

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, May 29, 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 12:27 PM

All members of Council were present with the exception of Councillors Barton, Dies, Drew, Nicholson and Ryan.

Councillor Barton attended the meeting at 9:31 AM
Councillor Dies was absent due to municipal business
Councillor Drew was absent due to municipal business
Councillor Ryan was absent due to municipal business

Councillor Rob Tyler Morin attended on behalf of Councillor Dies as the alternate for the Town of Ajax.

Councillor Maurice Brenner attended on behalf of Councillor Ryan as the alternate for the City of Pickering.

Afternoon Session 1:17 PM to 1:51 PM

All members of Council were present with the exception of Councillors Anderson, Bath-Hadden, Dies, Drew, Kerr, Nicholson and Ryan

Councillor Bath-Hadden attended the meeting at 1:28 PM
Councillor Dies was absent due to municipal business
Councillor Drew was absent due to municipal business
Councillor Kerr was absent due to municipal business
Councillor Ryan was absent due to municipal business

Councillor Rob Tyler Morin attended on behalf of Councillor Dies as the alternate for the Town of Ajax.

Councillor Maurice Brenner attended on behalf of Councillor Ryan as the alternate for the City of Pickering.

2. **Declarations of Interest**

Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 7 of the 5th Report of the Works Committee, Report #2019-W-34: Construction of Regional Contract D2012-2 for the Port Darlington Water Pollution Control Plant (WPCP) Phase 2 Expansion, in the Municipality of Clarington. He indicated that he provides professional services for the company named in the file.

3. **Announcements**

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

4. **Presentations**

Louise O'Dell, Director, Departmental Services, Corporate Services – Human Resources and Tracey Macaulay, Manager, Talent Acquisition and Organization Development, Corporate Services – Human Resources, introducing and recognizing the recipients of the 2018 Award of Excellence and Commitment to Excellence Awards

Ms. Louise O'Dell, Director, Departmental Services and Ms. Tracey Macaulay, Manager, Talent Acquisition and Organization Development, Corporate Services – Human Resources introduced the following recipients of the 2018 Award of Excellence and Commitment to Excellence Awards. The Awards of Excellence are the Region's annual peer-to-peer awards that formally recognize employees for their hard work and contributions to The Region of Durham and its communities throughout the year:

Award of Excellence & Commitment to Excellence Awards

Leadership:

- Lori Talling, Planning & Economic Development Department for outstanding dedication and leadership as Games Manager in organizing and bringing the 2019 Ontario Parasport Games to the Region.
- Vera Oliveira, Corporate Services Department, for outstanding leadership and collaboration in launching a comprehensive public awareness campaign on distracted driving.
- Brian Vokey, Durham Region Transit, for outstanding leadership as Durham Region Transit's Management Co-Chair of the Joint Health and Safety Committee.
- Tiffany Fraser, Corporate Services Department, for outstanding commitment to the Region in successful leadership and implementation of the Standing Committee Structure for Council.

- Elaine Morra, Social Services, for outstanding leading in guiding Family Services staff to embrace Motivational Interviewing and creating a compassionate, accepting and supportive environment to strengthen client's motivation to create positive change.

Service Excellence

- Kelly Ward, Terry Khabra, Elizabeth Cullen-Keidann, Debbie Godfrey, Tricia Dallaway, Becky Wall, Jessica Jenkins, Regina Elliott, Michelle Brolly, Health Department, for service excellence in creating and implementing a comprehensive screening tool for Public Health staff to support vulnerable citizens in the community and identify ways to positively improve overall health outcomes.
- Brenda Ebisuzaki, Dianne Cooper, Chris McClatchey, Glen Campbell, Natasha Scanlon, Jason Rice, Ed Lewandowski, Justin Pinkerton, Keith Robinson, Brian Forbes, Greg Vaillancourt, Mike Fish, Kevin Dimech, Sue Hughes, Andrew Bright, Joe Sheikh, Carrie Wallace, Penny Legge, Health – RDPS, for outstanding volunteer service to colleagues, providing emotional, social, and experiential support through the RDPS Peer Support team.
- Keith Pugh, Travis Hockley, Rob Johnstone, Derek Lantz, Keith Robinson, Rob Morra, Mike Fish, Health – RDPS, for service excellence and dedication to the residents of Durham through the Tactical Paramedic high risk response team.
- Frances Burchat, Social Services Department, for dedication and above and beyond service to staff and residents of Fairview Lodge.
- Karen Facca, Linda Beaver, Finance Department, for service excellence in coordination and successful delivery of the province-wide MCMA-POA Collections Workshop.
- Ted Dulinski, Ryan Voscek, Rob Taylor, Greg Love, Dennis Garratt, Works Department, for above and beyond service excellence in proactively facilitating complex repairs to the HQ mechanical HVAC system.
- Dana Howes, Finance Department, for service excellence and dedication to the extensive Vacant Taxation Policy Review project.
- Cheryl Holman, Finance Department, for outstanding dedication and above and beyond service excellence to the Water Billing team.
- Allan Henning, Daniel Carlin, Works Department, for service excellence in successfully establishing new policies and procedures that have significantly improved tender document and contract administration for the Facilities-DCAM team.
- Sonya Hardman, Lorraine Dunn, Tania Laverty, Stacy Grant, CAO's Office; Jason Hunt, K.C. Chakravarthy, Kelly McDermott, Tracey Macaulay, Ana Ramirez, Corporate Services Department; Lox Colquhoun, Emmanuel Itheme, DRPS; Jessica Jenkins, Michele Brolly, Kelly Ward, Health Department; Audrey Andrews, Cheryl Frew, Jody Bowskill, Social Services Department; Sangeetah Pabla, Works Department, for service excellence and collaboration in

development and delivery of the comprehensive, corporate Diversity and Inclusion Strategy.

- Al Robichaud, Social Services Department, for above and beyond service to the staff and residents of Hillsdale Terraces.
- Daniel D'Aliesio, Liam Hatch, Durham Region Transit; Carrie Williamson, Alex Guevara, Corporate Services Department, for service excellence in re-development of the durhamregiontransit.com website, ensuring delivery of a comprehensive, accessible, integrated customer-focused site.
- Erica Stacey, Corporate Services Department, for providing above and beyond service excellence to the public and collaboration with all staff in the POA office to ensure positive results.
- Andrew Thompson, Ashraf Nashed, Mike Seppala, Michelle White, Malcolm Skinner, Deanna Bottrell, John Baric, Neil Harkness, Terry Madsen, K.C. Chakravarthy, Crystal McNeil, Corporate Services Department, for innovation in implementation of the Microsoft O365 solution providing staff with efficient and productive tools to effectively collaborate, share, and communicate.
- Tom Yule, Works Department, for above and beyond service and dedication to the staff, children and families of the Childrens' Services Childcare Centres.
- Tom Yule, Jason Lynde, Fergus Ferguson, Bruce Jeffrey, Kevin Magee-Bell, Works Department, for above and beyond service excellence in provision of facilities maintenance.
- Deanne Spalding, Works Department, for above and beyond service to the Transportation Infrastructure and Design divisions.
- Leigh Fleury, Tiffany Fraser, Nela Prasad, Cheryl Tennisco, Sarah Penak, Lydia Gerritsen, Debbie Toms, Adnan Naeem, Sabrina Kassim, Mark McKnight, Mike Seppala, Roger Inacio, Silvia Rashad, Neil Harkness, Corporate Services; Judy Christianson, CAO's Office; Tracy Brimstin, Finance Department, for outstanding service in implementation of the reorganization of the Standing Committee process for Council.
- Wendy Beales, Social Services Department, for outstanding service and dedication to the training and development of Family Services staff.
- Carrie Pouzar, Adrienne Buller, Lisa Stewart, Vanessa Vitale, Nora Landry, Shari Steffler, Social Services Department, for service excellence in development of significant process improvements to assist Ontario Works applicants and Social Services staff.
- Sharon Woods, Social Services Department, for outstanding dedication and above and beyond service excellence to the clients and staff of the Family Services division.
- Cheryl Gilroy, Cheryl Bishop, Finance Department, for above and beyond service through identifying and revising significant insurance risk from IT vendor's products and services.

Innovation

- Erin Valant, Finance Department; Greg Peterson, Mitchell Denault, Corporate Services Department, for innovation in design and implementation of a comprehensive solution that links agencies and services to a single web-based program that eliminates barriers and effectively serves vulnerable and homeless residents in Durham.
- Mike Haigh, Works, for innovation and dedication through development of an alternative sewer rodding tool to provide residents and staff with safe and fast response when facing emergency blocked sewer calls.
- Elise Hawley, Brooke Pollard, Lorraine Dunn, Melissa Westover, CAO's Office; Carrie Williamson, Anyse Vermette, Cheryl Bandel, Emily McKay, Jason Balas, Leigh Fleury, Corporate Services Department; Daniel D'Aliesio, Liam Hatch, Durham Region Transit; Dana Howes, John Malyjasiak, Finance Department; Krista White, Health Department; Emily Barker, Kristyn Chambers, Roberta Honeyford, Planning & Economic Development Department; Cindy McCreight, Cindy Phillips, Cora Yin, Diane White, Guy Longo, Kathy Davies, Maria Casimiro, Melanie Fowler, Marla Finn, Samantha Billingham, Mary Motschenbacher, Social Services Department; Deanne Spalding, Katherine Ross, Melodee Smart, Trish Hamelin, Works Department, for dedication and innovative support on the iCreate Working Group to ensure quality, efficient website information management and expert knowledge of complex working tools.
- Jason Roza, Alicia Heczko, Finance Department, for implementation of comprehensive electronic solutions that have significantly impacted the invoice payment process through reduced processing time, management, and paper storage space.
- Peter Chrisostomou, Social Services Department, for care and dedication to the residents and staff of Fairview Lodge in the implementation of the innovative Cycle Menu System to ensure high quality, efficient food service.
- Emily Barker, Finance Department; Elise Hawley, Sandra Austin, CAO's Office; Roger Inacio, Corporate Services Department, for development of the Hello Tomorrow: Durham Smart Cities Forum to engage the community in innovative solutions addressing economic, social and environmental challenges.
- Amanda Bongard, Nadia Polani, Sonia Tipping, Laurie Lawrence, Natasha Ingram, Nataliya Wijesinghe, Sueann Garel, Social Services Department; Chantal Keates, Health Department, for development and implementation of the Social Services internal HUB portal providing a single point website for staff to access relevant, updated content and resources.
- Andrew Thompson, Ashraf Nashed, Mike Seppala, Michelle White, Malcolm Skinner, Deanna Bottrell, John Baric, Neil Harkness, Terry Madsen, K.C. Chakravarthy, Crystal McNeil, Corporate Services Department, for innovation in implementation of the Microsoft Teams solution providing staff with efficient and productive tools to effectively collaborate, share and communicate.

- Carmen Tohaneanu, Jairo Torres, Chase Mainse, Joe Green, Andy Griffin, Nick Koot, Kurt Appleman, Ray Davis, Ron Bunclark, Richard Jones, Robert Adamsz, Dominic Silvestri, Rob Taylor, Alex Serrano, Works Department; Vidal Guerreiro, Finance Department, for participation in the Industrial Conversation Initiative and development of innovative energy management, realizing significant cost savings for the Region.
- Chris Tatum, Kerri Fotherby, Works Department; Stacy Grant, Melissa Westover, CAO's Office, for creation of the two Duffin Creek 'Water Champions' promotional videos and investing personal time, sacrifice, and stories that showcase the high level of environmental stewardship in care of the Region's drinking water.
- Annette Ashton, Works Department, for innovation and dedication in design and implementation of the Duffin Creek eRIS reporting system to collect and prepare sophisticated, quality data to make effective, critical operation decisions.

5. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Ashe,
(185) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on April 24, 2019;
- Closed Regional Council meeting held on April 24, 2019;
- Committee of the Whole meeting held on May 15, 2019.

CARRIED

6. Communications

CC 19 Michael L. Maynard, ADRO Investigator, ADR Chambers Ombuds Office,
Investigation Report – Complaint Reference Number: MUN-330-0818 Dated May
9, 2019

Moved by Councillor Marimpietri, Seconded by Councillor McLean,
(186) That Council Correspondence CC 19 from Michael L. Maynard, ADRO
Investigator, ADR Chambers Ombuds Office re: Complaint Reference
Number MUN-330-0818 be received for information.

CARRIED

CC 20 Michael L. Maynard, ADRO Investigator, ADR Chambers Ombuds Office,
Addendum to Investigation Report – Complaint Reference Number: MUN-330-
0818 Dated May 9, 2019

Moved by Councillor Marimpietri, Seconded by Councillor McLean,
(187) That Council Correspondence CC 20 re: Addendum to Investigation Report from Michael L. Maynard, ADRO Investigator, ADR Chambers Ombuds Office re: Complaint Reference Number MUN-330-0818 be received for information.

CARRIED

CC 21 Becky Jamieson, Clerk of the Township of Brock, writing to the Regional Clerk advising that Council of the Township of Brock, at their meeting held on May 6, 2019, adopted a resolution endorsing the New Regional Smoke-Free By-law

Moved by Councillor Marimpietri, Seconded by Councillor McLean,
(188) That Council Correspondence CC 21 from Ms. Becky Jamieson, Clerk of the Township of Brock, re: New Regional Smoke-Free By-law be received for information.

CARRIED

CC 22 Alexander Harras, Acting Clerk of the Town of Ajax, writing to the Regional Clerk advising that Council of the Town of Ajax, at their meeting held on May 21, 2019, adopted a resolution consenting to the passing of the New Regional Smoke-Free By-law. (Our File: C00)

Moved by Councillor Collier, Seconded by Councillor Crawford,
(189) That Council Correspondence CC 22 from Alexander Harras, Acting Clerk of the Town of Ajax, re: New Regional Smoke-Free By-law be received for information.

CARRIED

CC 23 Alexander Harras, Acting Clerk of the Town of Ajax, writing to the Regional Clerk advising that Council of the Town of Ajax, at their meeting held on May 21, 2019, adopted a resolution that Ajax Council supports Sport Durham's bid to host the 2022 Ontario Summer Games, encouraging Regional Council to provide their support; and acknowledge that if the Region is awarded the bid, the Town of Ajax is a willing host and participant in the games (Our File: D02)

Moved by Councillor Lee, Seconded by Councillor Leahy,
(190) That Council Correspondence CC 23 from Alexander Harras, Acting Clerk of the Town of Ajax, re: Sport Durham's bid to host the 2022 Ontario Summer Games be referred to Item #5 of the 5th Report of the Planning & Economic Development Committee, Report #2019-EDT-9 re: Bid for 2022 Ontario Summer Games.

CARRIED

7. Delegations

- 7.1 Jennifer Savini, Templeman LLP re: Report #2019-A-22: Durham's Response to Bill 108, Ontario's Housing Supply Action Plan, 2019 and related Regulatory Proposal Changes as it relates to deferrals in the Clarington OPA 107 and the Scugog Official Plan [Item 11.1 – Other Business]
-

Ms. Jennifer Savini, Templeman LLP, appeared before Regional Council to request that the Region support them in making a submission to the Province to include exemptions from the Growth Plan 2019, subject to the Growth Plan 2006 and notwithstanding the Greenbelt Plan 2017, to accommodate minor rounding out in hamlets in appropriate circumstances. She advised that they are solicitors for Fourteen Estates Ltd. which owns several properties that would be affected by restrictions on settlement area boundary expansions set out in the Growth Plan 2017 and the Growth Plan 2019.

Ms. Savini advised that their client has invested significant resources in preparing for development on the basis that it was allowed under the lower-tier official plans.

Ms. Savini advised that in 2017 the Province introduced changes to the Growth Plan which impacted town and village expansions and noted that 41 hamlets and 6 towns/villages in the Region are impacted. She added that her client will be making submissions to the Province seeking to have these matters included in the Transitional Regulation and they are asking for the Region's support.

Ms. Savini stated that including these matters in the Transitional Regulation would remove significant hurdles to allow for development.

Ms. Savini stated that they are asking that the lands in question be considered within the planning regime that was in place when the area Official Plans were adopted.

Ms. Savini presented a proposed resolution that they requested Council adopt.

Ms. Savini responded to questions from Council members.

- 7.2 Carolyn Molinari, CM Planning Inc. re: Report #2019-A-22: Durham's Response to Bill 108, Ontario's Housing Supply Action Plan, 2019 and related Regulatory Proposal Changes as it relates to deferrals in the Clarington OPA 107 and the Scugog Official Plan [Item 11.1 – Other Business]
-

Carolyn Molinari withdrew her request to delegate prior to the meeting.

- 7.3 Rick Rondeau, Fourteen Estates Ltd. re: Report #2019-A-22: Durham's Response to Bill 108, Ontario's Housing Supply Action Plan, 2019 and related Regulatory Proposal Changes as it relates to deferrals in the Clarington OPA 107 and the Scugog Official Plan [Item 11.1 – Other Business]
-

Rick Rondeau withdrew his request to delegate prior to the meeting.

8. Notice of Motions

8.1 Traditional Territory Acknowledgment

[CARRIED]

Moved by Councillor Collier, Seconded by Councillor Lee,
(191) That whereas traditional territory acknowledgements are a respectful and appropriate way for municipalities in Ontario to recognize the history of Indigenous Peoples on this land;

And whereas Durham Regional Council represents a geographic area that includes both the Williams Treaties and the Rice Lake Purchase (Treaty 20), and all eight lower-tier municipalities in Durham are home to Indigenous Peoples;

And whereas in March of 2017 the Town of Ajax implemented a traditional territory acknowledgement to be read at the beginning of each meeting of Ajax Council, a practice that has continued for the last two years;

And whereas the Town of Ajax adopted the following traditional territory acknowledgement:

We would like to begin this meeting by acknowledging that the land on which we gather is the traditional territory of the Anishinaabe Mississauga, adjacent to The Mississaugas of Scugog Island First Nation and in the territory covered by the Williams Treaties. This place is, and will continue to be, home to Indigenous Peoples. Let us move forward together with kindness and respect.

Now therefore be it resolved that Council of the Regional Municipality of Durham adopt a traditional territory acknowledgement to be read at the beginning of each meeting of Regional Council;

And that Regional staff be directed to consult with the local Indigenous community and bring forward a traditional territory acknowledgement to Council, and any necessary amendments to Regional Council's Procedure By-law to give effect thereto.

CARRIED

8.2 Motion to Reconsider Code of Conduct By-law #09-2019 passed on February 27, 2019

[CARRIED]

Moved by Councillor Mitchell, Seconded by Councillor Ashe,

(192) A) That Section 10.5 only of By-law #09-2019 to adopt a Code of Conduct for Members of the Council of the Regional Municipality of Durham and its local boards, passed on February 27, 2019, be reconsidered;

B) The subject to Part A) being passed on a two-thirds vote, that Section 10.5, Part I), of the Code of Conduct be amended by deleting the words "within the Municipality" so that 10.5 I) now reads as follows:

"I) an invitation from and at the expense of a private third party to attend a conference, seminar, charity fundraiser, reception, ceremony, cultural event or other similar event ~~within the Municipality~~ where the proceeds raised are to support a not-for-profit or charity organization"; and

C) That Corporate Services – Legal Services be directed to prepare the required amending by-law.

RECOMMENDATION A) CARRIED by 2/3rds
RECOMMENDATIONS B) AND C) CARRIED

Recommendation A) was then put to a vote and CARRIED BY 2/3rds ON THE FOLLOWING RECORDED VOTE:

Yes

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor J.H. Neal
Councillor J.J. Neal
Councillor Pickles

Councillor Roy
Councillor Smith
Councillor Tyler-Morin
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Drew
Councillor Nicholson

Declarations of Interest: None

Recommendations B) and C) were then put to a vote and CARRIED.

8.3 Financing Options for Extending Municipal Services (within Greenbelt)
[CARRIED]

Moved by Councillor Collier, Seconded by Councillor Lee,
(193) That whereas the properties outside the urban boundary within the
Greenbelt may require municipal servicing due to health issues;

And whereas servicing is backed by a petition supported by a minimum of
two-thirds of existing property owners, representing 50 per cent of the
property value of the benefiting lands;

And whereas the proposed area has not been identified for connection,
and not forecasted to receive regional or municipal capital funds;

And whereas servicing projects are subject to high capital costs which
unduly burden residents with full financial responsibility, and not all
property owners are in the financial position to cover the expenses
associated with a project of this scale-regardless of the health risks;

And whereas Regional Council may set financial terms and conditions to
offset the financial burden.

Now therefore be it resolved that staff be directed to examine financing
options to make it more feasible and affordable for property owners within
the Greenbelt to connect to municipal services, including but not limited
to: payment terms, lower interest rates, cost share programs and twinning
with planned road works, and report back to Regional Council.

CARRIED LATER IN THE MEETING
(See Following Motions)

Moved by Councillor J.H Neal, Seconded by Councillor Marimpietri,

- (194) That the main motion (193) of Councillors Collier and Lee be amended in the first paragraph by deleting the word “the” before the word “properties”, and by deleting the 2nd and 3rd paragraphs.

MOTION DEFEATED

ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Leahy

Councillor Marimpietri

Councillor Mulcahy
Councillor J.H. Neal
Councillor J.J. Neal

Councillor Smith

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Highet
Councillor Kerr

Councillor Lee

Councillor McLean
Councillor Mitchell

Councillor Pickles
Councillor Roy

Councillor Tyler-Morin
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Drew
Councillor Nicholson

Declarations of Interest: None

- Moved by Councillor Mulcahy, Seconded by Councillor Marimpietri,
(195) That the amending motion (194) of Councillors J.H. Neal and Marimpietri be amended in the first paragraph by deleting the words “within the Greenbelt”.

MOTION DEFEATED

Moved by Councillor J.H. Neal, Seconded by Councillor J.J. Neal,
(196) That the main motion (193) of Councillors Collier and Lee be amended in the last paragraph by deleting the words “within the Greenbelt” and replacing them with the words “outside the urban area”.

MOTION DEFEATED ON A RECORDED
VOTE
(See Following Motion)

Moved by Councillor McLean, Seconded by Councillor Chapman,
(197) That the question be now put.

CARRIED

The amending motion (196) of Councillors J.H. Neal and J.J. Neal was then put to a vote and DEFEATED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Marimpietri

Councillor J.H. Neal
Councillor J.J. Neal

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Hightet
Councillor Kerr
Councillor Leahy
Councillor Lee

Councillor McLean
Councillor Mitchell
Councillor Mulcahy

Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Tyler-Morin
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Drew

Councillor Nicholson

Declarations of Interest: None

Moved by Councillor Crawford, Seconded by Councillor Chapman,
(198) That the question be now put.

CARRIED

The main motion (193) of Councillors Collier and Lee was then put to a
vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

No

Councillor Anderson

Councillor Ashe

Councillor Barton

Councillor Bath-Hadden

Councillor Brenner

Councillor Carter

Councillor Chapman

Councillor Collier

Councillor Crawford

Councillor Foster

Councillor Highet

Councillor Kerr

Councillor Leahy

Councillor Lee

Councillor Marimpietri

Councillor McLean

Councillor Mitchell

Councillor Mulcahy

Councillor J.H. Neal

Councillor J.J. Neal

Councillor Pickles

Councillor Roy

Councillor Smith

Councillor Tyler-Morin

Councillor Wotten

Councillor Yamada

Regional Chair Henry

Members Absent: Councillor Drew
Councillor Nicholson

Declarations of Interest: None

9. Committee Reports

9.1 Report of the Finance and Administration Committee

1. Cancellation of Certain Unpaid Water/Sewer Accounts (2019-F-19)

[CARRIED]

That the one water/sewer account for \$23,921.92, for a one-time sewer appeal, be approved for write off.

2. Sole Source Purchase of Trapeze PASS-IPA Software Module for DRT Specialized Services (2019-F-20)

[CARRIED]

A) That a sole source purchase of licenses and implementation services for Trapeze PASS-IPA be negotiated with Trapeze Software ULC (Trapeze) at a cost not to exceed \$150,000, funded from the 2018 Regional Council approved DRT Budget; and

B) That the Commissioner of Finance be authorized to execute the necessary documentation and amendment to the existing software maintenance agreement.

3. Resolution Regarding Duration of the New Durham Region Strategic Plan

[CARRIED]

That the new Strategic Plan be developed for a five-year term.

4. Resolution Regarding Duration of the Strategic Plan Development Task Force

[CARRIED]

That the Strategic Plan Development Task Force remain active, as required, after the approval of the new Strategic Plan.

5. Confidential Report of the Commissioner of Corporate Services – Advice that is subject to Solicitor/Client Privilege, including Communications Necessary for that Purpose as it Relates to On-Going Litigation regarding the Durham Region Transit Westney Facility Expansion (2019-A-21)

[CARRIED]

That the recommendations contained in Confidential Report #2019-A-21 of the Commissioner of Corporate Services be adopted

Moved by Councillor Foster, Seconded by Councillor Highet,
(199) That the recommendations contained in Items 1 to 5 inclusive of the Fifth
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) to the Minister of Health and Long-Term Care dated May 3, 2019 regarding Modernizing Ontario's Health Units

[CARRIED]

A) That the correspondence from the Association of Local Public Health Agencies regarding Modernizing Ontario's Health Units be endorsed; and

B) That whereas in the 2019 Ontario budget, the Government announced its plan to restructure Ontario's public health system and reduce public health funding by \$200 million per year; and

Whereas it has proposed changing the cost-sharing arrangement such that the provincial share is reduced to 70% and the municipal share is increased to 30% for 2019-2020 and 2020-2021, with the provincial share to be further reduced to 60% in 2021-2022; and

Whereas the cost-sharing changes will apply to all 100% provincially funded programs; and

Whereas it is replacing 35 local boards of health and creating 10 Regional Public Health Entities, governed by autonomous boards of health; and

Whereas boards of health are mandated to provide public health programs and services in accordance with the Health Protection and Promotion Act, other relevant legislation and in accordance with the Ontario Public Health Standards: Requirements for Programs, Services, and Accountability; and

Whereas the creation of 10 Regional Public Health Entities is likely to cause major disruptions in every facet of the public health system; and

Whereas public health programs and services demonstrate superior value for money and return on investment; and

Whereas public health programs and services protect and promote the health and well-being of local residents thus reducing the demand on acute care services; and

Whereas the Regional Municipality of Durham is a member of the Association of Local Public Health Agencies (aLPHa); and

Whereas aLPHa has been fully engaged in representing and advancing its members' interests with respect to public health restructuring including the attached letter to the Deputy Minister & Minister of Health and Long-Term Care;

Now therefore be it resolved:

That the Ontario government is urged to:

- Maintain its current provincial funding level to the Durham Region Health Department for 2019-2020,
- Consider deferring any future changes to the cost-sharing formula until it has consulted with aLPHa, AMO, boards of health and obligated municipalities, including the Regional Municipality of Durham;
- Consult with local municipalities to inform decisions regarding boundaries, funding, governance, mandate, organizational structure, operations, etc. of the proposed 10 Regional public health entities, and

Be it further resolved that the Premier of Ontario, Deputy Premier & Minister of Health and Long-Term Care, Minister of Finance, Durham's MPPs, Chief Medical Officer of Health, AMO, aLPHa and all Ontario boards of health be so advised.

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

CARRIED

9.3 Report of the Planning and Economic Development Committee

1. Durham Active Transportation Committee (DATC) Membership Appointment – Town of Whitby Nominee (2019-P-24)

[CARRIED]

- A) That the appointment of Mr. Ron Lalonde, as Area Municipal Citizen Volunteer from the Town of Whitby, be confirmed;
- B) That Mr. Lalonde be advised of his appointment; and

- C) That a copy of Report #2019-P-24 of the Commissioner of Planning and Economic Development be forwarded to the Town of Whitby and to the Durham Active Transportation Committee.
2. Envision Durham – Climate Change and Sustainability Discussion Paper (2019-P-26)
[CARRIED]
- A) That Report #2019-P-26 of the Commissioner of Planning and Economic Development be received for information; and
- B) That a copy of Report #2019-P-26 be forwarded to Durham's area municipalities; conservation authorities; the Ministry of Municipal Affairs and Housing; the Ministry of Environment, Conservation and Parks; the Durham Region Roundtable on Climate Change; and the Durham Environmental Advisory Committee for review and comment.
3. Proposed amendments to the Conservation Authorities Act and associated regulations (2019-P-27)
[RECEIVED FOR INFORMATION] [See Motion 203 on page 19]

That Report #2019-P-27 of the Commissioner of Planning and Economic Development be received for information.

- ~~A) That due to the short commenting window to submit comments to the Province of Ontario, staff be authorized to prepare and submit preliminary comments on Environmental Registry of Ontario posting #013-5018 and #013-4992 related to the Conservation Authorities Act and associated regulations on behalf of the Region of Durham;~~
- ~~B) That staff be directed to report back to Planning and Economic Development Committee on June 4, 2019 to consider and if necessary, modify the submitted comments related to the Conservation Authorities Act and associated regulations for subsequent Council endorsement; and~~
- ~~C) That the Province be advised that a 45-day comment period is insufficient and does not provide an adequate opportunity for proper or meaningful consultation.~~
4. Tribute Communities Centre Suite – Annual Usage Report and Lease Renewal (2019-EDT-6)
[CARRIED ON A RECORDED VOTE] [See Motion 204 on page 19]
- A) That the Regional Chair and the Regional Clerk be authorized to enter into a licence renewal agreement with Global Spectrum Facility Management L.P. for the Region's suite at the Tribute Communities

Centre for a five-year period commencing September 1, 2019 and concluding on August 31, 2024;

- B) That an amount of \$50,000 for the next year of the term be included in the annual Business Plans and Budgets, with the inclusion of an annual increase in fees of 1.5%; and
- C) That fifty percent (50%) of the total amount be allocated from the Economic Development and Tourism budget and fifty percent (50%) from the Regional Chair's budget.

5. Bid for 2022 Ontario Summer Games (2019-EDT-9)
[CARRIED]

- A) That Regional Council endorse a bid for the 2022 Ontario Summer Games to be developed and submitted by Sport Durham prior to the deadline of June 14, 2019;
- B) That Regional Council endorse and support in principle the hosting of this event, including the acknowledgement that if the Region is awarded a bid, accepts an award, and enters into a hosting agreement for these Games, the Region would bear the cost responsibility for any financial deficit resulting from the Games;
- C) That Regional Council approve in principle the Region's financial contribution for this bid in the amount of \$130,000 (\$50,000 cash and approximately \$80,000 in-kind for internal transportation); and
- D) That if the 2022 Ontario Summer Games are awarded to the Region, staff will report back to seek approval of the terms of the hosting agreement, prior to execution of the agreement.

Moved by Councillor J.H. Neal, Seconded by Councillor Yamada,
(201) That the recommendations contained in Item 1 of the Fifth Report of the Planning and Economic Development Committee be adopted.
CARRIED

Moved by Councillor J.H. Neal, Seconded by Councillor Yamada,
(202) That the recommendations contained in Item 2 of the Fifth Report of the Planning and Economic Development Committee be adopted.
CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor Yamada,
(203) That Item 3 of the Fifth Report of the Planning and Economic Development Committee be received for information.
CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor Yamada,
(204) That the recommendations contained in Item 4 of the Fifth Report of the
Planning and Economic Development Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
	Councillor Crawford
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor Marimpietri	
Councillor McLean	
Councillor Mitchell	
Councillor Mulcahy	
	Councillor J.H. Neal
	Councillor J.J. Neal
Councillor Pickles	
Councillor Roy	
Councillor Smith	
	Councillor Tyler-Morin
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Drew
Councillor Nicholson

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor Yamada,
(205) That the recommendations contained in Item 5 of the Fifth Report of the
Planning and Economic Development Committee be adopted.

CARRIED

9.4 Report of the Works Committee

1. Correspondence dated March 28, 2019 from the City of Oshawa, re: Resolution passed by Oshawa Council at its meeting held on March 18, 2019 regarding Downed Elevators and Municipal Response
[CARRIED]

That the correspondence dated March 28, 2019 from the City of Oshawa regarding downed elevators and municipal response be endorsed.

2. License Agreement with Her Majesty the Queen Right of Canada for a Portion of Lands Located at the North West Corner of Highway 7 and Sideline 26 in the City of Pickering for the Purpose of Construction, Operation and Maintenance of a Water Tower and Reservoir and Related Structures ([2019-W-29](#))
[CARRIED]

- A) That a License Agreement for a portion of land being part of Federal lands north of Highway 7 and west of Sideline 26 in the City of Pickering be approved including the following terms and conditions:
 - i) The term be for a period of ten years commencing June 1, 2019, ending May 31, 2029;
 - ii) The annual license fees for the ten-year period of the License Agreement are as follows:
 - For the period commencing June 1, 2019 and ending May 31, 2020, the annual amount will be \$34,312.50, plus HST;
 - For years 2 through 10, the annual rental rate will increase by 2.50% beginning June 1 of each calendar year;
- B) That the Regional Municipality of Durham will be responsible for all costs for the licensed premises;
- C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement; and
- D) That staff be directed to continue discussions with the Federal government to acquire the lands; and that Report #2019-W-29 be forwarded to MP Jennifer O'Connell, and MP Mark Holland with a request for a response back to the Region.

3. Report on Tenders and Additional Financing for The Regional Municipality of Durham Contract T-1008-2018 for the Lake Simcoe Water Pollution Control Plant Air Handling Unit Replacement and Drainage Improvements, in the Township of Brock ([2019-W-30](#))
-

[CARRIED]

- A) That the low compliant bid of Mapleridge Mechanical Contracting Inc., in the amount of \$245,000*, be awarded for the Regional Municipality of Durham Contract T-1008-2018 resulting in a total estimated project cost of \$339,497;
- B) That the previously approved project budget of \$180,000 be increased by \$159,497 to a revised total project budget of \$339,497;
- C) That the funding for the additional project commitments in the amount of \$159,497 be provided from the following completed 2018 Tangible Capital Asset projects:

- | | |
|--|---------------|
| i) Item #R283: Jodrel Sewage Pumping Station (SPS) Repaving project: | \$122,000 |
| ii) Item #N286: Lakeshore Sewage Pumping Station (SPS) Repaving project: | <u>37,497</u> |

Total Reallocated User Revenue Financing **\$159,497**

- D) That the Regional Chair and Clerk be authorized to execute Regional Municipality of Durham Contract T-1008-2018.
(* before applicable taxes

4. Award of Request for Proposal #1063-2018 for Consulting Services for the Completion of a Rationalization Study Report and Production of Overall Facility Master Plans for the Ajax-Pickering, Oshawa-Whitby and Sunderland Depots ([2019-W-31](#))
-

[CARRIED]

- A) That Request for Proposal #1063-2018 be awarded to Stirling Rothesay Consulting Inc. to provide consulting services for the completion of a rationalization study report and production of overall facility master plans for the Ajax-Pickering, Oshawa-Whitby, and Sunderland Depots, at a total upset limit not to exceed \$199,890* to be funded from the approved project budget;

- B) That the previously approved project budget of \$165,000 be increased by \$55,000 to a revised total project budget of \$220,000;
- C) That the additional financing in the amount of \$55,000, be provided through a reallocation of funds from the following sources:

Seaton Facility Site Master Plan (Project F1860):

Sanitary Sewerage System Capital Budget- User Revenue	\$18,333
Water Supply System Capital Budget- User Revenue	\$18,333
General Tax Capital Budget- Property Tax	<u>\$18,334</u>
Total Reallocated Financing	<u>\$55,000</u>

- D) That the Commissioner of Finance be authorized to execute the consulting services agreement.
(* includes disbursements and are before applicable taxes

5. Lake Ontario Collaborative Group – Memorandum of Understanding – Source Protection Plan (2019-W-32)
[CARRIED]

- A) That the Regional Municipality of Durham be authorized to enter into a Memorandum of Understanding with the Regional Municipality of Peel and the City of Toronto outlining the governance structure and cost sharing for the implementation of the Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan 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.

6. Regional Municipality of Durham Nomination to the Credit Valley/Toronto and Region/Central Lake Ontario Source Protection Committee (2019-W-33)
[CARRIED]

- A) That in response to the call for nomination of municipal members from the Toronto and Region Source Protection Authority (TRSPA), The Regional Municipality of Durham's Director of Environmental Services (currently Mr. John Presta), be nominated as the Durham municipal member of the Credit Valley/Toronto and Region/Central Lake Ontario Region Source Protection Committee; and

- B) That a copy of this report be forwarded to Mr. John Mackenzie, Toronto and Region Source Protection Authority and Local Municipalities within the Regional Municipality of Durham.

7. Construction of Regional Contract D2012-2 for the Port Darlington Water Pollution Control Plant (WPCP) Phase 2 Expansion, in the Municipality of Clarington ([2019-W-34](#))

[CARRIED]

- A) That additional commitments be assigned to WSP Canada Inc. (WSP) for services required to analyze and assist the Director of Legal Services in defence of claims submitted by Torbear Contracting Inc. related to the construction of Regional Contract D2012-2 for the Port Darlington Water Pollution Control Plant (WPCP) Phase 2 Expansion, in the Municipality of Clarington and provide additional construction contract administrative services until the contract is complete;
- B) That a sole source consulting agreement be executed with CIMA Canada Inc. (CIMA) for services required to analyze and assist the Director of Legal Services in defence of claims submitted by Torbear Contracting Inc. (Torbear) related to the construction of Regional Contract D2012-2 for the Port Darlington Water Pollution Control Plant (WPCP) Phase 2 Expansion, in the Municipality of Clarington;
- C) That a sole source consulting agreement be executed with a third-party expert for services required in relation to the analysis and evaluation of contract entitlement, cause and effect analysis and claim qualification;
- D) That the funding for additional commitments be financed at the discretion of the Commissioner of Finance; and
- E) That the Commissioner of Finance be authorized to execute the necessary consulting services agreements and amendment to the existing agreement.

8. Supplemental Report on Water Quality and Quantity Concerns with Private Wells Servicing Residents on Fielding Court in the Town of Ajax ([2019-W-35](#))

[CARRIED]

- A) That Regional Council declare the water on Fielding Court in the Town of Ajax a health issue; and
- B) That staff be directed to initiate a water service petition.

9. Approval of Request for Pre-Qualification RFPQ#-1100-2019 of General Contractors for the Construction of the Newcastle Water Supply Plant and the Port of Newcastle Sanitary Sewage Pumping Station, in the Municipality of Clarington ([2019-W-36](#))
-

[CARRIED]

- A) That in accordance with Request for Pre-Qualification RFPQ#-1100-2019, the following general contractors be pre-qualified for the tendering of the construction of the Newcastle Water Supply Plant (WSP) and the Port of Newcastle Sanitary Sewage Pumping Station (SSPS), in the Municipality of Clarington:
- Graham Construction and Engineering LP
 - Kenaidan Contracting Ltd.
 - Maple Reinders Constructors Ltd.
 - Matheson Constructors Limited
 - North America Construction (1993) Ltd.
- B) That the tender documents for the construction of the Newcastle Water Supply Plant and the Port of Newcastle Sanitary Sewage Pumping Station Regional Tender (D2019-009) be issued only to the above noted general contractors; and
- C) That the construction of the Newcastle Water Supply Plant and the Port of Newcastle Sanitary Sewerage Pumping Station, in the Municipality of Clarington be approved in the amount of \$55,540,000 with funding to be provided from the following sources:

Residential Development Charges	\$23,652,780
Commercial Development Charges	2,845,680
Industrial Development Charges	1,400,000
User Revenue	10,061,348
Debentures: Development Charges	5,857,400
User Revenue	11,722,792
Total Financing	<u>\$55,540,000</u>

10. Report on Tenders and Additional Financing for Regional Municipality of Durham Contract D2019-026 for Simcoe Street (Regional Road 2) and Reach Street (Regional Road 8) Road Rehabilitation and Intersection Modifications in the Township of Scugog (2019-W-37)
-

[CARRIED]

- A) That the low compliant bid of Blackstone Paving and Construction Ltd., in the amount of \$2,327,751*, be awarded for Regional Municipality of Durham Contract D2019-026 resulting in a total estimated project cost of \$3,402,000;
- B) That the previously approved project budget of \$2,850,000 be increased by \$552,000 to a revised total project budget of \$3,402,000;
- C) That the funding for the additional project commitments in the amount of \$552,000 be provided from the following sources:

Reallocation from Contingencies within Project R1512
Road Rehabilitation at Various Locations
Throughout the Region of Durham:

Roads Rehabilitation Reserve Fund \$417,000

2019 Water Supply Capital Budget Item No.:74
(Project S1903) Watermain Replacement on
Kellett Street from Bigelow Street to 100 m north

Asset Management Reserve Fund \$60,000

Reallocation from 2019 Water Supply Capital Budget
Item No.: 73 (Project S1902) Watermain Replacement on
Bigelow Street from North of Kellett Street to east of Kent Street

Asset Management Reserve Fund \$75,000

Total Reallocated Financing \$552,000

- D) That the Regional Chair and Clerk be authorized to execute Regional Municipality of Durham Contract D2019-026.
(*) before applicable taxes

11. Report on Tenders and Additional Financing for Regional Municipality of Durham Contract D2019-043 for Watermain Replacement on Adelaide Avenue East (Regional Road 58) from Oshawa Boulevard North to Juliana Drive and from Mary Street North to French Street, in the City of Oshawa (2019-W-38)
-

[CARRIED]

- A) That the low compliant bid of FDM Contracting Co Ltd., in the amount of \$1,955,000*, be awarded for Regional Municipality of Durham Contract D2019-043 resulting in a total estimated project cost of \$2,589,976;
- B) That the previously approve project budgets of \$1,970,000 be increased by \$619,976 to a revised total project budget of \$2,589,976;
- C) That the funding for the additional project commitments in the amount of \$619,976 be provided from the following source:

Reallocation from within Project D1848 Watermain Replacement on Kingston Road:

User Revenues	<u>\$619,976</u>
---------------	------------------

Total Reallocated Financing	<u>\$619,976</u>
------------------------------------	-------------------------

- D) That the Regional Chair and Clerk be authorized to execute Regional Municipality of Durham Contract D2019-043.
(*) before applicable taxes.

12. Waste Collection at Regional Facilities and Waste Reduction Initiatives at Regional Headquarters (2019-W-39)
[CARRIED]

That Report #2019-W-38 of the Commissioner of Works be received for information.

13. Affordable Housing Development – 1505 Bowmanville Avenue in the Municipality of Clarington (2019-W-40)
[CARRIED]

That the Council approved Region Share Policy in the Regional Development Charges By-law #28-2018 be applied to the development at 1505 Bowmanville Avenue in the Municipality of Clarington under construction by New View Holdings Inc. and that no additional Regional funding be provided for this development project.

14. Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporate Purposes as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2019-W-28)
[CARRIED]

That the recommendations contained in Confidential Report #2019-W-28 of the Commissioner of Works, be adopted.

15. Durham Vision Zero Task Force Appointment of Works Representative
[CARRIED]

That Councillor Crawford be appointed as the Works Committee representative on the Durham Vision Zero Task Force.

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(206) That the recommendations contained in Items 1 to 4, 6 to 8, and 11 to 15 of the Fifth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(207) That the recommendations contained in Item 5 of the Fifth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(208) That the recommendations contained in Item 9 of the Fifth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(209) That the recommendations contained in Item 10 of the Fifth Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Ashe, Seconded by Councillor McLean,
(210) That Council recess for 45 minutes for lunch.

CARRIED

Council recessed at 12:27 PM and resumed the meeting at 1:17 PM.

9.5 Report of the Committee of the Whole

1. Organics Management Update and Next Steps (2019-COW-8)
[RECOMMENDATION B) CARRIED]

Committee of the Whole deferred Recommendations A) and C) of Report #2019-COW-8 until the business case is presented at the June 12, 2019 Committee of the Whole meeting.

A) ~~That procurement expertise and advice be retained at a total cost not to exceed \$100,000 to engage an independent third party fairness monitor to oversee subsequent procurement processes as approved by Regional Council to protect the Regional Municipality of Durham, and to ensure fairness and transparency on behalf of vendors and~~

~~other stakeholders with the procurement process to be determined by the Chief Administrative Officer and Commissioner of Finance;~~

- B) That Deloitte LLP be retained at a cost not to exceed \$75,000 to provide financial and business advisory services for the next steps of the long-term organics management solution; and
- C) ~~That external legal counsel be retained at a cost not to exceed \$125,000 to provide advice for the next steps of the long-term organics management solution to assist in the procurement process and contract arrangements.~~

- 2. The Region of Durham's Energy Conservation and Demand Management Plan under Ontario Regulation 507/18 of the Electricity Act, 1998 [\(2019-COW-9\)](#)

[CARRIED]

That per the requirements of Ontario Regulation 507/18 of the Electricity Act, 1998, the Region of Durham's Energy Conservation and Demand Management Plan ('CDM Plan') for the 2019 to 2024 period (Attachment #1 to Report #2019-COW-9), be endorsed and submitted to the Ontario Ministry of Energy, Northern Development and Mines.

- 3. Response to March 27, 2019 Council Direction regarding the Expansion of the Durham York Energy Centre [\(2019-COW-10\)](#)

[CARRIED]

That Report #2019-COW-10 of the Commissioner of Corporate Services, be received for information.

- 4. [Durham- Scarborough Bus Rapid Transit – Update \(2019-COW-11\)](#)

[CARRIED]

That Report #2019-COW-11 of the Commissioners of Works and Finance, be received for information.

- Moved by Regional Chair Henry, Seconded by Councillor Foster,
(211) That the recommendations contained in Items 2 and 4 of the Third Report of the Committee of the Whole be adopted.

CARRIED

- Moved by Regional Chair Henry, Seconded by Councillor Foster,
(212) That the recommendation contained in Item 1 of the Third Report of the Committee of the Whole be adopted.

CARRIED

Moved by Regional Chair Henry, Seconded by Councillor Foster,
(213) That the recommendations contained in Item 3 of the Third Report of the Committee of the Whole be adopted.

CARRIED

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 Durham's Response to Bill 108, Ontario's Housing Supply Action Plan, 2019 and related Regulatory Proposal Changes (2019-A-22)

[CARRIED AS AMENDED] [See Motions 215 and 216 on pages 33 - 34]

That Report #2019-A-22 be endorsed and submitted to the Province as the Regional Municipality of Durham's response to Environmental Registry of Ontario

(ERO) Postings #013-5018, #013-4992, #013-5033, #013-5101, #013-5102, #019-0016, #019-0017, #019-0018, #019-0021 regarding Bill 108: More Homes, More Choice Act and associated discussion papers related to Conservation Authorities, Endangered Species Act, and the Environmental Assessment Act, including the following key comments and recommendations:

- A) That with respect to Schedule 2 of Bill 108, which would enact changes to the Conservation Authorities Act, the Region recommends that the Province:
 - i) Consult further with municipalities to develop the full text of the changes including potential implementation and transition timing;
 - ii) Ensure alignment with any amendments to the Conservation Authorities Act and associated regulations with any changes to those or other related provincial policy and legislation that are anticipated;
 - iii) Continue funding levels for drinking water source protection responsibilities of the Conservation Authorities (CAs) over the long term; and
 - iv) Provide additional details regarding the distinction between mandatory and discretionary programs and services and how costs are to be apportioned to, and, funded by municipalities;

- B) That with respect to Regulatory Proposal 'Focusing conservation authority development permits on the protection of people and property (#013-4992), the Region recommends that the Province:
 - i) Provide an adequate timeframe (beyond 45 days) for further consultation on the proposed regulatory and policy amendments and avoid setting commenting deadlines during the summer period to ensure the ability for meaningful review, input and public engagement; and
 - ii) Consider that instead of establishing a rigid regulatory approach, that a guidance document be created, to provide CAs with information on the types and contextual settings for "low-risk development" and to provide CAs with direction as to how and when it might exempt such projects from its permit obligations;

- C) That with respect to Schedule 3 of Bill 108, which would enact changes to the Development Charges Act impacting the amount, timing and process for collection of development charges collected, the Region recommends that the Province:

- i) Continue to provide municipalities the autonomy to develop their own development charge policies in a transparent and accountable manner that best meets their local needs and that any amendments by the Province be revenue neutral to minimize impacts on user rates and property taxes;
 - ii) Enable municipalities to collect development charges at the appropriate point in time (i.e. at building permit issuance or subdivision agreement) to enforce payment, ensure cost recovery and provide funds in a timely manner to advance the construction of municipal infrastructure;
 - iii) Enable municipalities to impose current development charge rates at the time of payment and not be required to freeze development charge rates at an earlier date (i.e. site plan / zoning amendment application) as this will result in a loss of revenue and potential delays in construction of infrastructure needed to support future development; and
 - iv) Permit municipalities to continue to collect development charges for social and human services infrastructure under the Development Charges Act regime to ensure the timely construction of municipal services at both the upper and local tier municipalities;
- D) That with respect to Schedule 9 of Bill 108, which would enact changes to the Local Planning Appeal Tribunal Act, the Region recommends that the Province:
 - i) Permit the Local Planning Appeal Tribunal (LPAT) to continue to operate under the current, in-force rules, to gather information related to its successes and challenges, prior to making substantive changes proposed under Bill 108. Additionally, it is recommended that the deference to municipal council decisions by limiting LPAT appeals to only the consideration of conformity and consistency with provincial plans and policies under the current in-force legislation remain in the LPAT Act as the current system encourages a speedier planning approvals process, and therefore is consistent with the Province's objectives to bring housing supply to market expeditiously; and
 - ii) Reconsider the removal of the restrictions related to new evidence and examination of witnesses to generally shorten hearing lengths;
- E) That with respect to Schedule 12 of Bill 108, which would enact changes to the Planning Act, the Region recommends that the Province:

- i) Retain the approach to the LPAT provided within Bill 139 for adjudicating Planning Act appeals, which provides greater deference to municipal council decisions based on conformity with provincial plans and consistency with provincial policies; and
 - ii) Not change the timelines for decisions as they more realistically reflect application processing timelines to include meaningful public consultation and adequate agency review;
 - iii) Clarify section 22 of the Planning Act to state that only upper or single tier municipalities be authorized to initiate an amendment to the official plan to consider a settlement area boundary expansion; and
- F) With respect to Regulatory Proposal 019-0018, which provides transition provisions for growth plans, the Region recommends that the Province:
 - i) Explicitly list within O.Reg. 311/06 that the matters related to Policy 14.13.7 of the Durham Regional Official Plan would be subject to the Growth Plan, 2006 as it read on June 16, 2006, and not A Place to Grow: A Growth Plan for the Greater Golden Horseshoe.
- G) That the Province of Ontario be requested to amend the transition regulation for the Growth Plan, 2019 to accommodate minor rounding out of hamlets previously permitted under the Greenbelt Plan, 2005 in appropriate circumstances;**
- H) That the Province of Ontario be requested to provide a transition regulation for the Greenbelt Plan, 2017 to accommodate the minor rounding out of hamlets in appropriate circumstances within the Greenbelt Plan area, but only where an official plan amendment for such minor rounding outs has been adopted by an area municipal Council prior to July 1, 2017**
- I) With respect to Schedule 5 of Bill 108, which would enact changes to the Endangered Species Act, the Region recommends to the Province that no changes be made to the Endangered Species Act.**

Moved by Councillor Foster, Seconded by Councillor Wotten,

(214) That the recommendations contained in Item 11.1 of Other Business be adopted.

CARRIED AS AMENDED LATER IN THE
MEETING
(See Following Motions)

Moved by Councillor Wotten, Seconded by Councillor Foster,

(215) That the main motion (214) of Councillors Foster and Wotten to adopt the recommendations contained in Item 11.1 of Other Business be amended by adding the following as new Parts G) and H):

G) That the Province of Ontario be requested to amend the transition regulation for the Growth Plan, 2019 to accommodate minor rounding out of hamlets previously permitted under the Greenbelt Plan, 2005 in appropriate circumstances;

H) That the Province of Ontario be requested to provide a transition regulation for the Greenbelt Plan, 2017 to accommodate the minor rounding out of hamlets in appropriate circumstances within the Greenbelt Plan area, but only where an official plan amendment for such minor rounding outs has been adopted by an area municipal Council prior to July 1, 2017

CARRIED

Moved by Councillor Lee, Seconded by Councillor Leahy,

(216) That the main motion (214) of Councillors Foster and Wotten to adopt the recommendations contained in Item 11.1 of Other Business be amended by adding the following as a new Part I):

I) With respect to Schedule 5 of Bill 108, which would enact changes to the Endangered Species Act, the Region recommends to the Province that no changes be made to the Endangered Species Act.

CARRIED

The main motion (214) of Councillors Foster and Wotten to adopt the recommendations contained in Item 11.1 of Other Business was then put to a vote and CARRIED AS AMENDED.

11.2 Supplementary Report to Works Committee Report #2019-W-40: Affordable Housing Development – 1505 Bowmanville Avenue, in the Municipality of Clarington (2019-W-41)

[CARRIED]

That Report #2019-W-41 of the Commissioner of Works, being a supplementary report to Report #2019-W-40, be received for information.

Moved by Councillor Carter, Seconded by Councillor Collier,

(217) That the recommendation contained in Item 11.2 of Other Business be adopted.

CARRIED

12. By-laws

30-2019 Being a by-law to authorize The Regional Municipality of Durham to enter into an agreement for the provision of Municipal Housing Project Facilities.

This by-law implements the recommendations contained in Item #5 of the 1st Report of the Joint Committee presented to Regional Council on February 12, 2014

31-2019 Being a by-law to authorize The Regional Municipality of Durham to enter into an agreement for the provision of Municipal Housing Project Facilities.

This by-law implements the recommendations contained in Item #16 of the 8th Report of Committee of the Whole presented to Regional Council on September 12, 2018.

32-2019 Being a by-law to Amend By-law 09-2019 being a by-law to adopt a Code of Conduct for Members of the Council of the Regional Municipality of Durham and its local boards.

This by-law implements the recommendations contained in a Notice of Motion adopted May 29, 2019 and presented to Regional Council on May 29, 2019

Moved by Councillor Ashe, Seconded by Councillor Lee,
(218) That By-law Numbers 30-2019 to 32-2019 inclusive be passed.

CARRIED

13. Confirming By-law

33-2019 Being a by-law to confirm the proceedings of Regional Council at their meeting held on May 29, 2019.

Moved by Councillor Ashe, Seconded by Councillor Lee,
(219) That By-law Number 33-2019 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on May 29, 2019, be passed.

CARRIED

14. Adjournment

Moved by Councillor Tyler Morin, Seconded by Councillor Brenner,
(220) That the meeting be adjourned.

CARRIED

The meeting adjourned at 1:51 PM.

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk