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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, April 24, 2019

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

Regional Chair Henry assumed the Chair.

1. Roll Call

Morning Session 9:30 AM to 12:30 PM

All members of Council were present with the exception of Councillor Yamada

Councillor McLean left the meeting at 12:30 PM

Councillor Newman attended on behalf of Councillor Yamada as the alternate for the Town of Whitby

Afternoon Session 1:31 PM to 3:45 PM

All members of Council were present with the exception of Councillors McLean and Yamada

Councillor Carter left the meeting at 2:42 PM

Councillor Ryan left the meeting at 3:08 PM

Councillor Wotten left the meeting at 2:20 PM on municipal business

Councillor Newman attended on behalf of Councillor Yamada as the alternate for the Town of Whitby

2. Declarations of Interest

Councillor McLean made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item CC #17 regarding Integrity Commissioner Report dated March 26, 2019 and Item CC #18 regarding Integrity Commissioner Supplementary Report dated April 17, 2019. He indicated that he is a party named in the Reports.

Councillor Drew made a declaration of interest under the Municipal Conflict of Interest Act with respect to the Council minutes of March 27, 2019, Report #2019-F-11: The 2019 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit Part A) i), as it pertains to Regional Operations. She indicated that her son is an employee of the Works Department.

Councillor Carter made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 6 of the Fourth Report of the Works Committee, Report #2019-W-26: Servicing Agreements with Bond & Mary Developments Inc. and Bond & Mary Development Phase II Inc. for Temporary Sanitary Sewer Connections, in the City of Oshawa. He indicated that he is a member of the Business Improvement Area (BIA) and owns property in the vicinity of the subject property.

Councillor Collier made a declaration of interest under the Municipal Conflict of Interest Act with respect to the Council Minutes of March 27, 2019, Report #2019-F-11: The 2019 Regional Business Plans and Budgets for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit Part AA), as it relates to the U-Pass. He indicated that he has a family member who attends UOIT and utilizes the U-Pass.

Councillor Anderson made a declaration of interest under the Municipal Conflict of Interest Act during the Closed meeting with respect to Report #2019-A-17: Response to Finance & Administration Motion of February 12, 2019 Regarding Corporate Pregnancy Leave Policy. He indicated that his daughter is employed by the Region of Durham as a paramedic. He left the closed meeting during consideration of the item.

3. Announcements

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

4. Presentations

4.1 Mr. Vincent Patterson, General Manager, Durham Region Transit, presentation of Drivers for the 2018 Safe Driver Recognition Awards

Vincent Patterson, General Manager, presented the General Manager Commendations Awards to the following recipients:

General Manager Commendations Award

- Holly Cook
- Jennifer King
- Joseph Smith

Nabeel Patel, Manager, Safety and Training, Durham Region Transit, presented the 2018 Safe Drivers Collision Free Awards to the following recipients:

5 Years

- James Campbell
- Tara Dancey
- Richedean Delapenha
- Robert Fiorini
- Edward Foley
- Felicity Hawkins
- Ian Livingstone
- Brad Owens
- Sandra Pennington
- Brandon Phillips
- Roslyn Reyes
- Jeremy Rust
- Krikor Telian
- Fitzroy Thomas
- Robert Vandusen
- Walter Waugh

10 Years

- Linda Aker
- Brenda Arnott
- Cindy Arruda
- Sherry Kimmerly
- Haydn Streeter
- Carlton Wright

20 Years

- Tom Carrier
- Dan Soares

4.2 Mr. Steven Kemp, Manager of Traffic – Operations, re: Durham Vision Zero – A Strategic Road Safety Action Plan (SRSAP) for the Regional Municipality of Durham (2019-W-27)

S. Kemp, Manager of Traffic – Operations, provided a PowerPoint presentation regarding Durham Vision Zero – A Strategic Road Safety Action Plan (SRSAP) for the Regional Municipality of Durham. Highlights of his presentation included:

- Some good news
- Why are we concerned?

- Background
- What is Vision Zero?
 - Three pillars:
 - No one should be killed or seriously injured as the result of a collision;
 - Design needs to accommodate humans that make mistakes; and
 - Collisions don't happen by accident.
- Vision
 - Zero people killed or injured across all modes of transportation
- Goal
 - Minimum 10% reduction in fatal and injury collisions over a five year period
- Emphasis Areas (8)
- Our Data
 1. Intersections
 2. Aggressive Driving
 3. Distracted Driving
 4. Young Drivers (16-25)
 5. Pedestrians
 6. Impaired Drivers
 7. Cyclists
 8. Commercial Vehicles
- Next Steps

S. Kemp advised that next steps would include establishment of a Vision Zero Task Force; implementation of countermeasures; and ongoing monitoring and evaluation of progress towards zero.

S. Kemp responded to questions of Regional Council.

Moved by Councillor Foster, Seconded by Councillor Joe Neal,
(143) That Council recess for 10 minutes.

CARRIED

Council recessed at 11:00 AM and reconvened at 11:10 AM.

5. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,
(144) That the minutes of the Special Regional Council meeting held on March 21, 2019 be adopted.

CARRIED

Moved by Councillor Foster, Seconded by Councillor Leahy,
(145) That the minutes of the Regional Council meeting held on March 27, 2019 be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	
Councillor Ashe	
Councillor Barton	
Councillor Carter	
Councillor Chapman	
Councillor Crawford	
Councillor Dies	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor Marimpietri	
Councillor McLean	
Councillor Mitchell	
Councillor Mulcahy	
Councillor John Neal	
Councillor Joe Neal	
Councillor Newman	
Councillor Nicholson	
Councillor Pickles	
Councillor Roy	
Councillor Ryan	
Councillor Smith	
Councillor Wotten	
Regional Chair Henry	

Members Absent: Councillor Bath-Hadden

Declarations of Interest: Councillor Collier
Councillor Drew

Moved by Councillor Foster, Seconded by Councillor Lee,
(146) That the closed minutes of the Regional Council meeting held on March 27,
2019 be adopted.

CARRIED

6. Communications

CC 15 Confidential Memorandum from Jason Hunt, Director of Legal Services, providing advice that is subject to solicitor-client privilege re: New View Holdings.

Moved by Councillor Chapman, Seconded by Councillor Foster,
(147) That Council Correspondence CC 15 be referred to consideration of Item 1
of Report #4 of the Works Committee.

CARRIED

CC 16 Dave Douglas, Environmental Consultant, VisionQuest Environmental Strategies Corp., writing to Works Committee Members thanking them for the opportunity to present at the April 3, 2019 meeting. They acknowledge that the Committee does not wish to proceed with the implementation of the GLAD “See Through” Blue Bags pilot project at this time but remain committed should the Region decide to reconsider their offer at a future date. Their industry partner (EFS-Plastics) also remains interested in providing the Region of Durham with a viable downstream market for the GLAD “See Through” Blue Bags collected under such a pilot and reintegrated into new products.

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(148) That Council Correspondence CC 16 be referred to staff for a report on a
“See Through Blue Bag” pilot to take place in the Municipality of Clarington.

MOTION DEFEATED
(See Following Motion)

Moved by Councillor Collier, Seconded by Councillor Chapman,
(149) That Council Correspondence CC 16 be referred to consideration of Item 3
of Report #4 of the Works Committee.

CARRIED

CC 17 Integrity Commissioner Report dated March 26, 2019 from Guy Giorno re: Durham Code of Conduct Report 2018-01.

[See Motion 150]

CC 18 Integrity Commissioner Supplementary Report dated April 17, 2019 from Guy Giorno re: Durham Code of Conduct Report 2018-01.

[See Motion 150]

Moved by Councillor Ryan, Seconded by Councillor Carter,
(150) That Council Correspondence Items CC 17 and CC 18 be received for
information.

CARRIED

7. Delegations

Public Meetings Regarding Proposed Development Charges By-law

7.1 Regional Chair Henry stated this portion of the Council meeting will be for a public meeting regarding a new Seaton Water Supply and Sanitary Sewer Area Specific Development Charges By-law and Background Study.

This public meeting is required pursuant to Section 12 of the Development Charges Act, 1997, as part of the process that Council must follow before passing a development charge by-law. This process also included the release of the proposed background study to the public as of April 9, 2019.

The purpose of the public meeting is twofold: first, to provide the public with information relating to the Seaton Area Specific Development Charge Background Study and proposed by-law; and second, to allow any person who attends the meeting to make representation relating to the proposed by-law and study.

Written submissions received by the Regional Clerk by 5 p.m. on May 21, 2019 including those opinions expressed verbally at today's public meeting will be considered in the final by-law scheduled for approval by Regional Council on June 26, 2019, following consideration by the Finance and Administration Committee on June 11, 2019.

Ms. Mary Simpson, Director of Financial Planning and Purchasing, provided a PowerPoint Presentation to members of Regional Council with respect to the proposed 2019 Seaton Water Supply and Sanitary Sewer Area Specific Development Charge By-law.

Highlights from her presentation included:

- Purpose of Public Meeting
- Seaton Area
- Seaton Area Specific Water and Sewer Development Charges
- Seaton Area Specific Water and Sewer Capital Costs
- Proposed Seaton Residential Area Specific Water and Sewer Charges (Single / Semi-Detached Unit)
- Proposed Non-Residential Seaton Area Specific Water and Sewer Development Charges
- Proposed Policy Changes
- Timing and Next Steps

Regional Chair Henry asked if there were any members of the public in attendance who wished to make a submission or ask any questions on this particular matter. He asked a second and third time. Being none, he advised the portion of the public meeting with regard to the proposed Seaton Area Specific Development Charge By-law for water supply and sanitary sewer is closed and he continued on with the Council agenda.

- 7.2 A.J. Kehoe, Durham Region resident, appeared before Regional Council to request Council to pass a motion to direct staff to host all Durham Nuclear Health Committee (DNHC) meetings at Region of Durham Headquarters starting in 2020 as this would allow the meetings to be recorded for webcast and archiving on the Regional website at Durham.ca. He stated there is a significant amount of information presented at every DNHC meeting and because some meetings are hosted elsewhere, they are not recorded. He added that the meeting minutes are much less detailed than those of other committees and do not capture the discussion that takes place at the meetings. He also noted there are some accessibility problems with the external meeting locations.

8. Notice of Motions

- 8.1 Reconsideration of recommendations contained in Report 2019-COW-178: 2019 Water and Sanitary Sewer User Rates
[CARRIED]

Moved by Councillor Wotten, Seconded by Councillor Anderson,
(151) That Part D) of the recommendations contained in Report #2019-COW-178: 2019 Water and Sanitary Sewer User Rates, particularly as it relates to Schedule 4 – Recommended 2019 Miscellaneous Charges, Item Number 36) Water from Water Supply Plants, Water Pollution Control Plants, Works Depots & Bulk Filling Stations, Minimum Volume Charge \$/per month, be reconsidered.

CARRIED ON A 2/3rds VOTE

Moved by Councillor Wotten, Seconded by Councillor Drew,
(152) That whereas the new minimum monthly volume charge per month has increased from \$52.10 to \$150.00, which reflects an approximately 188% increase from 2018;

Be it resolved that the minimum monthly volume charge for end users be phased in on an adjusted annual total volume limit to reduce impacts on services contractors.

CARRIED

9. Committee Reports

9.1 Report of the Finance and Administration Committee

1. Durham Region Roundtable on Climate Change (DRRCC) 2018 Annual Report and 2019 Workplan (2019-A-14)
[CARRIED]

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.

2. Recommendation to Postpone “Come into Force” date of the Construction Act [\(2019-A-15\)](#)

[CARRIED]

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.

3. Proposed Amendment to By-law 36-2015 – Emergency Management Program [\(2019-A-16\)](#)

[CARRIED]

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.

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

[CARRIED ON A RECORDED VOTE]
[See Motion 156 on page 13 and Motion 181 on pages 26 and 27]

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.

5. Approval in Principle of the Durham Community Energy Plan (DCEP) (2019-A-18)
[CARRIED]
- 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.
6. Appointment of Citizen Members to the Durham Region Roundtable on Climate Change (DRRCC) (2019-A-19)
[CARRIED]
- 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.
7. Write-off of Arrears of Former Tenants of the Durham Regional Local Housing Corporation for the Year Ended December 31, 2018 (2019-F-15)
[CARRIED]

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

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

[CARRIED]

- 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.

9. 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)

[CARRIED]

- 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 \$300,000 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 pre-occupancy 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 application 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.
10. Resolution regarding Frequency of Durham Region Roundtable on Climate Change (DRRCC) Meetings
[CARRIED]
- 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.

Moved by Councillor Foster, Seconded by Councillor Drew,
(153) That the recommendations contained in Items 1 to 3, 5, 7 and 9 of the Fourth Report of the Finance and Administration Committee be adopted.
CARRIED

Moved by Councillor Foster, Seconded by Councillor Drew,
(154) That the recommendations contained in Item 8 of the Fourth Report of the Finance and Administration Committee be adopted.
CARRIED

Moved by Councillor Foster, Seconded by Councillor Drew,
(155) That the recommendations contained in Item 4 of the Fourth Report of the Finance and Administration Committee be adopted.
CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor Collier,
(156) That consideration of Item 4 of the Fourth Report of the Finance and Administration Committee be deferred to after the "Other Business" section of the agenda in order to go into a closed meeting session.
CARRIED

[See pages 24, 26 and 27 of these minutes]

Moved by Councillor Foster, Seconded by Councillor Drew,
(157) That the recommendations contained in Item 6 of the Fourth Report of the Finance and Administration Committee be adopted.
CARRIED

Moved by Councillor Foster, Seconded by Councillor Drew,
(158) That Section 13.1 "Meeting Schedule" of the Durham Region Roundtable on Climate Change (DRRCC) Committee's Terms of Reference be reconsidered.
CARRIED ON A 2/3rds VOTE

Moved by Councillor Foster, Seconded by Councillor Drew,
(159) That the recommendations contained in Part B) of Item 10 of the Fourth Report of the Finance and Administration Committee be adopted.
CARRIED

9.2 Report of the Health and Social Services Committee

1. Correspondence from the Association of Local Public Health Agencies (alPHa) regarding the 2019 alPHa Fitness Challenge for Board of Health Members
[CARRIED]

That the correspondence from the Association of Local Public Health Agencies regarding the 2019 alPHa Fitness Challenge for Board of Health Members be considered.

2. New Regional Smoke-Free By-Law (2019-MOH-2)
[CARRIED]
 - A) That Regional Council approve and pass the attached new Regional Smoke-Free By-Law in the form appended to Report #2019-MOH-2 of the Commissioner & Medical Officer of Health regulating smoking and vaping in public places and the workplace;
 - B) That a copy of the approved Regional Smoke-Free By-law be forwarded to lower-tier municipalities requesting their consent to the passing of the by-law and that notice of such consent be forwarded to the Regional Clerk;
 - C) That notice of receipt of a triple majority (passing of the by-law by Regional Council and receipt of notice of consent from at least 50% of the lower-tier municipalities representing at least 50% of the electors) and final passing of the by-law be provided to Regional Council by the Commissioner & Medical Officer of Health through an Information Report to Health and Social Services Committee and Council; and
 - D) That with the passing of the Regional Smoke-Free By-Law, upon receipt of the triple majority, By-Law 66-2002, a by-law to Regulate Smoking in Public Places and the Workplace, as amended in 2004 and 2007, is hereby revoked.

3. Mandatory On-site Sewage System Maintenance Inspection Program – Lake Simcoe Protection Act, 2008 – Phase II (2019-MOH-3)
[CARRIED]

That the Regional Chair and Clerk be authorized to execute any legal agreements and any and all amendments thereto between the Region and the area municipalities with respect to the Mandatory On-site Sewage System Maintenance Inspection Program provided that such agreements are substantially in the same form as per the draft agreement attached to Report #2019-MOH-3 of the Commissioner & Medical Officer of Health.

Moved by Councillor Chapman, Seconded by Councillor Carter,
(160) That the recommendations contained in Item 3 of the Fourth Report of the Health and Social Services Committee be adopted.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Carter,
(161) That the recommendations contained in Item 1 of the Fourth Report of the Health and Social Services Committee be adopted.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Carter,
(162) That the recommendations contained in Item 2 of the Fourth Report of the Health and Social Services Committee be adopted.

CARRIED

Moved by Councillor Foster, Seconded by Councillor Collier
(163) That Council recess for one hour for lunch.

CARRIED

Council recessed at 12:30 PM and reconvened at 1:31 PM.

9.3 Report of the Planning and Economic Development Committee

1. Approval to award NRFP-1066-2017 for the supply, integration, delivery, implementation, training and ongoing support of a Land Development Tracking Software System ([2019-P-16](#))

[CARRIED]

- A) That Phase 1 of NRFP-1066-2017 for the supply, integration, delivery, implementation and training of a Land Development Tracking Software System be awarded to Computronix Canada Ltd., at an upset limit of \$1,730,000 to be financed from within the approved project budget;
- B) That Phase 2 of NRFP-1066-2017 for the supply, integration, delivery, implementation and training of a Land Development Tracking Software System be awarded to Computronix Canada Ltd., at an upset limit of \$300,000 upon 2020 budget approval;
- C) That the ongoing annual maintenance and support fees, at an estimated cost of \$68,000 per year (\$272,000 for the five-year contract), be funded from the annual Planning Business Plan and Budget; and
- D) That the Commissioner of Finance be authorized to award the contract and execute any necessary agreements.

2. Recommendation for Award of RFP 1087-2018 – Growth Management Study (2019-P-19)
[CARRIED ON A RECORDED VOTE] [See Motion 165 on pages 16 and 17]

- A) That in response to the Request for Proposals RFP-1087-2018 (the "RFP"), the firm of Urban Strategies Inc. be retained to provide consulting and related services for the Envision Durham Growth Management Study required for the Region's Municipal Comprehensive Review;
- B) That financing for external consulting services in the estimated amount of up to \$835,800 be provided as follows:
- | | |
|---|------------------|
| i. Development Charge Studies Reserve Fund | \$180,000 |
| ii. Property taxes (Non-Departmental), prior year funding | \$400,000 |
| iii. Property taxes (Non-Departmental), 2019 budget | <u>\$255,800</u> |
| TOTAL | <u>\$835,800</u> |
- C) That the Commissioner of Finance be authorized to execute the Consulting Services Agreement and any amendments required to complete the work.

3. Summary of Commissioner's Delegated Planning Approval Authority, and Summary of Planning Activity in the Fourth Quarter of 2018 (2019-P-20)
[CARRIED]

That Report #2019-P-20 of the Commissioner of Planning and Economic Development be received for information.

Moved by Councillor Ryan, Seconded by Councillor Kerr,
(164) That the recommendations contained in Items 1 and 3 of the Fourth Report of the Planning and Economic Development Committee be adopted.
CARRIED

Moved by Councillor Ryan, Seconded by Councillor Kerr,
(165) That the recommendations contained in Item 2 of the Fourth Report of the Planning and Economic Development Committee be adopted.
CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Ashe	Councillor Anderson
Councillor Barton	Councillor Leahy
Councillor Bath-Hadden	Councillor John Neal

Councillor Carter	Councillor Joe Neal
Councillor Chapman	Councillor Nicholson
Councillor Collier	Councillor Smith
Councillor Crawford	
Councillor Dies	
Councillor Drew	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Lee	
Councillor Marimpietri	
Councillor Mitchell	
Councillor Mulcahy	
Councillor Pickles	
Councillor Roy	
Councillor Ryan	
Councillor Wotten	
Regional Chair Henry	

Members Absent: Councillor McLean
Councillor Newman

Declarations of Interest: None

9.4 **Report of the Works Committee**

1. Motion Re: Delegation Request from D. O'Connell, Project Manager, Independent Project Managers, re: an affordable housing project being constructed at 1505 Bowmanville Avenue, in the Municipality of Clarington [REFERRED TO STAFF] [See Motion 168 on page 19 and Motions 178, 179 and 180 on pages 25 and 26]

That the Region accept the Developer's offer to pay the Region \$225,000 (less design costs) and that the Region performs the temporary road work, as requested by D. O'Connell as part of a delegation provided to the Works Committee on April 3, 2019.

2. Potential Relief Mechanisms to Promote the Development of Affordable Housing
[CARRIED]

That staff be directed to review current policies and research additional potential relief mechanisms to promote the development of affordable rental housing in Durham Region including defining the criteria for projects to be eligible for the potential relief mechanisms, and report back to Regional Council with the results of that review and any recommended policy amendments or additions required to implement those mechanisms.

3. EBR 013-4689 Reducing Litter and Waste in our Communities: Discussion Paper (2019-WR-6)
[CARRIED]
 - A) That the attached responses to the discussion paper questions (Attachment #1 to Report #2019-WR-6 of the Commissioner of Works) be submitted to the Ministry of the Environment, Conservation and Parks as the Regional Municipality of Durham's comments on the Reducing Litter and Waste in Our Communities: Discussion Paper; and
 - B) That a copy of Report #2019-WR-6 of the Commissioner of Works be forwarded to the Clerks of the Local Area Municipalities.

4. Durham Vision Zero – A Strategic Road Safety Action Plan for the Regional Municipality of Durham (2019-W-27)
[CARRIED AS AMENDED] [See Motion 171 on page 20]
 - A) That Regional Council endorse a Vision Zero approach to Road Safety for the Regional Municipality of Durham;
 - B) That Regional Council endorse the recommended Strategic Road Safety Action Plan goal of a minimum 10 percent reduction in severe (i.e. fatal and injury) collisions within the next five years (2019-2023);
 - C) That Regional Council forward a copy of this report to the Local Area Municipalities, including a report substantially in the form of Attachment 1 to Report #2019-W-27 of the Commissioner of Works, in the spirit of mobilizing a concerted effort towards Vision Zero;
 - D) That Regional Council direct staff to move forward with the next steps required to implement the Strategic Road Safety Action Plan;
 - E) That the Vision Zero Task Force also include a Works Committee representative, a cyclist representative, and a citizen/senior representative; and
 - F) That staff report to Council on a semi-annual basis with steps taken towards achieving Vision Zero.**

5. Correspondence dated March 11, 2019 from the Town of Ajax, re: Resolution passed by Ajax Council at its meeting held on February 25, 2019 regarding Westney Road/Millington Crescent Signalization
[CARRIED]

That a light be designed in 2019 and constructed in 2020 at the Millington Crescent and Westney Road intersection to be funded by the Town of Ajax, without a traffic study being required.

6. Servicing Agreements with Bond & Mary Development Inc. and Bond & Mary Development Phase II Inc. for Temporary Sanitary Sewer Connections, in the City of Oshawa (2019-W-26)
-

[CARRIED]

- A) That the Regional Municipality of Durham be authorized to enter into Servicing Agreements with Bond & Mary Development Inc. and Bond & Mary Development Phase II Inc. for temporary sanitary sewer connections, in the City of Oshawa to the satisfaction of the Director of Legal Services; and
- B) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(166) That the recommendations contained in Items 2, 5 and 6 of the Fourth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(167) That the recommendations contained in Item 1 of the Fourth Report of the Works Committee be adopted.

REFERRED TO STAFF LATER IN THE
MEETING
(See Following Motion)

Moved by Councillor Foster, Seconded by Councillor Joe Neal,
(168) That consideration of Item 1 of the Fourth Report of the Works Committee be deferred to the end of the Committee Reports section of the agenda in order to go into a closed session.

CARRIED

[Refer to pages 24 to 26 of these minutes]

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(169) That the recommendations contained in Item 3 of the Fourth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(170) That the recommendations contained in Item 4 of the Fourth Report of the Works Committee be adopted.

CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Foster, Seconded by Councillor Drew,
(171) That the main motion (170) of Councillors Mitchell and Marimpietri to adopt the recommendations contained in Item 4 of the Fourth Report of the Works Committee be amended by adding the following as a new Part F):

‘F) That staff report to Council on a semi-annual basis with steps taken towards achieving Vision Zero.’

CARRIED

The main motion (170) of Councillors Foster and Drew to adopt the recommendations contained in Item 4 of the Fourth Report of the Works Committee was then put to a vote and CARRIED AS AMENDED.

10. Unfinished Business

- 10.1 2019 Solid Waste Management Servicing and Financing Study – Referral of Part C) of Report #2019-COW-3 2019 Solid Waste Management Servicing and Financing Study – Referral of Part C) of Report #2019-COW-3

[REFERRED TO JUNE 26, 2019 COUNCIL MEETING]

At the January 16, 2019 Committee of the Whole meeting, the following referral motion was carried for consideration at the Regional Council meeting:

Moved by Councillor Collier, Seconded by Councillor Joe Neal,
(13) That consideration of Part C) of the recommendations contained in Report #2019-COW-3 be deferred until staff report back on the results of the multi-thousand tonne pre-sort testing to confirm the tonnage drivers for the pre-sort anaerobic digester (AD) as an alternative to expanding the Durham York Energy Centre (DYEC); and that it be a project by Durham Region alone.

For reference, below is Recommendation C):

Staff be authorized to commence the Environmental Assessment (EA) for the DYEC expansion to process 250,000 tonnes per year, including retaining consulting assistance at a cost not to exceed \$60,000, subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets.

At the March 27, 2019 Regional Council meeting, the following motion was adopted:

Moved by Councillor Collier, Seconded by Councillor Nicholson,
(135) That Item 10.1 of Unfinished Business be referred to the June 26, 2019 Council meeting, with direction that Legal staff report back to Committee in May.

CARRIED

11. Other Business

11.1 Public Meeting Regarding Proposed Seaton Water Supply and Sanitary Sewer Area Specific Development Charges By-law and Background Study (2019-F-18)

- A) That Report #2019-F-18 of the Commissioner of Finance be received for information; and
- B) That all submissions received by Regional Council and the written submissions received by the Regional Clerk by 5:00 p.m. on May 21, 2019, including those opinions expressed verbally at the April 24, 2019 public meeting, be received and referred to Regional staff for consideration in the preparation of the final development charge recommendations and by-law scheduled to be presented to Regional Council for approval on June 26, 2019.

Moved by Councillor Foster, Seconded by Councillor Barton,
(172) That the recommendations contained in Item 11.1 of Other Business (Report #2019-F-18) be adopted.

CARRIED

Moved by Councillor Ryan, Seconded by Councillor Collier,
(173) That Council dispense with notice in order to introduce a new motion regarding the Pickering Airport.

CARRIED ON A 2/3rds VOTE

11.2 Pickering Airport Motion
[CARRIED]

Moved by Councillor Ryan, Seconded by Councillor Marimpietri,
(174) WHEREAS airports are valuable economic drivers in the development of business, tourism, communities, and the surrounding infrastructure;

AND WHEREAS the Government of Canada has set aside approximately 8,700 acres of land in the City of Pickering to accommodate a future airport;

AND WHEREAS the size of the airport lands is sufficient to accommodate related economic development uses, including transportation/logistic facilities, high-tech enterprises and indoor, year-round agriculture;

AND WHEREAS a model of sustainable airport operations can be the foundation for the contemporary vision of an aerotropolis with a focus on innovation, investment and employment;

AND WHEREAS the airport lands are adjacent to the Pickering Innovation Corridor, about 55 km east of Toronto Pearson International Airport and within an integrated transportation network;

AND WHEREAS the federal government may require that expressions of interest to develop the land should incorporate principles of environmental sustainability through integrated transit, low greenhouse gas emissions, energy and water conservation and resilient building features;

AND WHEREAS the aerospace industry (the fifth largest employer in Canada) is unable to find the land and space needed to expand business operations near Toronto Pearson;

AND WHEREAS the attraction of companies in aviation, aerospace and related services and industries will strengthen business development in Durham Region;

AND WHEREAS an airport in the GTA east would create tens of thousands of high-quality jobs, and attract spinoff businesses and indirect jobs – key to building a prosperous future for the residents of Durham Region and the entire Greater Toronto Area;

AND WHEREAS the Government of Canada's pending Aviation Sector Analysis is expected to confirm that the airport lands provide the best opportunity to meet the growing demand for air travel and goods movement in the GTA;

NOW THEREFORE IT BE RESOLVED THAT Durham Regional Council advise the Government of Canada that it supports in principle the development of an airport on the dedicated federal lands in the City of Pickering; and

THAT a copy of this resolution be forwarded to the Prime Minister, federal Minister of Transport, all Durham MPs, the Premier of Ontario, all Durham MPPs, all Durham Region municipalities, the Chair of York Region, all York Region municipalities, the Mayor of Toronto, all Durham Region Boards of Trade and Chambers of Commerce, and the Toronto Region Board of Trade.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor Mitchell,
(175) That the main motion (174) of Councillors Ryan and Marimpietri be tabled to the next Council meeting.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Barton
Councillor Dies
Councillor Highet
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

No

Councillor Ashe
Councillor Bath-Hadden
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Drew
Councillor Foster
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Pickles
Councillor Roy
Councillor Ryan
Councillor Smith
Regional Chair Henry

Members Absent: Councillor McLean
Councillor Newman
Councillor Wotten

Declarations of Interest: None

The main motion (174) of Councillors Ryan and Marimpietri to adopt the recommendations contained in Item 11.2 of Other Business was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Newman

No

Councillor Dies
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Pickles

Councillor Nicholson
Councillor Roy
Councillor Ryan
Councillor Smith
Regional Chair Henry

Members Absent: Councillor McLean
Councillor Wotten

Declarations of Interest: None

9.1 Report of the Finance and Administration Committee

4. Response to Finance & Administration Motion of February 12, 2019
Regarding Corporate Pregnancy Leave Policy (2019-A-17)
[CARRIED ON A RECORDED VOTE] [See Motion 181 on pages 26 and 27]

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.

[See Motion 176]

9.3 Report of the Works Committee

1. Motion Re: Delegation Request from D. O'Connell, Project Manager, Independent Project Managers, re: an affordable housing project being constructed at 1505 Bowmanville Avenue, in the Municipality of Clarington
[REFERRED TO STAFF] [See Motion 178, 179 and 180 on pages 25 and 26]

That the Region accept the Developer's offer to pay the Region \$225,000 (less design costs) and that the Region performs the temporary road work, as requested by D. O'Connell as part of a delegation provided to the Works Committee on April 3, 2019.

[See Motion 176]

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,

- (176) That the meeting be closed to the public in order to discuss a matter that is subject to labour relations or employee negotiations with respect to the Corporate Pregnancy Leave Policy; and, to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding an affordable housing project being constructed at 1505 Bowmanville Avenue in the Municipality of Clarington.

CARRIED

(Refer to the closed Council meeting minutes of April 24, 2019.)

Regional Chair Henry advised that during the closed meeting session there was an exchange of information between Council and staff pertaining to employee negotiations and solicitor client privilege as it relates to Item 4 of the Fourth Report of the Finance and Administration Committee and Item 1 of the Fourth Report of the Works Committee.

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(178) That the recommendation contained in Item 1 of the Fourth Report of the Works Committee be received for information.

MOTION DEFEATED ON THE
FOLLOWING RECORDED VOTE

Yes

Councillor Barton
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Smith
Regional Chair Henry

No

Councillor Anderson
Councillor Ashe
Councillor Bath-Hadden
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Hight
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Newman
Councillor Nicholson
Councillor Pickles
Councillor Roy
Regional Chair Henry

Members Absent: Councillor Carter
Councillor McLean
Councillor Ryan
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Marimpietri, Seconded by Councillor John Neal,
(179) That the main motion (167) of Councillors Mitchell and Marimpietri to adopt the recommendations contained in Item 1 of the Fourth Report of the Works Committee be amended by adding the following to the end:

And further, that a grant be provided by the Region of Durham for this project in the amount of \$170,000.

REFERRED TO STAFF
(See Following Motion)

Moved by Councillor Smith, Seconded by Councillor Roy,
(180) That the main motion (167) of Councillors Mitchell and Marimpietri to adopt the recommendations contained in Item 1 of the Fourth Report of the Works Committee, and the amending motion (178) of Councillors Marimpietri and John Neal be referred to staff for a report through the Works Committee and Council in June 2019 identifying the amount of a possible grant and any options for funding.

CARRIED

Moved by Councillor Foster, Seconded by Councillor Drew,
(181) That the recommendations contained in Item 4 of the Fourth Report of the Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Joe Neal
Councillor Newman
Councillor Pickles
Councillor Roy
Councillor Smith
Regional Chair Henry

No

Councillor John Neal
Councillor Nicholson

Members Absent: Councillor Carter

Councillor McLean
Councillor Ryan
Councillor Wotten

Declarations of Interest: Councillor Anderson

12. By-laws

27-2019 Being a by-law to amend By-law 36-2015 to provide for the establishment and adoption of an Emergency Management Program for the Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #3 of the 4th Report of the Finance and Administration Committee presented to Regional Council on April 24, 2019

28-2019 Being a by-law to regulate smoking and vaping in public places and in the workplace.

This by-law implements the recommendations contained in Item #2 of the 4th Report of the Health & Social Services Committee presented to Regional Council on April 24, 2019

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(182) That By-law Numbers 27-2019 and 28-2019 be passed.

CARRIED

13. Confirming By-law

29-2019 Being a by-law to confirm the proceedings of Regional Council at their meeting held on April 24, 2019.

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(183) That By-law Number 29-2019 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on April 24, 2019 be passed.

CARRIED

14. Adjournment

Moved by Councillor Newman, Seconded by Councillor Marimpietri,
(184) That the meeting be adjourned.

CARRIED

The meeting adjourned at 3:45 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk