 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 2018-001 (2018-COW-153)
[CARRIED]
- A) That Amendment #172 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Report #2018-COW-153 of the Commissioner of Planning and Economic Development; and
 - B) That “Notice of Adoption” be sent to the applicant, the applicant’s agent, the Township of Scugog, the Ministry of Municipal Affairs, and all other persons or public bodies who requested notification of this decision.
5. Durham Trail Coordinating Committee (DTCC) Membership Appointment (2018-COW-157)
[CARRIED]
- A) That the appointment of Ms. Constance Gray, as Area Municipal Citizen Volunteer from the Municipality of Clarington, be confirmed;
 - B) That Ms. Gray be advised of her appointment; and

- C) That a copy of Commissioner's Report #2018-COW-157 of the Commissioner of Planning and Economic Development be forwarded to the Municipality of Clarington and Durham Trail Coordinating Committee.
6. Proposed Revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, Durham Active Transportation Committee, and Durham Environmental Advisory Committee (2018-COW-159)
[CARRIED]
- A) That the revisions to the Terms of Reference for the Durham Agricultural Advisory Committee, as outlined in Attachment 1 to Report #2018-COW-159 of the Commissioner of Planning and Economic Development, be approved effective December 1, 2018;
 - B) That the revisions to the Terms of Reference for the Durham Active Transportation Committee, as outlined in Attachment 2 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018;
 - C) That the revisions to the Terms of Reference for the Durham Environmental Advisory Committee, as outlined in Attachment 3 to Commissioner's Report #2018-COW-159, be approved effective December 1, 2018; and
 - D) That a copy of Commissioner's Report #2018-COW-159 be forwarded to the Durham Agricultural Advisory Committee, Durham Trail Coordinating Committee, and Durham Environmental Advisory Committee.

The recommendations contained in Items 4 to 6 inclusive of the Planning & Economic Development Section of the Eighth Report of the Committee of the Whole were adopted through motion (203).

Works

7. Correspondence from the Town of Ingersoll, re: "Demand the Right" Campaign
[CARRIED]

That the following resolution as contained in the correspondence dated July 20, 2018 from the Town of Ingersoll regarding the Demand the Right Campaign be endorsed:

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS proposed Ontario legislation (Bill 139) will grant municipalities additional authority and autonomy to make decisions for their communities;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities,

AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the Regional Municipality of Durham calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the Regional Municipality of Durham encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

8. Town of Ajax re: Resolution passed at their Council meeting held on May 22, 2018, regarding Automated Speed Enforcement

[CARRIED]

 - A) That the correspondence from the Town of Ajax regarding the resolution passed at their Council meeting held on May 22, 2018 regarding Automated Speed Enforcement be endorsed; and
 - B) That Regional staff be authorized to undertake a feasibility study in consultation with Durham Regional Police Service for the implementation of Automated Speed Enforcement (fixed and/or mobile camera installations) in designated Community Safety Zones and School Zones on Regional Roads, as permitted by the Safe School Zones Act, with a view to understanding costs and benefits and establishing potential test sites for 2019 implementation.
9. Subdivision Agreement with Lindvest Properties (Clarington) Limited to allow the Construction of a Temporary Water Booster Pumping Station in Newcastle, Municipality of Clarington ([2018-COW-154](#))

[CARRIED]

 - A) That the Regional Municipality of Durham be authorized to enter into a Subdivision Agreement with Lindvest Properties (Clarington) Limited to construct a temporary water booster pumping station in Newcastle, Municipality of Clarington at Lindvest Properties' sole cost and expense for the installation and removal of the temporary water booster pumping station required to service lands to advance the final phase of the Foster Creek North plan of subdivision; and
 - B) That the Regional Chair and Clerk be authorized to execute the Subdivision Agreement.
10. Agreement with the Canadian Pacific Railway for the Rehabilitation of the Regional Road 57 Burketon CP Overpass ([2018-COW-155](#))

[CARRIED]

 - A) That the Regional Municipality of Durham be authorized to enter into an Agreement with the Canadian Pacific Railway for the rehabilitation of the Regional Road 57 Burketon CP Overpass at Mileage 147.54, Havelock Subdivision, in the Municipality of Clarington; and
 - B) That the Regional Chair and Clerk be authorized to execute the agreement.

11. Extension of Lease Agreement for Premises Occupied by the Health Department, Region of Durham Paramedic Services Located at 343 Bay Street, in Beaverton, in the Township of Brock ([2018-COW-164](#))
-

[CARRIED]

- A) That the Extension of Lease Agreement with Mary Hart Bullock for 234.80 square metres (2,527.5 square feet) of space, being premises located at 343 Bay Street, in the Township of Brock, be approved on the following terms and conditions:
- i) Term is for a period of five years commencing October 1, 2018, and ending September 30, 2023, with the Regional Municipality of Durham having the right to extend for a further period of five years, with the rent to be negotiated and subject to approval by Regional Council;
 - ii) The annual base rent for the first three years of the term to be \$32,857.50* per annum, based on \$139.93* per square metre (\$13.00* per square foot);
 - iii) The annual base rent for the last two years of the term to be \$34,121.25* per annum based on \$145.32* per square metre (\$13.50* per square foot);
 - iv) The Regional Municipality of Durham to be responsible for all operating costs for the leased premises, together with its proportionate share of common area costs which are currently estimated at \$34,121* (\$13.50* per square foot); and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Extension of Lease Agreement.
(*before applicable taxes)

12. Approval of Request for Pre-Qualification #RFPQ-1150-2018 of General Contractors and Sole Source Assignment of Engineering Services for Construction Administration to Associated Engineering Ltd. for the Sludge Blending Tank Restoration and Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant, in the City of Pickering ([2018-COW-166](#))
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[CARRIED]

- A) That in accordance with Request for Pre-Qualification #RFPQ-1150-2018, the following general contractors be pre-qualified for the tendering of the Sludge Blending Tank Restoration & Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant in the City of Pickering (Regional Tender D-2018-029):

- Kenaidan Contracting Limited
 - Peak Engineering and Construction Limited
 - North American Construction Limited
 - Romag Contracting Ltd.;
- B) That the tender documents for the Sludge Blending Tank Restoration & Connection to Digester Gas Systems at the Duffin Creek Water Pollution Control Plant be issued only to the above noted contractors;
- C) That approval be granted to enter into negotiations for the provision of engineering services for construction administration with Associated Engineering Ltd. at an upset limit not to exceed \$1,100,000* with the Region's share of costs being \$275,000* to be funded from the approved project budget (Y1605) of \$12 million; and
- D) That the Regional Chair and Regional Clerk be authorized to execute the engineering services agreement.
(*before applicable taxes)

The recommendations contained in Items 7 to 12 inclusive of the Works Section of the Eighth Report of the Committee of the Whole were adopted through motion (203).

Finance & Administration

13. Treatment of Hotels in the Region of York's Development Charge By-law
([2018-COW-167](#))
[CARRIED]

That Report #2018-COW-167 of the Acting Commissioner of Finance be received for information.

14. Regional Development Charges Deferral Agreement Policy for Lands not yet Served ([2018-COW-168](#))
[CARRIED]

- A) That the development charge deferral agreement policy as provided in Attachment #1 to Report #2018-COW-169 of the Acting Commissioner of Finance be adopted, effective September 12, 2018 and that the Commissioner of Finance and Chief Administrative Officer be authorized to execute deferral agreements for single home residential developments;

- B) That this new policy be applied to permit the deferral of the sanitary sewerage development charges for the proposed building expansion on Scugog Line 6 (Adamson Systems Engineering), provided the landowner enters into a deferral agreement with the Region, as permitted by the above recommended policy; and
- C) That the Commissioner of Finance and Chief Administrative Officer be authorized to execute the necessary deferral agreement with Adamson Systems Engineering.

15. Authorization to Undertake a Review and Update of the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law (2018-COW-169)

[CARRIED]

- A) That at the request of the Seaton Landowners Group, the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law be updated;
- B) That the consulting firm of Watson & Associates Economists Ltd. and legal firm of WeirFoulds LLP be retained to assist staff with this Development Charge review and preparation of the Development Charge Background Study and By-law at a cost up to \$100,000, to be financed from the Seaton Area Specific Development Charges Reserve Fund; and
- C) That the Commissioner of Finance be authorized to execute the necessary agreements.

16. Approval to Recommend Award of Contract under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund – Investment in Affordable Housing Program: Rental Housing Component (Year 3) (2018-COW-170)

[CARRIED]

- A) That regional staff be authorized to recommend to the Ministry of Municipal Affairs and Housing the highest ranking proposal(s) for award of contract in Fall of 2018 under Request for Proposal #RFP-1060-2018 with respect to the Federal-Provincial Social Infrastructure Fund (SIF) – Investment in Affordable Housing Program: Rental Housing Component (Year 3), subject to a review by the applicable area municipality;
- B) That subject to receipt of a Conditional Letter of Commitment from the Ministry of Municipal Affairs and Housing, the project-specific Municipal Housing Project Facilities By-law, which ensures municipal property taxes are adjusted using the residential property tax rate for approved affordable rental units over the twenty-year affordability period for the successful proponent(s), be approved; and

- C) That the Regional Chair and Regional Clerk be authorized to enter into any required agreements related to the administration of the Investment in Affordable Housing Program: 2016 SIF – Rental Housing Component (Year 3 funding), including the Municipal Housing Contribution and Facilities Agreement with the recommended proponent(s).

17. The 2018 Regional Municipality of Durham Asset Management Plan (2018-COW-171)

[CARRIED]

That the best business practice of allocating funds to address priority rehabilitation and replacement needs of Regional infrastructure systems as identified in Report #2018-COW-171 of the Acting Commissioner of Finance and Commissioner of Works, through the Region's asset management planning process continue as part of the Region of Durham's 2019 Business Planning and Budget deliberations.

18. Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Vacant Lands located at 80 Bond Street East in the City of Oshawa (2018-COW-172)

[CARRIED]

- A) That the application submitted by the City of Oshawa, on behalf of Bond and Mary Development (Phase 2) Inc. (BMDI), under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the development of vacant lands located at 80 Bond Street East in the City of Oshawa (Phase 2), be approved, subject to the following conditions:

- i) The Region to provide \$580,000 for Phase 2 of the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the City of Oshawa for distribution to BMDI, in accordance with the timing and flow of funds under the RRP:

Full building permit issued to BMDI	50%
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Framing inspection (or equivalent structural completion), passed by the area municipal building inspection authority	40%
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Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit	10%
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- ii) BMDI must pay all applicable Regional Development Charges due at building permit issuance;
 - iii) All costs associated with works for the development of the lands will be borne by the developer, BMDI, in keeping with Regional policies;
 - iv) Satisfying all performance criteria outlined in the agreement between the City of Oshawa and BMDI in regard to incentives (financial or other) provided under the City's Central Business District Renaissance Community Improvement Area and applicable City By-laws;
 - v) The City of Oshawa enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding; and,
 - vi) The City of Oshawa agrees to annual post-project reviews and audits for five years after substantial occupancy of Phase 2 of the development of vacant lands, in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources; and,
- B) That as per the RRP, the increased property tax revenue generated from the increased current value assessment of Phase 2 of the development project located at 80 Bond Street East in the City of Oshawa be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.

19. Procedural By-law Update (2018-COW-158)
[CARRIED AS AMENDED ON A RECORDED VOTE] [See pages 21 to 24]

- A) That the Procedural By-law #70-2017 be repealed and replaced, effective December 1, 2018, with the draft Procedural By-law, generally in the form included as Attachment #1 to Report #2018-COW-158, as amended as follows:
- i) In Section 7.8 of Attachment #1 to Report #2018-COW-158 to reflect that the appointment of members to Standing Committees be for a two year term, beginning with the first meeting after the Inaugural Council meeting and ending after the last Standing Committee meeting in December of the second year of the four year term, at which time new appointment be made; and that the Regional Clerk take the necessary action to give effect thereto; and

B) By replacing Section 15.10 (b) with the following new Section 15.10 (b):

- (b) All requests for substantive gathering of information or the preparation of reports from staff shall require the approval of a majority of the Members present at a meeting and such requests shall identify the appropriate Department and the objective(s) of the report.**

20. Proposed Revisions to the Durham Region Roundtable on Climate Change (DRRCC) Terms of Reference ([2018-COW-160](#))

[CARRIED]

That the revised DRRCC Terms of Reference (ToR), as detailed in Attachment #2 to Report #2018-COW-160 of the Chief Administrative Officer, be adopted.

21. Appointment of new members to the Durham Accessibility Advisory Committee (AAC) ([2018-COW-161](#))

[CARRIED]

That the following people be appointed to the Durham Accessibility Advisory Committee:

Ms. Kristine Galloway – Community member; and

Ms. Doreen Hume – Agency member.

22. The Regional Municipality of Durham's 2017 Accessibility Report ([2018-COW-162](#))

[CARRIED]

That the Regional Municipality of Durham's 2017 Accessibility report be adopted.

23. Amendment to the Accessibility Advisory Committee (AAC) Terms of Reference ([2018-COW-163](#))

[CARRIED]

That the Durham Accessibility Advisory Committee Terms of Reference as amended, be adopted.

24. Federation of Canadian Municipalities Special Advocacy Fund ([2018-COW-176](#))

[CARRIED]

- A) That the Region of Durham support the Federation of Canadian Municipalities Special Advocacy Fund;

- B) That the Year 1 contribution of \$21,600, plus HST, be paid in 2018, funded at the discretion of the Commissioner of Finance; and
- C) That the Year 2 contribution of \$21,600, plus HST, be included for consideration in the 2019 Regional Business Plans and Budgets.

The recommendations contained in Items 13, 14, 16, 17, and 20 to 24 of the Finance & Administration Section of the Eighth Report of the Committee of the Whole were adopted through motion (203).

Moved by Councillor Pickles, Seconded by Councillor McLean,

- (204) That the recommendations contained in Item 15 of the Finance & Administration Section of the Eighth Report of the Committee of the whole be adopted.
CARRIED

Moved by Councillor Pickles, Seconded by Councillor McLean,

- (205) That the recommendations contained in Item 18 of the Finance & Administration Section of the Eighth Report of the Committee of the whole be adopted.
CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Kolodzie
Councillor McLean
Councillor McQuaid-England
Councillor Mitchell
Councillor Molloy
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair O'Connor

No

Councillor Joe Neal
Councillor John Neal

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

Moved by Councillor Pickles, Seconded by Councillor McLean,
(206) That the recommendations contained in Item 19 of the Finance & Administration
Section of the Eighth Report of the Committee of the whole be adopted.

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

Moved by Councillor Joe Neal, Seconded by Councillor McQuaid-England,
(207) That the recommendations as contained in Option 2 of the Memorandum dated
September 12, 2018 from the Commissioner of Corporate Services, containing
the following amendment to Section 15.10 (b) of the Procedural By-law be
adopted:

- By replacing Section 15.10 (b) with the following new Section 15.10 (b):
“15.10 (b) All requests for reports from staff shall require the approval of a
majority of the Members present at a meeting and such requests
shall identify the appropriate Department and the objective(s) of
the report.”

MOTION DEFEATED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(208) That the main motion (206) of Councillors Pickles and McLean to adopt the
recommendations contained in Item 26 of the Finance & Administration Section
of the Eighth Report of the Committee of the Whole be amended in Part 15.6 by
deleting the following Part (k):

- “(k) Delegations related to a previous decision of Council shall not be
considered by Council or a Committee within 12 months following the
decision of Council unless a motion to reconsider or re-introduce the matter
is presented to Council pursuant to Section 19.15 of this By-law.”

MOTION DEFEATED

ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Aker	Councillor Ashe
Councillor Ballinger	Councillor Drew
Councillor Carter	Councillor Drumm
Councillor Collier	Councillor Foster
Councillor Jordan	Councillor Gleed
Councillor Kolodzie	Councillor Grant
Councillor McQuaid-England	Councillor Henry

Councillor Molloy
Councillor Joe Neal
Councillor John Neal
Councillor Parish
Councillor Sanders
Regional Chair O'Connor

Councillor McLean
Councillor Mitchell
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Woo

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

Moved by Councillor John Neal, Seconded by Councillor Joe Neal,
(209) That the recommendations as contained in Option 1 of the Memorandum dated September 12, 2018 from the Commissioner of Corporate Services, containing the following amendment to Section 15.10 (b) of the Procedural By-law be adopted:

- By replacing Section 15.10 (b) with the following new Section 15.10 (b):

“15.10 (b) All requests for substantive gathering of information or the preparation of reports from staff shall require the approval of a majority of the Members present at a meeting and such requests shall identify the appropriate Department and the objective(s) of the report.”

CARRIED UNANIMOUSLY
ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Kolodzie
Councillor McLean
Councillor McQuaid-England
Councillor Mitchell
Councillor Molloy

No
None

Councillor Joe Neal
Councillor John Neal
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair O'Connor

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

The main motion (206) of Councillors Pickles and McLean to adopt the recommendations contained in Item 19 of the Finance & Administration Section of the Eighth Report of the Committee of the Whole was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Collier
Councillor Drew
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Henry
Councillor Jordan
Councillor Kolodzie
Councillor McLean
Councillor McQuaid-England
Councillor Mitchell
Councillor Molloy
Councillor Parish
Councillor Pickles
Councillor Pidwerbecki
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair O'Connor

No

Councillor Joe Neal
Councillor John Neal

Members Absent: Councillor Rowett
Councillor Smith

Declarations of Interest: None

Confidential Matters

25. Confidential Report of the Commissioner of Works – Proposed or pending acquisition or disposition of land for Regional Corporation purposes as it relates to land located in Bowmanville, Municipality of Clarington (2018-COW-165)
-

[CARRIED]

That Confidential Report #2018-COW-165 of the Commissioner of Works be received for information.

Moved by Councillor Pickles, Seconded by Councillor McLean,
(210) That the recommendation contained in Item 25 of the Confidential Matters Section of the Eighth Report of the Committee of the Whole be adopted.
CARRIED

Other Business

Information Report 2018-INFO-127: Single Use Plastics

Moved by Councillor Joe Neal, Seconded by Councillor McQuaid-England,
(211) That the Rules of Procedure be suspended in order to consider Information Report 2018-INFO-127 of the Commissioner of Works and introduce a new motion.

CARRIED on a 2/3rds Vote

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(212) That Information Report 2018-INFO-127 of the Commissioner of Works regarding Single Use Plastics be referred to staff for a report back to the Works Committee in January 2019 on the program introduced by the City of Vancouver to eliminate single use plastics.

CARRIED

Cancellation of the October 2018 Committee of the Whole and Council Meetings

Moved by Councillor McQuaid-England, Seconded by Councillor Ballinger,
(213) That the regularly scheduled October 3, 2018 Committee of the Whole meeting and the October 10, 2018 Regional Council meeting be cancelled.

CARRIED

By-laws

- 43-2018** Being a by-law to adopt Amendment #172 to the Durham Regional Official Plan.
- This by-law implements the recommendations contained in item #4 of the 8th Report of the Committee of the Whole presented to Regional Council on September 12, 2018.
- 44-2018** Being a by-law to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.
- This by-law implements the recommendations contained in item #19 of the 8th Report of the Committee of the Whole presented to Regional Council on September 12, 2018.
- 45-2018** Being a by-law to regulate disclosure of health inspection information to the public.
- This by-law implements the recommendations contained in item #2 of the 8th Report of the Committee of the Whole presented to Regional Council on September 12, 2018.
- 46-2018** Being a by-law to rename a portion of Regional Road 57, also known as Waverly Road and Martin Road in the Municipality of Clarington.
- This by-law implements the recommendations contained in item #12 of the 2nd Report of the Committee of the Whole presented to Regional Council on February 14, 2018.
- 47-2018** Being a by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of \$4,671,000.00 (\$1,671,000.00 principal amount of 5 year instalment debentures and \$3,000,000.00 principal amount of 15 year instalment debentures) for capital works of the Corporation of the Town of Ajax.
- This by-law implements the recommendations contained in item #37 of the 7th Report of the Committee of the Whole presented to Regional Council on June 13, 2018.
- 48-2018** Being a by-law to authorize the borrowing upon 15 year instalment debentures in the aggregate principal amount of \$4,366,000.00 for capital works of the Corporation of the Municipality of Clarington.
- This by-law implements the recommendations contained in item #37 of the 7th Report of the Committee of the Whole presented to Regional Council on June 13, 2018.

- 49-2018** Being a by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of \$3,604,000.00 (\$1,663,000.00 principal amount of 5 year instalment debentures, \$749,000.00 principal amount of 10 year instalment debentures, \$342,000.00 principal amount of 15 year instalment debentures and \$850,000.00 principal amount of 20 year instalment debentures) for capital works of the Corporation of the City of Pickering.

This by-law implements the recommendations contained in item #37 of the 7th Report of the Committee of the Whole presented to Regional Council on June 13, 2018.

- 50-2018** Being a by-law to authorize the borrowing upon 20 year instalment debentures in the principal amount of \$4,000,000.00 for a capital work of the Corporation of the Town of Whitby.

This by-law implements the recommendations contained in item #37 of the 7th Report of the Committee of the Whole presented to Regional Council on June 13, 2018.

- 51-2018** Being a by-law to authorize the borrowing upon instalment debentures in the principal amounts authorized by by-laws numbers 49-2018 and 50-2018 in the aggregate principal amount of \$7,604,000.00 (\$1,663,000.00 principal amount of 5 year instalment debentures, \$749,000.00 principal amount of 10 year instalment debentures, \$342,000.00 principal amount of 15 year instalment debentures and \$4,850,000.00 principal amount of 20 year instalment debentures) and the issuing of one series of instalment debentures therefor.

This by-law implements the recommendations contained in item #37 of the 7th Report of the Committee of the Whole presented to Regional Council on June 13, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(214) That By-law Numbers 43-2018, 44-2018 as amended, and By-law 45-2018 to 51-2018 inclusive be passed.

CARRIED

Confirming By-law

- 52-2018** Being a by-law to confirm the proceedings of Regional Council at their meeting held on September 12, 2018.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(215) That By-law Number 52-2018 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on September 12, 2018 be passed.

CARRIED

Adjournment

Moved by Councillor Drumm, Seconded by Councillor Aker,
(216) That the meeting be adjourned.

CARRIED

The meeting adjourned at 12:01 PM

Gerri Lynn O'Connor, Regional Chair & CEO

Ralph Walton, Regional Clerk