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## **The Regional Municipality of Durham**

### **MINUTES**

#### **REGIONAL COUNCIL**

**Wednesday, December 18, 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.

Prior to roll call, Regional Chair Henry read the following land acknowledgement:

We are currently located on land which has long served as a site of meeting and exchange among the Mississaugas Peoples and is the traditional and treaty territory of the Mississaugas of Scugog Island First Nation. We honour, recognize and respect this nation and Indigenous Peoples as the traditional stewards of the lands and waters on which we meet today.

#### **1. Roll Call**

##### Morning Session 9:30 AM to 12:15 PM

All members of Council were present with the exception of Councillors Collier and Chapman

Councillor Barton left the meeting at 11:09 AM on municipal business

Councillor Chapman was absent with regrets

Councillor Collier was absent on municipal business

Councillor Crawford left the meeting at 12:15 PM due to illness

Councillor Drew left the meeting at 12:15 PM

Councillor Hight left the meeting at 12:05 PM on municipal business

Councillor Kerr left the meeting at 12:15 PM

Councillor Mitchell left the meeting at 12:15 PM

Councillor Pickles left the meeting at 9:45 AM on municipal business and returned at 11:55 AM

Councillor Roy left the meeting at 12:15 PM on municipal business

Councillor Tyler-Morin appeared on behalf on Councillor Collier as the alternate for the Town of Ajax

##### Afternoon Session 1:30 PM to 2:16 PM

All members of Council were present with the exception of Councillors Barton, Chapman, Collier, Crawford, Drew, Hight, Kerr, Mitchell and Roy

Councillor Ashe left the meeting at 1:56 PM on municipal business

Councillor Wotten left the meeting at 1:53 PM

Councillor Tyler-Morin appeared on behalf on Councillor Collier as the alternate for the Town of Ajax

**2. Declarations of Interest**

There were no declarations of interest.

**3. Announcements**

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

Moved by Councillor Lee, Seconded by Councillor Leahy,  
(356) That the agenda be altered in order to hear the presentation from the Pickering Early Learning and Child Care Centre next.

CARRIED

**4. Presentations**

4.1 Children from Pickering Early Learning and Child Care Centre singing Christmas songs

Children from the Pickering Early Learning and Child Care Centre appeared before Council singing Christmas songs, followed by a visit from Santa.

Announcements continued following the performance by the children from the Pickering Early Learning and Child Care Centre.

**4. Presentations**

4.2 Mathieu Goetzke, Chief Planning Officer, Metrolinx re: Status Update on the ongoing Highway 2 BRT Study

S. Siopis, Commissioner of Works advised that earlier this year Metrolinx began the Durham-Scarborough Bus Rapid Transit study to connect communities across the GTA, increase ridership and provide higher order transit. She added that the second round of Public Information Centres was recently completed, and Metrolinx is here today to provide an update on the project.

Mathieu Goetzke, Chief Planning Officer, and David Hoffer, Consultant, Project Manager, Metrolinx provided a presentation with respect to Status Update on the ongoing Highway 2 BRT Study. It was noted that the key objective is to ensure reliability of BRT services between Downtown Oshawa and Scarborough Centre.

Highlights of the presentation included:

- Study Area
- Why Bus Rapid Transit?
  - Improve Service reliability
  - Increase Ridership
- Pinch Points along the Corridor
- Between the Pinch Points
- Traffic
- Transit Along the Corridor
- Design Options
- Pickering Village – Elizabeth Street to Rotherglen Road
- Whitby – Outside the Frances Street to Garden Street Pinch Point
- Downtown Whitby – Frances Street to Garden Street
- Downtown Oshawa – Thornton Road to Simcoe Street
- What we heard at Public Information Centre #2
  - Opportunities
  - Concerns
- Next Steps
  - Review Feedback
  - Update Business Case
  - Continue meeting with municipal and technical staff
  - Present design and Preliminary Design Business Case in spring 2020
  - Secure full financial commitment

M. Goetzke and D. Hoffer responded to questions of Regional Council.

## 5. Adoption of Minutes

Moved by Councillor Ryan, Seconded by Councillor Wotten,  
(357) That the minutes of the Regular Regional Council meeting held on  
November 27, 2019 be adopted.

CARRIED

## 6. Communications

### CC 46 Correspondence from the Eastern Ontario Mayors' Caucus re: Rising Water Levels

Moved by Councillor Joe Neal, Seconded by Councillor Nicholson,  
(358) That Council Correspondence CC 46 from the Eastern Ontario Mayors'  
Caucus regarding rising water levels, be endorsed.

DEFEATED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Lee  
Councillor Joe Neal

No

Councillor Ashe  
Councillor Barton  
Councillor Bath-Hadden

Councillor Nicholson  
Councillor Smith  
Councillor Wotten  
Councillor Yamada

Councillor Carter  
Councillor Crawford  
Councillor Dies  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Roy  
Councillor Ryan  
Councillor Tyler-Morin  
Regional Chair Henry

Members Absent: Councillor Chapman  
Councillor Drew  
Councillor Marimpietri  
Councillor John Neal  
Councillor Pickles

Declarations of Interest: None

Moved by Councillor Foster, Seconded by Councillor Ryan,  
(359) That Council Correspondence CC 46 from the Eastern Ontario Mayors' Caucus regarding rising water levels, be referred to the February 2020 Council meeting.

CARRIED

CC 47 Correspondence from J. Gallagher, Deputy Clerk, Municipality of Clarington re: Appointment to Durham Land Division Committee

Moved by Councillor Foster, Seconded by Councillor Leahy,  
(360) That Anna Camposeo be appointed as the Municipality of Clarington's representative on the Durham Land Division Committee.

CARRIED

## 7. Delegations

### 7.1 Wendy Bracken, Clarington Resident, re: the AMESA Long-Term Sampling System

Wendy Bracken appeared before Council with respect to the AMESA Long-Term Sampling System.

Highlights from the presentation included:

- Environmental Compliance Approval (ECA) Condition 7. (3)
- Environmental Compliance Approval (ECA) Condition 14. (4)(g)
- Four Years In: AMESA Issues Remain Unresolved - Monthly Data Withheld
- Durham Staff Are Not Reviewing the Monthly AMESA Data
- My Freedom of Information Requests
- Dr. Jahnke Document Received Through FOI on Continuous Sampling for Dioxins and Furans
- Jahnke Document (Page 11) on AMESA
- Jahnke Document (Pages 25,26) on Common Problem of Correlation Issues
- Jahnke Document (Page 26) on Success in Europe for Monitoring Trends

Moved by Councillor Joe Neal, Seconded by Councillor Anderson,  
(361) That Wendy Bracken be granted a one-time two minute extension to finish her delegation.

CARRIED

- FOI Document: Email from Manufacturer to Region Consultant regarding Big Differences Between Stack and AMESA Results
- DYEC has had Major Dioxin/Furan Stack Exceedances
- From Chandler Memo to Durham Staff: Fall 2016 Testing at DYEC
- Dioxin/Furan Ambient Air Exceedance May 26, 2018: Questions and Concerns Still Remain; Very Calm Day
- Ministry Review Was Limited: Did Not Review AMESA Data, nor Profiles
- Four Years In: AMESA Issues Remain Unresolved Monthly Data Withheld

W. Bracken responded to questions from the members of Council.

7.2 Linda Gasser, Whitby Resident, re: the AMESA Long-Term Sampling System

Linda Gasser withdrew her request to delegate prior to the meeting.

7.3 Joe Deschenes Smith, Trillium Housing, re: Report #2019-F-50: Request for Deferral of Regional Development Charges by Trillium Housing Non-Profit for a New Affordable Housing Project in the City of Pickering [Item 9.1 – Committee Reports – Finance and Administration Committee]

Joe Deschenes Smith appeared before Council with respect to Item #8 on the Finance & Administration Committee Report to Council, Report #2019-F-50: Request for Deferral of Regional Development Charges by Trillium Housing Non-Profit for a New Affordable Housing Project in the City of Pickering.

J. Deschenes Smith advised that he is appearing before Council to request support for their Duffins Height project in Pickering through development charge deferrals.

J. Deschenes Smith advised that Trillium Housing is a non-profit enterprise dedicated to affordable housing ownership within conventional housing projects. He added that the Trillium Mortgage is a shared equity mortgage and noted that recently their model was adopted by the Federal Government for their new home ownership support program.

J. Deschenes Smith provided details with respect to a similar project constructed in Toronto called The Loop wherein 66 stacked townhouses were built, and 33 Trillium Mortgages were issued. He noted that the average household income for those families was in the mid \$60,000's and added that the Trillium Mortgages reduced housing costs on average by \$500 per month per family.

J. Deschenes Smith advised that the Pickering project will include 212 to 216 stacked townhouses and they are already receiving applications for Trillium Mortgages. He added that they are hoping for a starting price of around \$450,000.

J. Deschenes advised he is aware that the Region is working with an Affordable Housing Strategy and that the type of housing project being developed by Trillium Housing is very cost-effective and inclusive.

J. Deschenes Smith responded to questions from the members of Council.

Moved by Councillor Foster, Seconded by Councillor Nicholson,  
(362) That Council recess for 10 minutes.

CARRIED

Council recessed at 11:09 AM and reconvened at 11:19 AM.

## **8. Notice of Motions**

There were no notices of motions.

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,  
(363) That the order of the Agenda be altered to consider Item #5 from the Report of the Works Committee next.

CARRIED

## **9.4 Report of the Works Committee**

5. Additional Information Regarding Imposition of a Maximum Chargeable Frontage Length for Sanitary Sewer and Water Supply Petition Projects (2019-W-89)
- 

[DEFERRED]

That the Regional Municipality of Durham maintain full cost recovery for petition projects as outlined in current policies and by-laws and not implement maximum chargeable frontage lengths.

Moved by Councillor Mitchell, Seconded by Councillor Smith,  
(364) That consideration of Item 5 of the Tenth Report of the Works Committee  
(Report #2019-W-89) be deferred to the January 29, 2020 Council meeting.  
CARRIED

Moved by Councillor Marimpietri, Seconded by Councillor Lee,  
(365) That the order of the Agenda be altered to consider Item #2 from the  
Report of the Committee of the Whole next.  
CARRIED

## 9.5 Report of the Committee of the Whole

2. Recommended 2020 Water and Sanitary Sewer User Rates (2019-COW-33)  
[CARRIED ON A RECORDED VOTE] [SEE MOTION (366) ON PAGE 8]
  - A) That the 2020 Regional water rates increase by 2.3% and Regional sanitary sewer rates increase by 2.3% from the 2019 user rate levels as set out in Schedule 1 and Schedule 2, as amended, respectively to Report #2019-COW-33 (attached), effective January 1, 2020 (increase for an average residential customer of 2.3%);
  - B) That the 2020 Raw Water rates for the Whitby raw water customers be increased by 5.0% as set out in Schedule 1 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - C) That the 2020 water charges for the Sun Valley Heights Homeowners Co-operative Water System be as set out in Schedule 3 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - D) That the 2020 Regional Water and Sanitary Sewer Systems Miscellaneous Fees and Charges be as set out in Schedule 4 to Report #2019-COW-33 (attached), effective January 1, 2020;

- E) That the 2020 fee schedule for laboratory services at the Regional Environmental Laboratory located at the Duffin Creek Water Pollution Control Plant be as set out in Schedule 5 to Report #2019-COW-33 (attached), effective January 1, 2020;
- F) That the Director of Legal Services be instructed to prepare the necessary by-laws to implement the foregoing recommendations; and
- G) That the Commissioner of Finance be authorized to make the necessary changes to the proposed financing of the gross expenditures for the 2020 Sanitary Sewerage Business Plans and Budgets, outlined in Report #2019-F-52 as required by the amendment to the recommended User Rate increase, including additional contributions from reserve and reserve funds, with a subsequent information report to be provided.

Moved by Councillor Nicholson, Seconded by Councillor McLean,  
(366) That the recommendations contained in Item 2 of the Seventh Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	Councillor Crawford
Councillor Ashe	Councillor Drew
Councillor Bath-Hadden	Councillor Hight
Councillor Dies	Councillor McLean
Councillor Foster	Councillor Mitchell
Councillor Kerr	Councillor John Neal
Councillor Leahy	Councillor Joe Neal
Councillor Lee	Councillor Tyler-Morin
Councillor Marimpietri	
Councillor Mulcahy	
Councillor Nicholson	
Councillor Roy	
Councillor Ryan	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Pickles

Declarations of Interest: None



## 9. Committee Reports

### 9.1 Report of the Finance and Administration Committee

1. Renewal of Ontario Parcel Master Agreement Products (2019-A-35)  
[CARRIED]
  - A) That the following four agreements with Teranet Enterprises Inc. be extended at an annual cost of \$149,376 plus applicable taxes, for each year of the agreement, for a total cost of \$746,880 plus applicable taxes for a term of 5 years: the End User Data License Agreement; Ontario Parcel Master Agreement (OPMA) Products Delivery Agreement; the General Municipal License Agreement – OPMA Ownership Mapping Data Products; and the Value Added Relicensor (“VAR”) Agreement;
  - B) That a renewal of the Region of Durham OPMA partner cost sharing agreement with the eight participating lower-tier municipalities that have expressed interest through a letter of intent be executed;
  - C) That financing for the Region’s share of the agreements for 2020 and future years is allocated in Corporate Services – Information Technology Division GIS Services base budget, and;
  - D) That the Commissioner of Finance be authorized to execute any and all documents necessary to give effect to the actions herein approved, provided all are in a form satisfactory to the Commissioner of Finance, the Director of Legal Services and the Director of Legislative Services.
2. The Regional Municipality of Durham’s 2018 Accessibility Report (2019-A-36)  
[CARRIED]

That the Regional Municipality of Durham’s 2018 Accessibility Report be adopted.
3. Sanitary Sewer Surcharge Appeal by the Ministry of Natural Resources and Forestry for Darlington Provincial Park, 1600 Darlington Park Road, Bowmanville (2019-F-45)  
[CARRIED]

That the Sanitary Sewer Surcharge Appeal in the name of Ministry of Natural Resources and Forestry, be granted in the amount of \$21,812.53, on the basis that there is sufficient flow differential to qualify for a one-time sanitary sewer surcharge appeal.

4. Temporary Borrowing By-law for 2020 (2019-F-46)  
[CARRIED]
  - A) That the Regional Chair and the Treasurer be authorized in 2020 to borrow funds not to exceed \$500 million in order to meet current expenditures and liabilities until such time as the general tax revenues and other revenues of the Region are received; and
  - B) That approval be granted for the requisite by-law(s).
5. 2020 Interim Regional Property Tax Levy (2019-F-47)  
[CARRIED]
  - A) That a 2020 interim Regional property tax levy be imposed on the lower-tier municipalities for all property tax classes;
  - B) That the amount due from each lower-tier municipality is estimated to be equivalent to 50% of their respective share of the Regional property taxes collected in 2019;
  - C) That the 2020 interim Regional property tax levy be paid by the lower-tier municipalities seven days subsequent to the installment due dates established by each lower-tier municipality for the collection of their respective interim municipal property taxes;
  - D) That the Regional Clerk be requested to advise the lower-tier municipalities of the imposition of the 2020 interim Regional property tax levy for all property tax classes; and
  - E) That approval be granted for the requisite by-law.
6. Request from the Durham Regional Police Services Board for 2020 Pre-Budget Approval for the Purchase of New Vehicles (2019-F-48)  
[CARRIED]

That the request from the Durham Regional Police Services Board for 2020 pre-budget approval for the purchase of 36 vehicles, at a total cost not to exceed \$1,612,192 be approved provided that this expenditure will be financed within the 2020 DRPS budget guideline established by Regional Council.
7. Regional Agreement with CSH Ballycliffe Lodge Inc. and the Corporation of the Town of Ajax for the Advancement of Regional Development Charge Demolition Credits for a Long-Term Care Facility, in the Town of Ajax (2019-F-49)  
[CARRIED]

- A) That the Regional Municipality of Durham be authorized to enter into an Agreement with CSH Ballycliffe Lodge Inc. and the Corporation of the Town of Ajax for the advancement of Regional development charge (DC) demolition credits for a Long-Term Care Facility in the Town of Ajax in order to allow the subsequent demolition of the existing facility with a letter of credit required to the satisfaction of the Commissioner of Finance and Director of Legal Services;
  - B) That in order to administratively streamline and expedite the process for advancing Regional DC demolition credits for structures with planned and phased demolition and/or new facility construction commencing prior to demolition of existing structures, the Region be authorized to enter into similar future arrangements with the applicable area municipality and developer to ensure the application of planned DC demolition credits to newly constructed structures at building permit issuance to be secured by a Letter of Credit, with the necessary terms and conditions to be considered and incorporated in the 2023 Regional DC By-laws and Background Study; and
  - C) That the Regional Chair and the Regional Clerk be authorized to execute any necessary documents or agreements.
8. Request for Deferral of Regional Development Charges by Trillium Housing Non-Profit for a New Affordable Housing Project in the City of Pickering [\(2019-F-50\)](#)
- 
- [CARRIED ON A RECORDED VOTE] [SEE MOTION (370) ON PAGES 17 AND 18]
- A) That the Region enter into an agreement with Trillium Housing Non-Profit (Trillium) for the deferral of Regional development charges from time of the first building permit issuance to twelve (12) months after occupancy for each phase of the project (two phases) for an affordable housing project in the City of Pickering and payable at the rate in effect at the first building permit of each phase;
  - B) That the agreement contain the appropriate terms and conditions to reasonably assure the Region of full payment of applicable Regional development charges for the proposed project; and
  - C) That the Commissioner of Finance be authorized to negotiate and execute the necessary agreement in a form acceptable to Corporate Services – Legal Services.

9. Request for Regional Financial Assistance under the Regional Revitalization Program for the Development of Lands surrounding Markham Stouffville Cottage Hospital known as 4 Campbell Drive in the Township of Uxbridge to support the new Uxbridge Health Centre (2019-F-51)  
[CARRIED]

A) That the application submitted by the Township of Uxbridge, on behalf of Uxmed Inc. under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the development of lands surrounding Markham Stouffville Cottage Hospital known as 4 Campbell Drive in the Township of Uxbridge for a new physician-owned health care campus facility, be approved, subject to the following conditions:

- i) The Region to provide \$114,350 for the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the Township of Uxbridge for distribution to Uxmed Inc., in accordance with the timing and flow of funds under the RRP:

Full building permit issued to Uxmed Inc 50%

Framing inspection (or equivalent structural completion), 40% passed by the area municipal building inspection authority

Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit 10%

- ii) Uxmed Inc. must pay all applicable Regional Development Charges due at building permit issuance;
- iii) Uxmed Inc. enter into a servicing agreement with the Region to construct new water and sewer connections and Uxmed Inc. will post a security in the form of a letter of credit and be responsible for 100 per cent of the servicing costs;
- iv) All costs associated with works for the development of the lands will be borne by the developer, Uxmed Inc., in keeping with Regional policies;
- v) Satisfying any performance criteria outlined in agreements between the Township of Uxbridge and Uxmed Inc. regarding incentives (financial or other) provided under the Toronto Street Corridor Community Improvement Plan and applicable Township By-laws;

- vi) The Township of Uxbridge enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding;
  - vii) The Township of Uxbridge agrees to annual post-project reviews and audits for five years after substantial occupancy of the development of vacant lands, in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources; and
- B) That as per the RRP, the increased property tax revenue generated from the increased current value assessment of the development of lands surrounding the Markham Stouffville Cottage Hospital known as 4 Campbell Drive in the Township of Uxbridge be used to replenish the Regional Revitalization Reserve Fund for five years after substantial occupancy.
10. 2020 Current and Capital Business Plans and Budgets and Nine Year Capital Forecasts for the Water Supply and Sanitary Sewerage Systems (2019-F-52)  
[CARRIED AS AMENDED ON A RECORDED VOTE] [SEE MOTIONS (368) AND (369) ON PAGES 16 AND 17]
- A) That the 2020 Current and Capital Business Plans and Budgets for the Water Supply System, with a total gross expenditure of \$152.6 million be approved as set out below, and that the Commissioner of Finance be authorized to make the necessary changes to the proposed financing of the gross expenditures for the 2020 Water Supply System Business Plans and Budgets as outlined in Report 2019-F-52 as may be required by any amendments to Report 2019-COW-33: Recommended 2020 Water and Sanitary Sewer User Rates, including additional contributions from reserves and reserve funds, with a subsequent information report to be provided to Council:

<u>EXPENDITURES</u>	<b>2019 Gross Budget (\$ 000's)</b>	<b>2020 Gross Budget (\$ 000's)</b>	<b>Variance Incr/(Decr) (\$ 000's)</b>
Operations:			
Watermain Cleaning and Repairs	3,572	3,493	(79)
Valves and Hydrants	3,211	2,991	(220)
Water Connections	4,370	4,186	(184)
Water Meters	666	542	(124)
Depot Operations	5,758	5,824	66
Plants East	2,926	3,151	225
Plants Central	13,263	14,131	868
Plants North	3,026	3,080	54
Sunvalley	29	29	-
Engineering and Staff Support	7,335	7,455	120
Facilities Management	6,603	7,615	1,012
Administration	315	319	4
Headquarters Shared Costs	1,073	1,100	27
Utility Finance	3,658	3,943	285
Share of Regional Corporate Costs	11,379	12,083	704
Subtotal Operations	67,184	69,942	2,758
Capital/Debt Charges:			
TCA Capital	3,361	4,732	1,371
TCA Construction	109,973	76,209	(33,764)
Debt Charges	1,694	1,694	-
Subtotal Capital/Debt Charges	115,028	82,635	(32,393)
<b>TOTAL EXPENDITURES</b>	<b>182,212</b>	<b>152,577</b>	<b>(29,635)</b>

- B) That the Nine Year Capital Forecast for 2021 to 2029 inclusive, in the amount of \$1.1 billion as detailed in the Water Supply System Capital Budget, be received for information;
- C) That the 2020 Current and Capital Business Plans and Budgets for the Sanitary Sewerage System with a total gross expenditure of \$205.5 million be approved as set out below, and that the Commissioner of Finance be authorized to make the necessary changes to the proposed financing of the gross expenditures for the 2020 Sanitary Sewerage System Business Plans and Budgets as outlined in Report #2019-F-52 as may be required by any amendments to Report 2019-COW-33: Recommended 2020 Water and Sanitary Sewer User Rates, including additional contributions from reserves and reserve funds, with a subsequent information report to be provided to Council:

<u>EXPENDITURES</u>	<b>2019 Gross Budget (\$ 000's)</b>	<b>2020 Gross Budget (\$ 000's)</b>	<b>Variance Incr/(Decr) (\$ 000's)</b>
Operations:			
Cleaning, Repairs and Maintenance Holes	2,112	2,033	(79)
Sewer Connections	2,944	3,254	310
Depot Operations	3,198	3,228	30
WPCPs and Pumping Stations	23,236	23,999	763
Duffin Creek WPCP	35,551	37,197	1,646
Regional Environmental Laboratory	2,571	2,864	293
Engineering and Staff Support	6,769	6,886	117
Facilities Management	7,075	8,273	1,198
Administration	318	322	4
Headquarters Shared Costs	1,073	1,100	27
Utility Finance	3,658	3,943	285
Share of Regional Corporate Costs	14,333	15,199	866
Subtotal Operations	<u>102,838</u>	<u>108,298</u>	<u>5,460</u>
Capital/Debt Charges:			
Duffin Creek WPCP - TCA Capital	1,480	947	(533)
Regional Environmental Lab - TCA Capital	172	586	414
TCA Capital	2,409	5,673	3,264
TCA Construction	106,437	68,950	(37,487)
Debt Charges	21,761	21,011	(750)
Subtotal Capital/Debt Charges	<u>132,259</u>	<u>97,167</u>	<u>(35,092)</u>
<b>TOTAL EXPENDITURES</b>	<b><u>235,097</u></b>	<b><u>205,465</u></b>	<b><u>(29,632)</u></b>

- D) That the Nine Year Capital Forecast for 2021 to 2029 inclusive, in the amount of \$1.5 billion as detailed in the Sanitary Sewerage System Capital Budget, be received for information;
- E) That capital project approval be granted for expenditures and financing, **adjusted as may be required by the Commissioner of Finance to include any amendments made to Report 2019-COW-33: Recommended 2020 Water and Sanitary Sewer User Rates, for the 2020 capital projects detailed within the 2020 Water Supply and Sanitary Sewerage Systems Business Plans and Budgets** where contract awards are consistent with the Regional Budget Management Policy; and
- F) That the necessary By-laws with respect to the 2020 Current and Capital Business Plans and Budgets for the Water Supply and Sanitary Sewerage Systems be presented to Regional Council.
11. Award for RFP 240-2019 for the Rental of Multi-Functional Devices and Related Services for the Regional Municipality of Durham (2019-F-53)  
[CARRIED]

- A) That subject to a successful product evaluation, the proposal received from 4 Office Automation Ltd., in response to RFP 240-2019 for the Rental of Multi-Functional Devices (MFD's) and Related Services for the Regional Municipality of Durham, be accepted and 4 Office Automation Ltd. (4 Office) be awarded a contract for a forty-eight (48) month term, with the option to extend for an additional 48-month term at an estimated annual cost of \$300,000, including support based on current equipment inventory and copy usage levels;
- B) That funding be provided from departmental operating budgets as approved; and
- C) That the Commissioner of Finance be authorized to execute the agreement and any required amendments.

12. Resolution regarding 9-1-1 Management Board Signing Authority  
[CARRIED]

That signing authority for the 9-1-1 Management Board be given to the 9-1-1 Technical Manager and the Finance Department Regional Staff representation.

Moved by Councillor Foster, Seconded by Councillor Nicholson,  
(367) That the recommendations contained in Items 1 to 7, 9, and 11 to 12 of the Tenth Report of the Finance & Administration Committee be adopted.  
CARRIED

Moved by Councillor Foster, Seconded by Councillor Nicholson,  
(368) That the recommendations contained in Item 10 of the Tenth Report of the Finance and Administration Committee be adopted.  
CARRIED AS AMENDED  
ON A RECORDED VOTE  
(See Following Motion)

Moved by Councillor Nicholson, Seconded by Councillor Foster,  
(369) That the main motion (368) of Councillors Foster and Nicholson to adopt the recommendations contained in Item 10 of the Tenth Report of the Finance and Administration Committee be amended in Part E) by adding the words, "adjusted as may be required by the Commissioner of Finance to include any amendments made to Report 2019-COW-33: Recommended 2020 Water and Sanitary Sewer User Rates" after the word, "financing" so that Part E) now reads as follows:

"E) That capital project approval be granted for expenditures and financing, adjusted as may be required by the Commissioner of Finance to include any amendments made to Report 2019-COW-33: Recommended 2020 Water and Sanitary Sewer User Rates, for the 2020 capital projects detailed within the



2020 Water Supply and Sanitary Sewerage Systems Business Plans and Budgets where contract awards are consistent with the Regional Budget Management Policy; and”

CARRIED

The main motion (368) of Councillors Foster and Nicholson to adopt the recommendations contained in Item 10 of the Tenth Report of the Finance & Administration Committee was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Roy  
Councillor Ryan  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

No

Councillor Crawford  
Councillor John Neal  
Councillor Joe Neal  
Councillor Tyler-Morin

Members Absent: Councillor Barton  
Councillor Chapman  
Councillor Pickles

Declarations of Interest: None

Moved by Councillor Foster, Seconded by Councillor Nicholson,  
(370) That the recommendations contained in Item 8 of the Tenth Report of the Finance & Administration Committee be adopted.

CARRIED UNANIMOUSLY ON THE  
FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Bath-Hadden	
Councillor Carter	
Councillor Crawford	
Councillor Dies	
Councillor Drew	
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 Nicholson	
Councillor Roy	
Councillor Ryan	
Councillor Smith	
Councillor Tyler-Morin	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillors Barton  
Councillor Chapman  
Councillor Pickles

Declarations of Interest: None

## 9.2 **Report of the Health and Social Services Committee**

1. A By-law to Appoint an Acting Medical Officer of Health (2019-MOH-11)  
[CARRIED]  
  
That Regional Council approve and pass the by-law to appoint an Acting Medical Officer of Health for The Regional Municipality of Durham in the form attached to Report #2019-MOH-11.
2. Region Appointment of an Associate Medical officer of Health (2019-MOH-12)  
[CARRIED]

- A) That the appointment of Dr. Elspeth McTavish as Associate Medical Officer of Health for The Regional Municipality of Durham be confirmed; and
- B) That the Commissioner & Medical Officer of Health be authorized to seek approval of the appointment by the Minister of Health, in accordance with section 64 of the Health Protection and Promotion Act.

Moved by Councillor Pickles, Seconded by Councillor Anderson,  
(371) That the recommendations contained in Items 1 to 2, inclusive, of the Tenth Report of the Health and Social Services Committee be adopted.

CARRIED

### 9.3 Report of the Planning and Economic Development Committee

1. Envision Durham – Housing Policy Planning Discussion Paper (2019-P-47)  
[CARRIED]
  - A) That Report #2019-P-47 of the Commissioner of Planning and Economic Development be received for information; and
  - B) That a copy of Report #2019-P-47 be forwarded to Durham's area municipalities; Clarington Task Force on Affordable Housing; Scugog Housing Advisory Committee; Durham Advisory Committee on Homelessness; Social Housing Advisory Committee; BILD; and the Ministry of Municipal Affairs and Housing, for review and comment.
2. Application to Amend the Durham Regional Official Plan, submitted by Jerrann Farms, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-004 (2019-P-45)  
[CARRIED]
  - A) That Amendment #176 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Report #2019-P-45 of the Commissioner of Planning and Economic Development; and
  - B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Township of Brock, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.

3. Application to Amend the Durham Regional Official Plan, submitted by Daryl Phoenix, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-005 (2019-P-46)  
[CARRIED]
  - A) That Amendment #177 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Report #2019-P-46 of the Commissioner of Planning and Economic Development; and
  - B) That “Notice of Adoption” be sent to the applicant, the applicant’s agent, the Township of Brock, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.
  
4. Financial Commitment to Host Federation of Canadian Municipalities Board Meeting (2019-EDT-19)  
[CARRIED]
  - A) That support-in-principle be provided to host the Federation of Canadian Municipalities (FCM) Board Meeting in 2022 or 2023;
  - B) That Regional Council endorse a financial commitment for this event not to exceed \$40,000 with financing at the discretion of the Commissioner of Finance; and
  - C) That the Commissioner of Finance be authorized to execute a host municipality agreement with FCM in the event that the bid is successful.

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,  
(372) That the recommendations contained in Items 1 to 4, inclusive, of the Tenth Report of the Planning and Economic Development Committee be adopted.

CARRIED

#### 9.4 Report of the Works Committee

1. Award of Request for Proposal #528-2019 for Consulting Services to Conduct the Annual Environmental Monitoring Programs at the Regional Municipality of Durham’s Seven Landfill Sites and the Durham York Energy Centre for Reporting Years 2020, 2021, and 2022 (2019-WR-12)  
[CARRIED]

- A) That Request for Proposal #528-2019 be awarded to RWDI Inc. for consulting services to conduct all field work and reporting required under the annual monitoring programs for groundwater, surface water, soil, and subsurface gas, at the Regional Municipality of Durham's seven landfill sites and the Durham York Energy Centre for the 2020, 2021 and 2022 reporting years, at a combined upset limit not to exceed \$217,204.00\*; and
  - B) That the Commissioner of Finance be authorized to execute the necessary agreements.  
(\* ) before applicable taxes
2. Award of Request for Proposal #1080-2019 Consulting Services for the Development of a New Long-Term Waste Management Master Plan 2021-2040 for the Regional Municipality of Durham (2019-WR-13)  
[CARRIED]
- A) That Request for Proposal #1080-2019 be awarded to HDR Corporation to provide consulting services to develop a new Long-Term Waste Management Master Plan to guide the Region through to 2040 at a contract price of \$199,971.00\*; and
  - B) That the Commissioner of Finance be authorized to execute the necessary agreements.  
(\* ) before applicable taxes
3. Acquisition of Land Required for the Construction of a Sanitary Sewer and Watermain North/South of Rossland Road and West of Des Newman Boulevard, in the Town of Whitby (2019-W-86)  
[CARRIED]
- A) That the purchase agreement for lands required for sanitary sewer and watermain north/south of Rossland Road and west of Des Newman Boulevard in the Town of Whitby be approved:

HER MAJESTY THE QUEEN in right of the Province of Ontario, Represented by the Minister of Transportation for the Province of Ontario	Part of Lot 34, Concession 3, being part of PIN 26548-3331 shown as Parts 2 and 3 on 40R-30043	\$337,067
	Part of Lot 34, Concession 2, being part of PIN 26547-1268 shown as Part 4 on 40R-30533 Town of Whitby	

- B) That the acquisition be financed from securities provided to the Regional Municipality of Durham by the West Whitby Landowners Group included as part of the approved project budget; and
  - C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.
4. Sole Source Award and Approval for the Unbudgeted Capital Purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station, in the City of Oshawa ([2019-W-88](#))
- 
- [CARRIED]

- A) That approval be granted for the unbudgeted capital purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station in the City of Oshawa, estimated at \$110,000\*;
- B) That the Regional Municipality of Durham enter into a sole source agreement with Xylem Canada Company for the supply of the Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station; and
- C) That financing in the amount of \$110,000 for the purchase be provided as follows:

2019 Works Sanitary Sewerage System Capital Budget as follows:

Item #63 Raw Sludge Pumps Harmony Creek Water Pollution Control Plant – User Revenues	\$50,000
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Item #21 Digester Mechanical Repair Courtice WPCP - User Revenues	<u>60,000</u>
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<b>Total Reallocated Financing</b>	<b><u>\$110,000</u></b>
------------------------------------	-------------------------

(\*) before applicable taxes and including disbursements

5. Additional Information Regarding Imposition of a Maximum Chargeable Frontage Length for Sanitary Sewer and Water Supply Petition Projects ([2019-W-89](#))
- 
- [DEFERRED] [SEE MOTION (364) ON PAGE 7]

That the Regional Municipality of Durham maintain full cost recovery for petition projects as outlined in current policies and by-laws and not implement maximum chargeable frontage lengths.

6. Amendment and Extension of Lease for Premises with 1513072 Ontario Inc. at 234 King Street East, in the Municipality of Clarington for the Regional Municipality of Durham Social Services Department ([2019-W-90](#))
- 
- [CARRIED]

- A) That the amendment and extension of lease for 180.254 square metres (1,940.3 square feet) of office space, being part of the building located at 234 King Street East, in the Municipality of Clarington be approved with the following terms and conditions:
    - i) The term is for a period of two years commencing December 1, 2019, ending November 30, 2021, with an option to extend for an additional two years subject to the rental rate being negotiated;
    - ii) The annual rental rate for the two-year period of the lease is \$23,283.60\* based on a rate of \$129.17\* per square metre (\$12.00\* per square foot);
    - iii) The Region is responsible for all operating costs for the space;
    - iv) The Region is responsible for a proportionate share of any applicable property taxes; and
  - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the amendment and extension of lease agreement.  
(\* before applicable taxes in all instances)
7. Award of Request for Proposal #1006-2019 for Engineering Services to Undertake the Detailed Design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa and Expropriation of Lands Required for the Project (2019-W-91)  
[CARRIED ON A RECORDED VOTE] [SEE MOTION (374) ON PAGE 28]
- A) That Request for Proposal #1006-2019 be awarded to R.V. Anderson Associates Limited to provide engineering services to undertake the detailed design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa, with a total upset limit not to exceed \$996,932\* funded from the approved project budget of \$7,267,350;
  - B) That the Commissioner of Finance be authorized to execute the engineering services agreement;
  - C) That authority be granted to Regional Municipality of Durham staff to initiate Expropriation proceedings, if necessary, where negotiations are unsuccessful with respect to the property requirements for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection project in the City of Oshawa as are generally depicted in Attachment #1 to Report #2019-W-91 of the Commissioner of Works, and for such other property requirements as may be determined and

identified by Regional Municipality of Durham staff required for the project;

- D) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation C) in Report #2019-W-91, and to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration;
  - E) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation D) in Report #2019-W-91, including the Notices of Application of Approval to Expropriate; and
  - F) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act R.S.O. 1990, c. E.26 related to the acquisition of property for the construction of road improvements required as part of the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection project in the City of Oshawa remain confidential on a go-forward basis in accordance with Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporation purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a complete and full and final basis.  
(\* before applicable taxes and includes disbursements)
8. Approval to Award a Sole Source Agreement for Annual Vehicle Hoist Inspection and Periodic Preventative Maintenance of Steril Koni Vehicle Hoists in Use at the Durham Region Transit Facilities (2019-W-92)  
[CARRIED]
- A) That a sole source agreement be authorized to Novaquip Lifting Systems to perform annual vehicle hoist inspection and manufacturer recommended preventative maintenance effective January 1, 2020 for a term not to exceed six (6) years to ensure safety and reliability of the vehicle hoists at the Durham Region Transit facilities at an estimated total contract value of \$311,175\* for a period of six years; and
  - B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.  
(\* before applicable taxes)



9. Amendments to Regional Traffic and Parking By-Law #44-2006 (2019-W-93)  
[CARRIED ON A RECORDED VOTE] [SEE MOTION (377) ON PAGE 29]

- A) That Corporate Services - Legal Services be directed to prepare a by-law to amend By-Law #44-2006, generally in the form included as Attachment #1 to Report #2019-W-93 of the Commissioner of Works, for presentation to Regional Council for consideration; and
- B) That staff be authorized to take all steps required and necessary to implement the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1 to Report #2019-W-93.

10. Sole Source Engineering Services Agreement for the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from East of Harmony Road South (Regional Road 33) to Grandview Street South, in the City of Oshawa (2019-W-94)  
[CARRIED]

- A) That the Regional Municipality of Durham enter into a sole source engineering services agreement with AECOM Canada Limited to undertake the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from east of Harmony Road South (Regional Road 33) to Grandview Street South, in the City of Oshawa at an amount not to exceed \$602,160\*; and
- B) That the funding for the project in the amount of \$602,160 be provided as outlined below:

Residential Roads Development Charges	\$415,490
Commercial Roads Development Charges	48,173
At the discretion of the Commissioner of Finance (non-DC portion)	<u>138,497</u>
<b>Total</b>	<b>\$602,160</b>
(*) before applicable taxes and including disbursements	

11. Approval of Pre-Qualified Consultants resulting from Pre-Qualification #1002-2019 for Consulting Services for Preliminary and Detailed Design of Segments of Whites Road (Regional Road 38), from Finch Avenue (Regional Road 37) to Taunton Road (Regional Road 4), in the City of Pickering (2019-W-95)  
[CARRIED]

- A) That in accordance with Request for Pre-Qualification #1002-2019, the following consultants be pre-qualified for preliminary and detailed design

of segments of Whites Road (Regional Road 38), from Finch Avenue (Regional Road 37) to Taunton Road (Regional Road 4), in the City of Pickering:

- CH2M Hill Canada Ltd. (operating as Jacobs)
- GHD Limited
- HDR Corporation
- R.V. Anderson Associates Limited; and

B) That the Request for Proposal documents for preliminary / detail design of the Whites Road (Regional Road 38) Realignment, from 300 metres south of Pickering Concession Road 3 to Taunton Road (Regional Road 4), including any preliminary design of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to 300 metres south of Concession Road 3 which is required to facilitate this design, be issued only to the above noted consultants.

12. Class Environmental Assessment to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant – Minister of the Environment Conservation and Parks Decision (2019-W-96)  
[CARRIED]

That Regional staff implement the conditions imposed by the Minister of the Environment Conservation and Parks decision regarding the Class Environmental Assessment to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant in the City of Pickering in collaboration with the Region of York, Town of Ajax and the City of Pickering.

13. Lead Water Service Replacement and Lead Monitoring Programs – The Regional Municipality of Durham (2019-W-97)  
[CARRIED]

That Report #2019-W-97 of the Commissioner of Works be received for information.

14. Extension of the York Durham Sewage System Operating Agreement (2019-W-99)  
[CARRIED]

A) That the current York Durham Sewage System Operating Agreement between the Regional Municipality of Durham and the Regional Municipality of York for the operations of the York Durham Primary System components be extended for a six-month term commencing January 1, 2020 under the existing terms; and

- B) That the Regional Chair and Clerk be authorized to execute the associated documents related to a six-month extension of the current York Durham Sewage System Operating Agreement.
15. Acquisition of Property Required for the Expansion of Sanitary Sewerage Services in the Township of Brock (Cannington) (2019-W-100)  
[CARRIED]
- A) That the purchase agreement for the expansion of sanitary sewerage services in the Township of Brock (Cannington) be approved:
- 2382109 Ontario Inc. 12 Laidlaw Street North           \$895,000  
Part of Lot 21, Concession 12  
Brock
- B) That financing for the acquisition be provided at the discretion of the Commissioner of Finance; and
- C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.
16. Confidential Report of the Commissioner of Works – Litigation or Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, with Respect to Settlement Agreement for a Claim under Section 1(1) of the Expropriations Act, R.S.O. 1990, c. E.26, Related to the Replacement of Watermains and Sanitary Sewers and the Construction of a Cycle Track on Athol Street East, in the City of Oshawa (2019-W-87)  
[CARRIED]

That the recommendations contained in Confidential Report #2019-W-87 of the Commissioner of Works, be adopted.

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(373) That the recommendations contained in Items 1 to 4, 6, 10 to 12 and 14 to 16, of the Tenth Report of the Works Committee be adopted.

CARRIED

[Item 5 of the Tenth Report of the Works Committee was considered earlier in the meeting. See pages 6 and 7 of these minutes.]

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(374) That the recommendations contained in Item 7 of the Tenth Report of the Works Committee be adopted.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Crawford  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

No

Councillor Joe Neal

Members Absent: Councillor Barton  
Councillor Chapman  
Councillor Hight

Declarations of Interest: None

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(375) That the recommendations contained in Item 8 of the Tenth Report of the  
Works Committee be adopted.

CARRIED

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

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

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
(377) That consideration of the recommendations contained in Item 9 of the Tenth Report of the Works Committee, specifically as it relates to the extension of the existing Community Safety Zone on Regional Highway 2 between Townline Road and Centerfield Drive, be deferred to the next Council meeting.

MOTION DEFEATED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Crawford  
Councillor Dies  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Tyler-Morin

No

Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Drew  
Councillor Foster  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Members Absent: Councillor Barton  
Councillor Chapman  
Councillor Hight

Declarations of Interest: None

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

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

No

Councillor Anderson  
Councillor Crawford  
Councillor John Neal  
Councillor Joe Neal

Members Absent: Councillor Barton  
Councillor Chapman  
Councillor Highet

Declarations of Interest: None

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(379) That the recommendations contained in Item 13 of the Tenth Report of the  
Works Committee be adopted.  
CARRIED

Moved by Councillor McLean, Seconded by Councillor Kerr,  
(380) That Council recess for lunch until 1:30 PM.  
CARRIED

Council recessed at 12:15 PM and reconvened at 1:30 PM

**9.5 Report of the Committee of the Whole**

1. 2020 Water Supply and Sanitary Sewerage Strategic Issues and Financial  
Forecast ([2019-COW-32](#))  
[CARRIED]
-

That the 2020 Water Supply and Sanitary Sewerage Strategic Issues and Financial Forecast be received and forwarded to the 2020 Business Planning and Budget deliberations for Water Supply and Sanitary Sewerage Services, including the practice of using existing asset management reserve funds, based on asset management best practices to address the needs of the Regional water supply and sanitary sewer systems.

2. Recommended 2020 Water and Sanitary Sewer User Rates (2019-COW-33)  
[CARRIED ON A RECORDED VOTE] [SEE MOTION (366) ON PAGE 8]
  - A) That the 2020 Regional water rates increase by 2.3% and Regional sanitary sewer rates increase by 2.3% from the 2019 user rate levels as set out in Schedule 1 and Schedule 2, as amended, respectively to Report #2019-COW-33 (attached), effective January 1, 2020 (increase for an average residential customer of 2.3%);
  - B) That the 2020 Raw Water rates for the Whitby raw water customers be increased by 5.0% as set out in Schedule 1 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - C) That the 2020 water charges for the Sun Valley Heights Homeowners Co-operative Water System be as set out in Schedule 3 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - D) That the 2020 Regional Water and Sanitary Sewer Systems Miscellaneous Fees and Charges be as set out in Schedule 4 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - E) That the 2020 fee schedule for laboratory services at the Regional Environmental Laboratory located at the Duffin Creek Water Pollution Control Plant be as set out in Schedule 5 to Report #2019-COW-33 (attached), effective January 1, 2020;
  - F) That the Director of Legal Services be instructed to prepare the necessary by-laws to implement the foregoing recommendations; and
  - G) That the Commissioner of Finance be authorized to make the necessary changes to the proposed financing of the gross expenditures for the 2020 Sanitary Sewerage Business Plans and Budgets, outlined in Report #2019-F-52 as required by the amendment to the recommended User Rate increase, including additional contributions from reserve and reserve funds, with a subsequent information report to be provided.
3. Oral Health Clinic Relocation and Expansion to Meet the Needs of the Ontario Senior Dental Care Program (2019-COW-34)  
[CARRIED]

- A) That authorization be granted to proceed with a competitive process and award a contract to retain a consultant in accordance with Purchasing By-Law #68-2000, as amended, to determine detailed capital costs to relocate and expand the current Oral Health Clinic from the Whitby Mall at 1615 Dundas St. E. in the Town of Whitby to the Midtown Centre at 200 John St. W. in the City of Oshawa to accommodate up to 4,000 new low-income senior clients;
  - B) That financing for the cost of the consultant be funded from within the 2019 approved 100 per cent Provincial operating funding for the Ontario Seniors Dental Care Program as articulated in the 2019 Public Health Funding and Accountability Agreement;
  - C) That authorization be granted to negotiate a lease agreement with 2381502 Ontario Inc., o/a Midtown Centre to relocate the Oral Health Clinic, conditional upon funding approval from the Province for capital costs related to the Ontario Seniors Dental Care Program and Council approval;
  - D) That the pre-consultant estimated cost of \$2.3 million to relocate and expand the Oral Health Clinic be included for consideration in the 2020 Health Department Business Plans and Budget to be funded from anticipated Provincial capital funding;
  - E) That beginning the work to relocate and expand the Oral Health Clinic be subject to Provincial funding and Council approval; and
  - F) That the Commissioner of Finance be authorized to execute any necessary Agreements.
4. Authorization to Initiate a Comprehensive Review for the Design of a Proposed Community Improvement Plan for Durham Region (2019-COW-35)  
[CARRIED]
- A) That funding in the amount of \$125,000 for consulting services in support of a comprehensive review for the design of a proposed Regional Community Improvement Plan be included for consideration as part of the Region's 2020 Business Planning and Budgeting process;
  - B) That subject to budget approval, that Regional staff be authorized to commence the process for developing a Regional Community Improvement Plan, as authorized under Section 28 of the Planning Act; and
  - C) That Report #2019-COW-35 be circulated to Durham Region's local area municipalities for information.



Moved by Councillor Marimpietri, Seconded by Councillor John Neal,  
(381) That the recommendations contained in Items 1 and 3 of the Seventh  
Report of the Committee of the Whole be adopted.

CARRIED

[Item 2 of the Seventh Report of the Committee of the Whole was  
considered earlier in the meeting. See pages 7 and 8 of these minutes.]

Moved by Councillor Marimpietri, Seconded by Councillor John Neal,  
(382) That the recommendations contained in Item 4 of the Seventh Report of the  
Committee of the Whole be adopted.

CARRIED

## **10. Unfinished Business**

There was no unfinished business to be considered.

## **11. Other Business**

- 11.1 Investigation Report dated September 30, 2019 from Deborah Ansell, ADRO  
Investigator, ADR Chambers Ombuds Office, re: Complaint Reference Number  
MUN-301-0618

[CARRIED ON A RECORDED VOTE] [SEE MOTION (383) ON PAGE 34]

That the Investigation Report dated September 30, 2019 from Deborah Ansell,  
ADRO Investigator, ADR Chambers Ombuds Office, re: Complaint Reference  
Number MUN-301-0618, be received for information.

- 11.2 Ombudsman Investigation Report – Complaint Reference Number: MUN-301-0618  
(2019-W-101)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (384) ON PAGES 34 TO 35]

That Report #2019-W-101 of the Commissioner of Works be received for  
information.

- 11.3 Repeal and Replacement of Durham Region Transit By-law No 27-2007, as  
amended (2019-DRT-26)

[CARRIED]

- A) That the current Durham Region Transit Commission By-law No 27-2007, as  
amended by By-law No 23-2018 and By-law No. 07-2019, be repealed; and
- B) That a new Durham Region Transit Commission By-law for the purpose of  
operating the Regional transit system known as Durham Region Transit  
(DRT), generally in the form as set out in Report #2019-DRT-26 of the  
General Manager of Durham Region Transit, be approved.

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,  
(383) That the recommendation contained in Item 11.1 of Other Business be adopted.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson

Members Absent: Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Hight  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Leahy, Seconded by Councillor Lee,  
(384) That the recommendation contained in Item 11.2 of Other Business be adopted.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden

No

Councillor John Neal  
Councillor Joe Neal

Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

Councillor Nicholson

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Bath-Hadden, Seconded by Councillor Carter,  
(385) That the recommendations contained in Item 11.3 of Other Business,  
Report #2019-DRT-26, be adopted.

CARRIED

## 12. By-laws

59-2019 Being a by-law to adopt Amendment #176 to the Durham Regional  
Official Plan.

This by-law implements the recommendations contained in Item #2 of  
the 10<sup>th</sup> Report of the Planning & Economic Development Committee  
presented to Regional Council on December 18, 2019.

60-2019 Being a by-law to adopt Amendment #177 to the Durham Regional  
Official Plan.

This by-law implements the recommendations contained in Item #3 of the 10<sup>th</sup> Report of the Planning & Economic Development Committee presented to Regional Council on December 18, 2019.

- 61-2019 Being a by-law to amend By-law Number 44-2018 to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

This by-law implements the recommendations contained in a Notice of Motion adopted by Regional Council on November 27, 2019.

- 62-2019 Being a by-law to amend By-law Number 44-2006 which regulates traffic and parking on roads under the jurisdiction of the Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #9 of the 10<sup>th</sup> Report of the Works Committee presented to Regional Council on December 18, 2019.

- 63-2019 Being a by-law to appoint an Acting Medical Officer of Health for The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #1 of the 10<sup>th</sup> Report of the Health & Social Services Committee presented to Regional Council on December 18, 2019.

- 64-2019 Being a by-law to authorize the Chair and Treasurer of The Regional Municipality of Durham to borrow from time to time by way of promissory notes, such sum or sums at any one time not exceeding the total amount of \$500,000,000 to meet current expenditures including liabilities of The Regional Municipality of Durham for the year 2020.

This by-law implements the recommendations contained in Item #4 of the 10<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 18, 2019.

- 65-2019 Being a by-law to requisition, on an interim basis, from the lower-tier municipalities before the adoption of the 2020 Regional estimates, a sum equal to fifty percent of the taxes requisitioned for Regional purposes made by the Regional Council against the lower-tier municipalities for all property classes in the year 2019.

This by-law implements the recommendations contained in Item #5 of the 10<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 18, 2019.

66-2019 Being a by-law to approve and adopt the 2020 Business Plans and Budgets for Water purposes in the amount of \$152,577,857.

This by-law implements the recommendations contained in Item #10 of the 10<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 18, 2019.

67-2019 Being a by-law to approve and adopt the 2020 Business Plans and Budgets for Sanitary Sewage purposes in the amount of \$205,464,533.

This by-law implements the recommendations contained in Item #10 of the 10<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 18, 2019.

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(386) That By-law Numbers 59-2019 to 65-2019 inclusive be passed.

CARRIED

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(387) That By-law Number 66-2019, as amended, be passed.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor John Neal  
Councillor Joe Neal

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford

Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(388) That By-law Number 67-2019, as amended, be passed.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor John Neal  
Councillor Joe Neal

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(389) That the Rules of Procedure be suspended in order to introduce a By-law to amend the by-law respecting the Water Pollution Control System and the Storm Sewer System in the Regional Municipality of Durham and the establishment of sewer surcharge rates and sewer charges and being By-law No. 90-2003 of the Regional Municipality of Durham.  
CARRIED ON A 2/3rds VOTE

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(390) That By-law Number 68-2019 being a by-law to amend the by-law respecting the Water Pollution Control System and the Storm Sewer System in the Regional Municipality of Durham and the establishment of sewer surcharge rates and sewer charges and being By-law No. 90-2003 of the Regional Municipality of Durham, be passed.  
CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor John Neal  
Councillor Joe Neal

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(391) That the Rules of Procedure be suspended in order to introduce a By-law to amend the by-law respecting the Water Supply System in the Regional Municipality of Durham and the establishment of water rates and water charges and being By-law No. 89-2003 of the Regional Municipality of Durham.

CARRIED ON A 2/3rds VOTE

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(392) That By-law Number 69-2019 being a by-law to amend the by-law respecting the Water Supply System in the Regional Municipality of Durham and the establishment of water rates and water charges and being By-law No. 89-2003 of the Regional Municipality of Durham, be passed.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor John Neal  
Councillor Joe Neal

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Mitchell  
Councillor Roy



Councillor Wotten

Declarations of Interest: None

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(393) That the Rules of Procedure be suspended in order to introduce a By-law to repeal and replace By-law Number 27-2007, as amended, and replace it with a new Durham Region Transit Commission By-law for the purpose of operating the Regional transit system known as Durham Region Transit.  
CARRIED ON A 2/3rds VOTE

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(394) That By-law Number 70-2019 being a by-law to repeal and replace By-law Number 27-2007, as amended, and replace it with a new Durham Region Transit Commission By-law for the purpose of operating the Regional transit system known as Durham Region Transit, be passed; and the confirming by-law be re-numbered accordingly.  
CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Dies  
Councillor Foster  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Pickles  
Councillor Ryan  
Councillor Smith  
Councillor Tyler-Morin  
Councillor Yamada  
Regional Chair Henry

No

Councillor Nicholson

Members Absent: Councillor Ashe  
Councillor Barton  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Hight

Councillor Kerr  
Councillor Mitchell  
Councillor Roy  
Councillor Wotten

Declarations of Interest: None

**13. Confirming By-law**

71-2019 Being a by-law to confirm the proceedings of Regional Council at their meeting held on December 18, 2019.

Moved by Councillor Lee, Seconded by Councillor Tyler-Morin,  
(395) That By-law Number 71-2019 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on December 18, 2019 be passed.

CARRIED

**14. Adjournment**

Moved by Councillor Ryan, Seconded by Councillor Mulcahy,  
(396) That the meeting be adjourned.

CARRIED

The meeting adjourned at 2:16 PM

Respectfully submitted,

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John Henry, Regional Chair & CEO

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Ralph Walton, Regional Clerk