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The Regional Municipality of Durham

MINUTES

FINANCE & ADMINISTRATION COMMITTEE

Tuesday, April 9, 2019

A regular meeting of the Finance & Administration Committee was held on Tuesday, April 9, 2019 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Present: Councillor Foster, Chair
Councillor Collier, Vice-Chair
Councillor Ashe
Councillor Drew
Councillor Leahy, attended the meeting at 9:32 AM
Councillor Mulcahy
Councillor Nicholson
Regional Chair Henry, left the meeting at 9:43 AM on municipal business

Also

Present: Councillor Dies
Councillor Wotten

Staff

Present: D. Beaton, Commissioner of Corporate Services
C. Drimmie, Manager, Corporate Initiatives, Office of the CAO
D. Hoge, Program Coordinator, Climate Change, Office of the CAO
J. Hunt, Director, Legal Services, Corporate Services – Legal
B. Kelly, Manager, Sustainability, Office of the CAO
T. Lavery, Manager, Corporate Communications
J. Presta, Director, Environmental Services, Works Department
M. Simpson, Director, Financial Planning & Purchasing
L. Fleury, Legislative Officer, Corporate Services – Legislative Services

1. Declarations of Interest

There were no declarations of interest.

2. Adoption of Minutes

Moved by Councillor Collier, Seconded by Regional Chair Henry,
(66) That the minutes of the regular Finance & Administration Committee
meeting held on Tuesday, March 19, 2019, be adopted.

CARRIED

3. Statutory Public Meetings

There were no statutory public meetings.

4. Delegations

4.1 Mr. Colin Thomson, Unit Leader, Pickering Auxiliary Rescue Association (PARA)
re: 2018 Year in Review and 2019 Strategic Plan

Mr. Colin Thomson, Unit Leader, PARA, postponed his delegation to the May 14, 2019 Finance & Administration Committee meeting.

4.2 Mr. Jamie Macinnis, President, City Homes re: Report #2019-F-17: Request for
Regional Financial Assistance under the Regional Revitalization Program for the
Development of Lands known as 215-234 Perry Street, 205 John Street East and
the two (2) vacant lots to the south in the Town of Whitby

Mr. Jamie Macinnis, President, City Homes, appeared before the Committee with respect to Report #2019-F-17: Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Lands in the Town of Whitby.

Mr. Macinnis thanked staff for all of the work that went into considering the City Homes application under the Regional Revitalization Program (RRP). He added that although City Homes did not request a specific amount under the RRP, the amount approved was less than what they had expected.

Mr. Macinnis stated that they feel the project is worthy under the RRP and that the amount approved is about \$100,000 low. He explained that extensive caisson work needs to be completed for this project and added that the additional foundation work will cost \$1.5 million over what normal foundation work would cost. He noted that there is also a potential for overruns with this type of work.

Mr. Macinnis outlined the additional property taxes that the Region will receive from the property and noted that the Region will potentially be paid-back for the RRP investment in less than a two-year period.

Mr. Macinnis asked that the Region consider approving another \$100,000 through the RRP for the project and noted that City Homes has completed other successful projects like this and they feel it is critical for downtown Whitby.

Mr. Macinnis responded to questions from the Committee.

5. Presentations

5.1 Mr. Brian Kelly, Manager of Sustainability re: Approval in Principle of the Durham Community Energy Plan (DCEP) (2019-A-18)

It was the consensus of the Committee that the presentation by Mr. Kelly be waived and that Report #2019-A-18 be considered at this time.

E) Approval in Principle of the Durham Community Energy Plan (DCEP) (2019-A-18)

Report #2019-A-18 from S. Austin, Director of Corporate Policy and Strategic Initiatives, was received.

Moved by Councillor Collier, Seconded by Councillor Drew,
(67) That we recommend to Council:

- A) That Report #2019-A-18 of the Director of Corporate Policy and Strategic Initiatives be endorsed to approve in principle the DCEP and that it be referred to local municipal councils and local energy utilities for their review and approval in principle;
- B) That staff be directed to incorporate the relevant elements of the DCEP related to land-use planning into the new Regional Official Plan through Envision Durham – Municipal Comprehensive Review process; and
- C) That staff be authorized to further develop the details of the six programs recommended in the DCEP and bring them forward for individual approval to proceed with implementation.

CARRIED

6. Administration

6.1 Correspondence

6.2 Reports

A) Durham Region Roundtable on Climate Change (DRRCC) 2018 Annual Report and 2019 Workplan (2019-A-14)

Report #2019-A-14 from S. Austin, Director of Corporate Policy and Strategic Initiatives, was received.

Moved by Councillor Leahy, Seconded by Councillor Mulcahy,
(68) That we recommend to Council:

That report #2019-A-14 of the Director of Corporate Policy and Strategic Initiatives, the Durham Region Roundtable on Climate Change (DRRCC) annual report and workplan, be received and approved.

CARRIED

B) Recommendation to Postpone “Come into Force” date of the Construction Act
(2019-A-15)

Report #2019-A-15 from D. Beaton, Commissioner of Corporate Services, was received.

D. Beaton responded to a question with respect to whether staff is trying to be ready by October 1st in case the “come into force” date is not postponed.

Moved by Councillor Drew, Seconded by Councillor Collier,
(69) That we recommend to Council:

- A) That the Regional Chair, in consultation with Corporate Services – Legal Services Division, be authorized to write to the Attorney General and request that:
 - i. the implementation of the prompt payment scheme and the implementation of a mandatory adjudication system in the Construction Act, R.S.O 1990 c. C.30 originally scheduled to come into force on October 1, 2019 be delayed until one year following the establishment of the Authorized Naming Authority; and
 - ii. the Province undertake to provide Municipalities with training and/or guidance on the implementation of prompt payment and adjudication for the protection and preservation of present and future public projects; and
- B) That the Regional Clerk be directed to send a copy of Report #2019-A-15 of the Commissioner of Corporate Services, any related resolution of Regional Council and the Regional Chair’s letter referenced above, to all area municipalities for them to endorse and/or prepare their own letters to the Attorney General in respect of delaying the implementation of the prompt payment and mandatory adjudication system.

CARRIED

C) Proposed Amendment to By-law 36-2015 – Emergency Management Program
(2019-A-16)

Report #2019-A-16 from W. Leonard, Director, Emergency Management, was received.

Moved by Councillor Nicholson, Seconded by Councillor Leahy,
(70) That we recommend to Council:

That the amending by-law, generally in the form included as Attachment #1 to Report #2019-A-16 of the Director of Emergency Management, be approved.

CARRIED

D) Response to Finance & Administration Motion of February 12, 2019 Regarding Corporate Pregnancy Leave Policy ([2019-A-17](#))

Report #2019-A-17 from D. Beaton, Commissioner of Corporate Services, was received.

Comments were made that pregnancy should not be considered the same as a disability. Questions were raised about the financial impact of maintaining salary levels when moving someone to modified duties, and comparators. D. Beaton advised that much of the information requested is in the confidential attachment and that this is an item that should be discussed during collective bargaining.

Moved by Councillor Leahy, Seconded by Councillor Drew,
(71) That we recommend to Council:

That the recommendations contained within the confidential attachment to Report #2019-A-17 of the Commissioner of Corporate Services with respect to Labour Negotiations, be endorsed.

CARRIED

E) Approval in Principle of the Durham Community Energy Plan (DCEP) ([2019-A-18](#))

Report #2019-A-18 from S. Austin, Director of Corporate Policy and Strategic Initiatives, was considered earlier in the meeting. [See page 3 of these minutes]

F) Appointment of Citizen Members to the Durham Region Roundtable on Climate Change (DRRCC) ([2019-A-19](#))

Report #2019-A-19 from S. Austin, Director of Corporate Policy and Strategic Initiatives, was received.

Moved by Councillor Collier, Seconded by Councillor Drew,
(72) That we recommend to Council:

A) That the following citizen members be appointed to the Durham Region Roundtable on Climate Change (DRRCC):

- Bradley Cochrane – Director of Energy Management, York University
- Gord MacPherson – Associate Director, Toronto Region Conservation Authority
- John Koke – Vice President, Land Development, Dorsay Development Company
- June Davies – Citizen Member
- Kat Senyk – Project Manager, WSP; and

B) That the successful nominees be advised of their appointment to the DRRCC for the 2019 – 2022 term of Council.

CARRIED

7. Finance

7.1 Correspondence

7.2 Reports

A) Write-off of Arrears of Former Tenants of the Durham Regional Local Housing Corporation for the Year Ended December 31, 2018 (2019-F-15)

Report #2019-F-15 from N. Taylor, Commissioner of Finance, was received.

In response to requests from the Committee, M. Simpson advised that she could prepare a memo with comparator figures from other regions on the percentage of write-offs of tenants' arrears; and the cost to the Region to pursue collection activity on the accounts.

Moved by Councillor Leahy, Seconded by Councillor Mulcahy,

(73) That the write-off totalling \$13,742.39 of outstanding arrears of twenty-two (22) former tenants of the Durham Regional Local Housing Corporation, whose amounts owing are less than \$10,000 each be approved; and

That we recommend to Council:

That arrears totalling \$10,134.80 of one former tenant of the Durham Regional Local Housing Corporation be written-off.

CARRIED

B) Durham Region Water Financial Plan #003-301A (2019-F-16)

Report #2019-F-16 from N. Taylor, Commissioner of Finance, was received.

Moved by Councillor Nicholson, Seconded by Councillor Collier,

(74) That we recommend to Council:

- A) That in accordance with Provincial Regulation 453/07, the Water Financial Plan (Provincial #003-301A) as provided in Appendix #1 to Report #2019-F-16 of the Commissioner of Finance, which has been prepared in the Public Sector Accounting Standards format employing tangible capital asset methodology, be approved;
- B) That a copy of the Water Financial Plan and Council Resolution approving the plan be submitted to the Ministry of Municipal Affairs and Housing as prescribed by Ontario Regulation 453/07 under the Safe Drinking Water Act, 2002 which requires owners of municipal drinking water systems to submit a Water Financial Plan to the Province in order to obtain or maintain a Municipal Drinking Water Licence; and
- C) That notification be placed in newspapers and on the Region's website to advise the public of the availability of Durham's Water Financial Plan, as prescribed by Ontario Regulation 453/07.

CARRIED

- C) Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Lands known as 215-234 Perry Street, 205 John Street East and the two (2) vacant lots to the south in the Town of Whitby ([2019-F-17](#))
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Report #2019-F-17 from N. Taylor, Commissioner of Finance, was received.

M. Simpson responded to questions with respect to whether there is a guideline in the RRP regarding establishing an amount for financial assistance; the time to payback the funds provided by the Region; whether the request for additional funding from City Homes could be accommodated; and if the approval of the additional funds would impact other applications under the RRP.

A concern was raised with respect to the project being converted into condominiums rather than rental units.

Moved by Councillor Leahy, Seconded by Councillor Mulcahy,

(75) That we recommend to Council:

- A) That the application submitted by the Town of Whitby, on behalf of City Homes, under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the development of lands known as 215-234 Perry Street, 205 John Street East and the two (2) vacant lots to the south in the Town of Whitby, be approved, subject to the following conditions:

- i) The Region to provide \$190,000 for the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the Town of Whitby for distribution to City Homes, in accordance with the timing and flow of funds under the RRP:
 - Full building permit issued to City Homes 50%
 - Framing inspection (or equivalent structural completion), passed by the area municipal building inspection authority 40%
 - Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit; 10%
- ii) City Homes must pay all applicable Regional Development Charges due at building permit issuance;
- iii) City Homes enter into a servicing agreement with the Region to construct new water and sewer connections and abandon old connections at an estimated cost of \$42,200;
- iv) All costs associated with works for the development of the lands will be borne by the developer, City Homes, in keeping with Regional policies;
- v) Satisfying any performance criteria outlined in agreements between the Town of Whitby and City Homes in regard to incentives (financial or other) provided under the Downtown Whitby Community Improvement Plan and applicable Town By-laws;
- vi) The Town of Whitby enter into an agreement with City Homes, establishing a commitment by the developer to operate the proposed project as a purpose-built rental apartment building for a minimum of ten (10) years from time of occupancy permit. If, at a future date, an application for the conversion of existing residential rental units to condominium tenure is considered, conditions under ROP Policy 4.3.4 apply;
- vii) The Town of Whitby enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding; and,
- viii) The Town of Whitby agrees to annual post-project reviews and audits for five years after substantial occupancy of the development of 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 the development project in the Town of Whitby be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.

CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Leahy, Seconded by Councillor Mulcahy,

- (76) That the main motion (75) of Councillors Leahy and Mulcahy be amended in Part A) i) to increase the Regional subsidy under the Regional Revitalization Plan from \$190,000 to \$300,000.

CARRIED

The main motion (75) of Councillors Leahy and Mulcahy was then put to a vote and CARRIED AS AMENDED.

8. Advisory Committee Resolutions

8.1 Durham Region Roundtable on Climate Change (DRRCC) Committee

- A) Resolution regarding Frequency of Durham Region Roundtable on Climate Change (DRRCC) Meetings
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Moved by Councillor Nicholson, Seconded by Councillor Leahy,

- (77) That the following recommendation from the Durham Region Roundtable on Climate Change be referred to Council:

- A) That Section 13.1 "Meeting Schedule" of the Durham Region Roundtable on Climate Change (DRRCC) Committee's Terms of Reference be reconsidered; and
- B) That subject to Part A) being passed on a two-thirds vote, that the DRRCC Committee meeting schedule be revised to a monthly meeting schedule, and that the DRRCC Terms of Reference be amended to reflect the change.

CARRIED

9. Confidential Matters

There were no confidential matters to be considered.

10. Other Business

There was no other business to be considered.

11. Date of Next Meeting

The next regularly scheduled Finance & Administration Committee meeting will be held on Tuesday, May 14, 2019 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

Moved by Councillor Collier, Seconded by Councillor Ashe,
(78) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:02 AM

Respectfully submitted,

A. Foster, Chair

L. Fleury, Legislative Officer