



Official Notice

Meeting of Regional Council

Regional Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, April 29, 2020

9:30 AM

Please note: In an effort to help mitigate the spread of COVID-19, and to generally comply with the direction from the Government of Ontario whereby all organized public events of more than five people are prohibited, the Regional Chair has requested in the strongest terms that Members participate in the meeting electronically. Regional Headquarters is closed to the public, all members of the public may [view the Council meeting](#) via live streaming, instead of attending the meeting in person. If you wish to register as a delegate to Council, you may register in advance of the meeting by noon on the day prior to the date of the meeting by emailing delegations@durham.ca and will be provided with the details to delegate electronically.

1. Traditional Territory Acknowledgement

2. Roll Call

3. Declarations of Interest

4. Announcements

5. Presentations

- 5.1 Elaine Baxter-Trahair, Chief Administrative Officer, Dr. Robert Kyle, Commissioner & Medical Officer of Health and Stella Danos-Papaconstantinou, Commissioner of Social Services re: COVID-19 Update

6. Adoption of Minutes

- 6.1 Special Regional Council meeting – March 25, 2020

Pages 5 - 8

- 6.2 Regional Council meeting – March 25, 2020 Pages 9 - 31
- 6.3 Special Regional Council meeting – April 8, 2020 Pages 32 - 40

7. Communications

- CC 06 Correspondence from City of Pickering re: Motion to Authorize Mayor Ryan's absence and to Appoint a Deputy Mayor and Alternate Deputy Mayor Page 41
- CC 07 Correspondence from Durham Region Business Improvement Associations re: Support for Durham Region BIAs through the COVID-19 Pandemic Page 41

8. Delegations

There are no delegations

9. Notice of Motions

- 9.1 Immediate Financial Assistance to Relieve Regional Business Improvement Area Members of twenty-five percent or one fiscal quarter of budgeted BIA monies Pages 47 - 48
- 9.2 Waiving of Overage Charges on LTE Network for Rural Mobile Phone Subscribers Page 48
- 9.3 Temporary By-law to Reduce or Refund Taxes for Residential and Farm Taxpayers whose Taxes have Become Unduly Burdensome due to the COVID-19 Emergency Page 49

10. Committee Reports

There are no committee reports

11. Unfinished Business

There is no unfinished business

12. Other Business

- 12.1 Application to Amend the Durham Regional Official Plan, submitted by Werrcroft Farms Ltd., to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Municipality of Clarington, File: OPA 2019-003 (2020-COW-5) Page 50

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|-------|---|---------------|
| 12.2 | Sanitary Sewage Surcharge Agreement with Del Monte Fresh Produce, (Canada) Corporation, 940 Thornton Road South, in the City of Oshawa (2020-COW-6) | Page 50 |
| 12.3 | Amendments to Regional Traffic and Parking By-law #44-2006 (2020-COW-7) | Pages 50 - 51 |
| 12.4 | Update on Ontario's Flood Management Strategy (2020-COW-8) | Page 51 |
| 12.5 | Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2020-2023 (2020-COW-9) | Page 51 |
| 12.6 | Approval by Regional Council of Memorandum of Understanding between Durham Region Provincial Offences Court and Oshawa courthouse to have reciprocal use of each others' facilities during a local emergency (2020-COW-10) | Page 51 |
| 12.7 | Indexing of Regional Development Charges (2020-COW-11) | Pages 51 - 52 |
| 12.8 | Oral Health Clinic Relocation and Expansion to Meet the Needs of the Ontario Seniors Dental Care Program (2020-COW-12) | Pages 52 - 53 |
| 12.9 | Granting of a Permanent Easement to Markham Stouffville Hospital to Construct and Maintain a Portion of the Driveway for the Uxbridge Cottage Hospital Located at 6 Campbell Drive, in the Township of Uxbridge (2020-COW-13) | Page 53 |
| 12.10 | Council Resolution – Blue Box Transition Date (2020-COW-15) | Page 53 |
| 12.11 | Approval to Award a Sole Source Agreement for Annual Maintenance of the Analytical Instrument Using Liquid Chromatography Mass Spectrometry (LC-MS/MS) for the Analysis of Regulatory Water Samples at the Regional Environmental Laboratory Located in the City of Pickering (2020-COW-16) | Pages 53 - 54 |
| 12.12 | Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the Town of Ajax (2020-COW-17) | Page 54 |
| 12.13 | Expropriation of Lands Required for Seaton Phase 1 Regional Infrastructure, in the City of Pickering (2020-COW-18) | Pages 54 - 55 |

- 12.14 Advancement of the Construction of the Region of Durham Paramedic Service Training Centre for inclusion in the Approved Seaton Paramedic Response Station Project, Including Provision for the Inclusion of a Future Durham Emergency Management Office, in the City of Pickering (2020-COW-19)

Page 55

13. By-laws

- 21-2020 Being a by-law to adopt Amendment #178 to the Durham Regional Official Plan.
This by-law implements the recommendations contained in Item #12.1 of Other Business presented to Regional Council on April 29, 2020
- 22-2020 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 #12.3 of Other Business presented to Regional Council on April 29, 2020

14. Confirming By-law

- 23-2020 Being a by-law to confirm the proceedings of Regional Council at their meeting held on April 29, 2020

15. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

The Regional Municipality of Durham
MINUTES
SPECIAL MEETING OF
THE REGIONAL COUNCIL OF DURHAM

Wednesday, March 25, 2020

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:01 AM. In accordance with Provincial legislation, electronic participation was permitted for this meeting.

Regional Chair Henry assumed the Chair.

1. Roll Call

A roll call was taken by the Regional Clerk and the following members were present:

Councillor Ashe
Councillor Barton*
Councillor Bath-Hadden*
Councillor Brenner
Councillor Chapman
Councillor Collier*
Councillor Crawford*
Councillor Dies*
Councillor Drew*
Councillor Foster
Councillor Highet*
Councillor Kerr
Councillor Leahy
Councillor Lee*
Councillor Marimpietri*
Councillor McLean*
Councillor Mitchell*
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Smith
Councillor Wotten*
Councillor Yamada
Regional Chair Henry

*** denotes Councillors participating electronically**

Councillors Anderson, Carter, Mulcahy, Roy and Ryan were not in attendance

Councillor Ryan was absent due to illness

Councillor Brenner appeared on behalf of Councillor Ryan as the alternate for the City of Pickering

2. Declarations of Interest

There were no declarations of interest.

3. Notice of Motions

- 3.1 Motion to Amend the Procedural By-law to allow for electronic participation at Committee, Council and local board meetings during declared emergencies
[CARRIED]

Moved by Regional Chair Henry, Seconded by Councillor Foster,
(56) Whereas Bill 187 received Royal Assent on March 19, 2020 to amend the Municipal Act, 2001 to provide that during emergencies, should they choose to, members of councils, local boards and committees of either of them who participate electronically in open and closed meetings may be counted for the purposes of quorum;

Now therefore be it resolved that Procedural By-law #44-2018 be amended to allow for members of Regional Council and local boards to participate electronically in Standing Committee, Board and Council meetings, in cases where an emergency has been declared to exist in all or part of the municipality, and that such participation count towards quorum, and that delegations also be permitted via electronic participation;

That electronic participation only be permitted using a format as determined by the Regional Chair and Regional Clerk; and

That the Regional Clerk be authorized to amend the Procedural By-law accordingly.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Chapman
Councillor Collier

No

None

Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Anderson
Councillor Carter
Councillor Mulcahy

Declarations of Interest: None

4. By-laws

13-2020 Being a by-law to amend By-law #44-2018, being a by-law to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

Moved by Councillor Ashe, Seconded by Councillor Wotten,
(57) That By-law Number 13-2020 be passed.
CARRIED

5. Confirming By-law

14-2020 Being a by-law to confirm the proceedings of Regional Council at their meeting held on March 25, 2020.

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(58) That By-law Number 14-2020 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their special meeting held on March 25, 2020 be passed.
CARRIED

6. Adjournment

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(59) That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:10 AM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk

The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, March 25, 2020

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:31 AM. Electronic participation was permitted for this meeting.

Regional Chair Henry assumed the Chair.

1. Traditional Territory Acknowledgment

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.

2. Roll Call

A roll call was taken by the Regional Clerk and the following members were present:

Councillor Anderson*
Councillor Ashe
Councillor Barton*
Councillor Bath-Hadden*
Councillor Brenner
Councillor Carter*
Councillor Chapman
Councillor Collier*
Councillor Crawford*
Councillor Dies*
Councillor Drew*
Councillor Foster
Councillor Highet*
Councillor Kerr
Councillor Leahy
Councillor Lee*
Councillor Marimpietri*
Councillor McLean*
Councillor Mitchell*

Councillor Mulcahy* attended the meeting at 9:43 am
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy*
Councillor Smith
Councillor Wotten*
Councillor Yamada
Regional Chair Henry

*** denotes Councillors participating electronically**

Councillor Ryan was absent due to illness

Councillor Brenner appeared on behalf of Councillor Ryan as the alternate for the City of Pickering

3. Declarations of Interest

Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item #1 of the 2nd Report of the Committee of the Whole, Report #2020-COW-3, as it relates to acquisition of property required for a future transit facility in the city of Oshawa. He indicated that he has family that owns property and resides in the area.

4. Announcements

There were no announcements made.

5. Presentations

There were no presentations.

6. Adoption of Minutes

Councillor Wotten advised that at the February 26, 2020 Council meeting, during the recorded vote on Item 11.1 of Unfinished Business (Motion 51), she inadvertently selected the "Conflict" button, which recorded her vote as a conflict of interest. She clarified she had no conflict of interest on the matter.

Moved by Councillor Marimpietri, Seconded by Councillor Lee,
(60) That the minutes of the Regular Regional Council meeting held on
February 26, 2020 be adopted.

CARRIED

Moved by Councillor Ashe, Seconded by Councillor Leahy,
(61) That the minutes of the Regular Committee of the Whole meeting held on
March 11, 2020 be adopted.

CARRIED

Moved by Councillor Kerr, Seconded by Councillor Smith,
(62) That the minutes of the Closed Regional Council meeting held on
February 26, 2020 be adopted.

CARRIED

7. Communications

CC 05 Correspondence from Government Finance Officers Association awarding Nancy Taylor, Commissioner of Finance and Treasurer with the Canadian Award for Financial Reporting (CAnFR) for the fiscal year ended December 31, 2018

Moved by Councillor Chapman, Seconded by Councillor Marimpietri,
(63) That Council Correspondence CC 05 from Government Finance Officers Association awarding Nancy Taylor, Commissioner of Finance and Treasurer with the Canadian Award for Financial Reporting (CAnFR) for the fiscal year ended December 31, 2018, be received for information and that Commissioner Taylor be congratulated for the award.

CARRIED

8. Delegations

There were no delegations.

9. Notice of Motions

9.1 Authorization to be Absent from Council
[CARRIED]

Moved by Councillor Ashe, Seconded by Regional Chair Henry,
(64) That whereas Section 259(1) of the Municipal Act, 2001, provides that the office of a member of council of a municipality becomes vacant if the member is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;

Now therefore be it resolved that Durham Regional Council authorizes Councillor Ryan to be so absent;

And be it further resolved that Durham Regional Council authorizes Councillor Ryan to be absent should a further resolution be required under Section 259(1) for an ongoing absence.

CARRIED

Moved by Councillor Brenner, Seconded by Pickles,
(65) That the rules of procedure be suspended in order to introduce a motion with respect to prioritizing the testing and reporting of results for all first responders in Ontario.

CARRIED ON THE FOLLOWING
RECORDED VOTE (a 2/3rds vote was
attained):

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
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 Pickles	
Councillor Roy	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: None

Declarations of Interest: None

9.2 Prioritizing the Testing and Reporting of Results for all First Responders in
Ontario
[CARRIED]

- Moved by Councillor Brenner, Seconded by Councillor Pickles,
(66) That the Regional Municipality of Durham requests the Government of Ontario implement measures to prioritize the testing and reporting of results for all First Responders in Ontario; and

That a copy of this motion be forwarded to the Honourable Premier Doug Ford and all Durham MPPs.

CARRIED

10. Committee Reports

- Moved by Councillor Chapman, Seconded by Councillor Ashe,
(67) That the recommendations contained in Report #3 of the Finance & Administration Committee, Report #1 of the Health & Social Services Committee, Report #2 of the Planning & Economic Development Committee, Report #3 of the Works Committee, and Report #2 of the Committee of the Whole, be adopted; save and except Items 6 and 7 of the Finance & Administration Committee, Item 1 of the Health & Social Services Committee, Item 2 of the Works Committee, and Item 2 of the Committee of the Whole.

CARRIED

10.1 Report of the Finance and Administration Committee

1. The Regional Municipality of Durham's Accessibility Advisory Committee's 2019 Annual Report and 2020 Workplan (2020-A-5)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
 - A) That Report #2020-A-5 of the Chief Administrative Officer be received for information as The Regional Municipality of Durham's Accessibility Advisory Committee's 2019 Annual Report; and
 - B) That the Regional Municipality of Durham's Accessibility Advisory Committee's 2020 Workplan be approved.
2. Authorization to extend the Agreement with CompuCom Canada for provision of Desktop Computers and Monitors, Laptops, Tablets and related Services (2020-A-6)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
 - A) That the Agreement with CompuCom Canada Ltd. for provision of Desktop Computers and Monitors, Laptops, Tablets and related services be extended for eighteen (18) months at a total estimated cost of \$2,160,000; and
 - B) That the Commissioner of Finance be authorized to execute any related, required agreements and amendment agreements.

3. Authorization to utilize the Province of Ontario Vendor of Record (VOR) Arrangement # 'OSS Tender 6065' and enter into separate agreements with Softchoice LP for provision of x86-64 Servers (small/medium/large blade and rack), related Components and Services, and with CompuCom Canada Co. for provision of Hyper-Converged Infrastructure Appliance Solution and related Services during the term of the VOR including extensions (2020-A-7)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
 - A) That the Region of Durham be authorized to enter into two (2) separate agreements with Softchoice LP and with CompuCom Canada Co. through the Province of Ontario Vendor of Record (VOR) Arrangement # 'OSS Tender 6065' and during the term of the VOR Arrangement including any extensions, for provision of a Hyper-Converged Infrastructure (HCI) solution at the total estimated cost of \$300,000 plus annual support and maintenance at the estimated cost of \$30,000; and
 - B) That the Commissioner of Finance be authorized to sign all related agreements and amendments to the agreements and issue purchase orders for provision of the requirements.
4. Expanding the Region's Tree Canopy on Private Residential Properties (2020-A-8)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
 - A) That Regional Council approve a 2020 allocation of \$80,000 to Local Enhancement and Appreciation of Forests (LEAF) from the 2020 CAO's Office operating budget; and
 - B) That Regional Council direct the Manager of Sustainability to enter into a program agreement with LEAF and participating local area municipalities to deliver the backyard tree planting program in 2020, with terms and conditions satisfactory to the Office of the CAO and in a form satisfactory to Legal Services and Risk Management.
5. Revised Terms of Reference for the Durham Region Roundtable on Climate Change (2020-A-9)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
 - A) That the revised Terms of Reference for the Durham Region Roundtable on Climate Change, as detailed in Attachment 1 to Report #2020-A-9 and as amended in the following Part B), be approved; and
 - B) That the proposed Terms of Reference for the Durham Region Roundtable on Climate Change be amended by deleting section 9.4.

6. The Remuneration and Expenses in 2019 of Members of Regional Council and Regional Council Appointees to Local Boards, as Required by Section 284(1) of the Municipal Act, 2001, S.O. 2001, c. 25 (2020-F-6)
[CARRIED] [SEE MOTION (68) ON PAGE 7]

That Report #2020-F-6 of the Commissioner of Finance be received for information.

7. Updates to the Budget Management Policy and Purchasing By-law (2020-F-7)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (69) ON PAGES 7 AND 8]

- A) That the existing Budget Management Policy be repealed;
- B) That the Budget Management Policy, generally in the form as set out in Attachment #1 of Report #2020-F-7 of the Commissioner of Finance, be approved;
- C) That the current Purchasing By-law No. 68-2000, as amended, be repealed;
- D) That a new Purchasing By-Law, generally in the form as set out in Attachment #3 of Report #2020-F-7 be approved; and
- E) That the Regional Solicitor prepare the by-law required to repeal and replace the current Purchasing By-Law.

Moved by Councillor Chapman, Seconded by Councillor Ashe,

- (68) That the recommendations contained in Item 6 of the Third Report of the Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Ashe,

- (69) That the recommendations contained in Item 7 of the Third Report of the Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier

No

Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

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 Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

10.2 **Report of the Health and Social Services Committee**

1. The Association of Local Public Health Agencies (alPHA) Call for Board of Health Nominations (2020-MOH-2)
[CARRIED] [SEE MOTION (70) ON PAGE 8]

- A) That the nomination of Councillor Bob Chapman for election to the alPHA Board of Directors for a two-year term to represent the Central East region be endorsed; and
- B) That **Councillor Pickles and Councillor Wotten** be identified to sponsor the nomination and complete the nomination form.

Moved by Councillor Pickles, Seconded by Councillor Wotten,
(70) That the recommendations contained Item 1 of the First Report of the Health and Social Services Committee be adopted, and that Councillors Pickles and Wotten be identified as the sponsors for the nomination of Councillor Chapman to the alPHA Board of Directors.

CARRIED

10.3 **Report of the Planning and Economic Development Committee**

1. Durham Agricultural Advisory Committee 2019 Annual Report and 2020 Workplan (2020-P-5)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That Report #2020-P-5 of the Commissioner of Planning and Economic Development be received as the Durham Agricultural Advisory Committee's 2019 Annual Report;
- B) That the Durham Agricultural Advisory Committee's 2020 Workplan be approved, as outlined in Attachment #1 to Report #2020-P-5;
- C) That the changes to the Durham Agricultural Advisory Committee's Terms of Reference be approved, as outlined in Attachment #2 to Report #2020-P-5 and as amended in the following Part D);
- D) That the proposed Terms of Reference for the Durham Agricultural Advisory Committee be amended in section 9.1 by removing the strike through from the words "Regional Planning and Economic Development Department" and by deleting the second reference to the word "speak" at the end of the first sentence; and
- E) That a copy of Report #2020-P-5 be forwarded to the Durham Agricultural Advisory Committee, the Durham Federation of Agriculture, the Golden Horseshoe Food and Farming Alliance and the Area Municipalities.

2. Durham Environmental Advisory Committee 2019 Annual Report and 2020 Workplan (2020-P-3)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That Report #2020-P-3 of the Commissioner of Planning and Economic Development be received as the Durham Environmental Advisory Committee's 2019 Annual Report;
- B) That the Durham Environmental Advisory Committee's 2020 Workplan be approved, as outlined in Attachment #1 to Report #2020-P-3; and
- C) That the changes to the Durham Environmental Advisory Committee's Terms of Reference be approved, as outlined in Attachment #2 to Report #2020-P-3 and as amended in the following Part D);
- D) That the proposed Terms of Reference for the Durham Environmental Advisory Committee be amended in section 9.1 by removing the strike through from the words "Regional Planning and Economic Development Department" and by deleting the second reference to the word "speak" at the end of the first sentence; and
- E) That a copy of Report #2020-P-3 be forwarded to the Durham Environmental Advisory Committee and the Area Municipalities.

3. Durham Active Transportation Committee 2019 Annual Report and DATC 2020 Workplan (2020-P-4)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That Report #2020-P-4 of the Commissioner of Planning and Economic Development be received as the Durham Active Transportation Committee's 2019 Annual Report;
- B) That the Durham Active Transportation Committee's 2020 Workplan be approved, as outlined in Attachment #1 to Report #2020-P-4; and
- C) That a copy of Report #2020-P-4 be forwarded to the Durham Active Transportation Committee, Conservation Authorities and the Area Municipalities.

10.4 **Report of the Works Committee**

1. The Regional Municipality of Durham's Drinking Water Systems 2019 Summary Report (2020-W-16)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That the 2019 Summary Report for the Regional Municipality of Durham Drinking Water Systems be received for information;
- B) That receipt of this report be confirmed by resolution of Regional Council; and
- C) That a copy of this resolution be forwarded to the Ontario Ministry of the Environment, Conservation and Parks' York-Durham District Office to indicate the conditions of Schedule 22 of Ontario Regulation 170/03 have been fulfilled.

2. Agreement with Metrolinx for the Construction of Bridge Modifications Associated with the Electrification of the GO Metrolinx Network on Bridges, within the Regional Municipality of Durham (2020-W-18)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (71) ON PAGES 14 AND 15]

- A) That the Regional Municipality of Durham be authorized to enter into an agreement with Metrolinx for the construction of bridge modifications associated with the Electrification of the GO Metrolinx Network subject to terms and conditions satisfactory to the Commissioner of Works and the Regional Municipality of Durham's solicitors; and
- B) That the Regional Chair and Clerk be authorized to execute the agreement.

3. Amendments to Gross Vehicle Weight – Bridges By-Law #42-2019
(2020-W-19)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law #42-2019, generally in the form included as Attachment #1 to Report #2020-W-19 of the Commissioner of Works, for presentation to Regional Council for passage; and
- B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #42-2019 as indicated in the form included as Attachment #1 to Report #2020-W-19.

4. Acquisition of Property for the Harmony Road (Regional Road 33) Widening Project, in the City of Oshawa (2020-W-20)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That authority be granted to the Regional Municipality of Durham to enter into an agreement pursuant to s.30 of the Expropriation Act and advance compensation for the required lands as follows:

John Edwin Geisberger	1735 Harmony Road North	\$85,000
	Part of Lot 4, Concession 4	
	being part of PIN 16272-0011	
	shown as Part 4 on 40R-29984	
	City of Oshawa	

- B) That additional costs related to the completion of the s.30 Agreement including interim legal, appraisal and land transfer costs be approved as obligated under s. 32 of the Expropriations Act be paid. Such costs will be reviewed by the Region's solicitor to determine that they are reasonable prior to payment;
- C) That financing for the acquisition be provided from the funds allocated in the approved project budget, with a recovery of \$52,530 from the City of Oshawa; and
- D) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.

5. Award of Request for Proposal #1118-2019 for Engineering Services for the Preliminary and Detailed Design of the Zone 2 Watermain on William Jackson Drive and Taunton Road from Earl Grey Avenue to Ravenscroft Road in the City of Pickering and the Town of Ajax (2020-W-21)

[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That Request for Proposal #1118-2019 be awarded to The Municipal Infrastructure Group Ltd. (TMIG), a T.Y. Lin International Company, for engineering services for the preliminary and detailed design of a new watermain on William Jackson Drive and Taunton Road from Earl Grey Avenue to Ravenscroft Road in the City of Pickering and Town of Ajax, at an amount not to exceed \$232,757*; and
 - B) That the Commissioner of Finance be authorized to execute the necessary engineering services agreement and any required amendments.
(*) before applicable taxes and includes disbursements.
6. Approval to Award Sole Source Agreement N-656-2019 Maintenance Service and Supply of Spare Parts for Alfa Laval Centrifuges at the York-Durham Duffin Creek Water Pollution Control Plant, in the City of Pickering (2020-W-22)
-
- [CARRIED] [SEE MOTION (67) ON PAGE 5]
- A) That the Regional Municipality of Durham enter into a sole source agreement with Alfa Laval Inc. for preventative maintenance and supply of spare parts on an as required basis effective in April 2020 for a term not to exceed five (5) years at an estimated total contract value of \$583,199* for a period of five years with the Regional Municipality of Durham's share determined annually based on the proportionate utilization of each Region, currently estimated at a five year total of \$110,050*, which is to be funded from the annual Duffin Creek operating budget; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
(*) before applicable taxes
7. Servicing Agreement with CSH Ballycliffe Lodge Inc., Including Cost Sharing in Accordance with the Region Share Policy for Regional Services, for the Extension and Oversizing of a Sanitary Sewer Located Within an Easement on 70 Station Street, in the Town of Ajax (2020-W-23)
-
- [CARRIED] [SEE MOTION (67) ON PAGE 5]
- A) That the Regional Municipality of Durham be authorized to enter into a servicing agreement with CSH Ballycliffe Lodge Inc. including cost sharing in accordance with the Regional Municipality of Durham's Share Policy for Regional Services, for the extension and oversizing of a sanitary sewer located within an easement on 70 Station Street, in the Town of Ajax, at an estimated cost of \$116,600;

- B) That financing for the servicing agreement be provided from the following Regional sources:

Developer's Share – Sanitary Sewer

CSH Ballycliffe Lodge Inc.	\$33,300
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Regional Costs – Sanitary Sewer

2020 Sanitary Sewerage System

Item #29 – Allowance for Regional share for works in conjunction with residential development (M2010)

Residential Development Charge Reserve Fund	\$61,475
Commercial Development Charge Reserve Fund	\$3,832
User Rate	<u>\$17,993</u>
Total Regional Costs	\$83,300
Total Project Financing – Sanitary Sewer	<u>\$116,600</u>

- C) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.
8. Servicing Agreement with the Municipality of Clarington that Includes an Endeavour to Collect Clause for the Construction of Local Watermains and Sanitary Sewers in Conjunction with a Municipality of Clarington Road Project to Service Existing Industrial Lands on Courtice Court, in the Municipality of Clarington (2020-W-24)
[CARRIED] [SEE MOTION (67) ON PAGE 5]
- A) That the Regional Municipality of Durham be authorized to enter into a servicing agreement with an Endeavour to Collect clause with the Municipality of Clarington for the construction of a 300 millimetre watermain and 200 millimetre sanitary sewer subject to the following conditions:
- i) The costs for the design, construction and inspection of the watermain and sanitary sewer will be borne fully by the Municipality of Clarington;
 - ii) The normal requirement for posting a letter of credit for 100 per cent of the cost of Regional Municipality of Durham works as security for the Servicing Agreement be waived; and

- iii) The Regional Municipality of Durham approves the design and inspects the works prior to the acceptance of the sanitary sewer and watermain.

B) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

9. Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2020-W-17)
[CARRIED] [SEE MOTION (67) ON PAGE 5]

That the recommendations contained in Confidential Report #2020-W-17 of the Commissioner of Works, be adopted.

10. 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 13(1) of the Expropriations Act, R.S.O. 1990, c. E.26, Related to the Expropriation of Lands in the Clarington Energy Business Park, in the Municipality of Clarington (2020-W-25)
[CARRIED] [SEE MOTION (67) ON PAGE 5]

That the recommendations contained in Confidential Report #2020-W-25 of the Commissioner of Works, be adopted.

Moved by Councillor Chapman, Seconded by Councillor Ashe,

- (71) That the recommendations contained in Item 2 of the Third Report of the Works Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
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 Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

10.5 **Report of the Committee of the Whole**

1. Acquisition of Property Required for a Future Transit Facility in the City of Oshawa (2020-COW-3)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (72) ON PAGES 16 AND 17]

- A) That the purchase agreement for the land required for a future Transit facility in the City of Oshawa be approved:

Ver-Mak Development Group Limited	Thornton Road North, Part of Lot 17, Concession 5, City of Oshawa	\$7,900,000*
--------------------------------------	--	--------------

- B) That financing for the acquisition be provided from within the approved project budget which includes \$2,487,604 in debenture financing;
- C) That the Regional Chair and Treasurer be authorized to issue debentures or other prescribed financial instruments to a maximum of \$2,487,604 over a term not to exceed fifteen (15) years to finance the land acquisition;
- D) That funding for additional closing costs in the amount of \$150,000 be financed at the discretion of the Commissioner of Finance; and

- E) That the Regional Chair and Clerk be authorized to execute all documents associated with the purchase and sales agreement.

2. Durham Region Strategic Plan 2020-2024 Goals and Priorities (2020-COW-4)
[CARRIED] [SEE MOTION (67) ON PAGE 5]

- A) That the Durham Region Strategic Plan 2020-2024 (Attachment #1 linked within Report #2020-COW-4) be adopted; and
- B) That the Chief Administrative Officer be directed to develop and deliver an action plan, including action items, implementation strategies and the identification of related key performance indicators.

Moved by Councillor Chapman, Seconded by Councillor Ashe,
(72) That the recommendations contained in Item #1 of the Second Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor John Neal
Councillor Joe Neal

Members Absent: None

Declarations of Interest: Councillor Marimpietri

11. Unfinished Business

There was no unfinished business to be considered.

12. Other Business

- 12.1 Authorization to Delegate Authority for the award of Request for Proposal #RFP-459-2020 for the preventative maintenance of the emergency public alerting siren system and the performance of scheduled maintenance and unscheduled troubleshooting and repairs within the Regional Municipality of Durham pending the evaluation of the proposals received (2020-A-10)

[CARRIED]

Moved by Councillor Foster, Seconded by Councillor Collier,

- (73) That authority to award the Request for Proposal #RFP-459-2020 to the top ranked proponent to provide preventative maintenance of the emergency public alerting siren system and the performance of scheduled maintenance and unscheduled troubleshooting and repairs within the Regional Municipality of Durham until May 1, 2023 with an option to extend for one year, be delegated to the Commissioner of Finance, subject to agreement of the applicable Department Head and CAO; and

That the Commissioner of Finance be authorized to execute any related and required agreements.

CARRIED

- 12.2 Delegation of Authority during COVID-19 Pandemic
[CARRIED WITH AMENDMENTS REFERRED TO STAFF] [SEE MOTIONS (74), (76), (78), (81) AND (82) ON PAGES 17 TO 22]

Moved by Councillor Chapman, Seconded by Councillor Leahy,

- (74) That Regional Council endorse:

- A) That certain delegations of authority be approved as set out in the draft by-law attached to Report #2020-A-11 as Attachment #1, and that said by-law be passed; and

- B) That the Region of Durham write to the Province to request that section 106.(1) of the Municipal Act, 2001 be suspended in order to permit assistance by way of flow-through funding from another level of government to manufacturing, industrial or commercial businesses during the COVID-19 Pandemic and/or during a State of Emergency as declared by either the Province or The Regional Municipality of Durham pursuant to the Emergency Management and Civil Protection Act.

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

Moved by Councillor Neal, Seconded by Councillor Smith,
(75) That Council recess for 10 minutes.

CARRIED

Council recessed at 10:22 AM and reconvened at 10:32 AM.

Moved by Councillor Nicholson, Seconded by Councillor John Neal,
(76) That the main motion (74) of Councillors Chapman and Leahy be amended by adding the following:

It is further recommended that:

- a) The Region directs the Regional Chair and Treasurer to allocate funds up to \$1 million to assist local food banks, aid agencies and support organizations across Durham Region starting with an initial and immediate \$10,000 payment of top-up funds to all food banks, aid agencies and support organizations in Durham to allow our front line agencies to be far more effective in meeting the needs of those impacted by the crisis;
- b) The Region directs the Regional Chair to write to the Premier on behalf of the Region and press the Province to provide as an initial step of providing a COVID-19 emergency payment equivalent to one month's support to all persons receiving ODSP, Ontario Works and other provincial assistance programs;
- c) The Region directs the Regional Chair to write to the Prime Minister on behalf of the Region and press the Federal Government to provide as an initial step a COVID-19 emergency payment equivalent to one month's support to all persons receiving CPP or disability pensions or any other support payment from the Federal government; and

- d) The Region directs the Regional Chair to write to the Prime Minister on behalf of the Region and press the Federal Government to provide an immediate payment to all Canadian families to help them deal with the impacts, social, medical, and economic of the COVID-19 crisis.

REFERRED BACK TO STAFF LATER IN THE
MEETING

(See Following Motions)

Moved by Councillor Joe Neal, Seconded by Councillor Smith,

- (77) That the foregoing amending motion (76) of Councillors Nicholson and John Neal be divided to vote on Parts a) to d) separately.

MOTION WITHDRAWN

Moved by Councillor Joe Neal, Seconded by Councillor Crawford,

- (78) That the foregoing amending motion (76) of Councillors Nicholson and John Neal be referred to staff for a report back at a Special meeting of Council to be held in two weeks.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,

- (79) That the main motion (74) of Councillors Chapman and Leahy be amended by amending Clause 1 of the proposed by-law by deleting the words, "until expressly repealed by subsequent by-law of Regional Council" and replacing them with the words, "while a COVID-19 emergency has been declared in the Region of Durham".

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Brenner
Councillor Crawford
Councillor John Neal
Councillor Joe Neal
Councillor Smith

No

Councillor Barton
Councillor Bath-Hadden
Councillor Carter
Councillor Chapman
Councillor Collier
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 Pickles
Councillor Roy
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(80) That the main motion (74) of Councillors Chapman and Leahy be
amended by deleting Clause 1.2 and Clause 1.3 of the proposed by-law.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor John Neal
Councillor Joe Neal

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
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 Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(81) That the main motion (74) of Councillors Chapman and Leahy be amended by amending Clause 1.7 of the proposed by-law by inserting the following after the Clause:

That a special meeting of Council be convened to consider a temporary tax forgiveness program for:

- i) Homeowners that have lost their jobs as a result of being employed in a company forced to shut down; and
- ii) Businesses that have been forced to shut down.

REFERRED BACK TO STAFF
(See Following Motion)

Moved by Councillor John Neal, Seconded by Councillor Joe Neal,
(82) That the foregoing amending motion (81) of Councillors Joe Neal and John Neal be referred to staff for a report back at a Special meeting of Council to be held in two weeks.

CARRIED

The main motion (74) of Councillors Chapman and Leahy to adopt the recommendations contained in Report 2020-A-11 was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

Councillor John Neal

Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

13. By-laws

15-2020 Being a by-law to amend By-law #42-2019 to limit the gross vehicle weight of any vehicle or any class thereof passing over a bridge forming part of the Regional Road system.

This by-law implements the recommendations contained in Item #3 of the 3rd Report of the Works Committee presented to Regional Council on March 25, 2020

16-2020 Being a by-law to repeal By-law Number 68-2000, as amended, and replace it with a new Purchasing By-law for the purpose of modernizing the Regional Municipality of Durham's purchasing policies and procedures.

This by-law implements the recommendations contained in Item #7 of the 3rd Report of the Finance & Administration Committee presented to Regional Council on March 25, 2020

17-2020 Being a by-law to provide certain delegations of authority from Regional Council to the Regional Chair and/or Regional Staff (as the case may be) to ensure that the administration of the Region can rapidly respond to the current and evolving challenges being experienced with the COVID-19 pandemic.

This by-law implements the recommendations contained in Item #12.2 of Other Business presented to Regional Council on March 25, 2020

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(83) That By-law Numbers 15-2020 to 17-2020 inclusive be passed.
CARRIED

14. Confirming By-law

18-2020 Being a by-law to confirm the proceedings of Regional Council at
their meeting held on March 25, 2020.

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(84) That By-law Number 18-2020 being a by-law to confirm the proceedings
of the Council of the Regional Municipality of Durham at their meeting
held on March 25, 2020 be passed.
CARRIED

15. Adjournment

Moved by Councillor Leahy, Seconded by Councillor Marimpietri,
(85) That the meeting be adjourned.
CARRIED

The meeting adjourned at 11:32 AM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk

The Regional Municipality of Durham
MINUTES
SPECIAL MEETING OF
THE REGIONAL COUNCIL OF DURHAM

Wednesday, April 8, 2020

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. Electronic participation was encouraged for this meeting.

Regional Chair Henry assumed the Chair.

1. Traditional Territory Acknowledgement

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.

2. Roll Call

A roll call was taken by the Regional Clerk and the following members were present:

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell

Councillor Mulcahy
Councillor John Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

***all members of Council, except the Regional Chair, participated electronically**

The following members joined the meeting in progress: Councillors Dies, Kerr, and Joe Neal

Councillor Roy left the meeting at 9:58 AM

Councillor Ryan was absent due to illness

Councillor Brenner appeared on behalf of Councillor Ryan as the alternate for the City of Pickering

3. Declarations of Interest

There were no declarations of interest.

4. Other Business

E. Baxter-Trahair, Chief Administrative Officer, N. Taylor, Commissioner of Finance, and S. Danos-Papaconstantinou, Commissioner of Social Services provided a verbal update on the assistance to the Durham Region community during COVID-19.

S. Danos-Papaconstantinou, Commissioner of Social Services, provided a presentation titled: Social Services Department COVID-19 Response. Highlights of the presentation included:

- Social Services Operations that continue during the COVID-19 pandemic
- Financial Assistance: COVID-19 Response
- Emergency Child Care
- Homelessness: COVID-19 Response
- Long-term Care: COVID-19 Response
- Family Services: COVID-19 Response
- Supporting Community: COVID-19 Response

S. Danos-Papaconstantinou, N. Taylor and R.J. Kyle responded to questions from members of Council with respect to the COVID-19 pandemic.

4.1 Assistance to the Durham Region Community During COVID-19 (2020-COW-14)
[CARRIED]

Moved by Councillor Carter, Seconded by Councillor Barton,

- (86) A) That Report #2020-COW-14 be received for information regarding the ongoing actions being undertaken through the recent authorities delegated during the COVID-19 crisis to the Chief Administrative Officer, Commissioner of Finance/Treasurer and Commissioner of Social Services to ensure that timely assistance is being provided to the local community, businesses and residents during the COVID-19 pandemic, including funding and coordination with local food banks, aid agencies, support organizations and local volunteer groups;
- B) That the Commissioner of Finance/Treasurer be directed to continue to work with Durham Local Treasurers to monitor the impacts of the property tax deferral measures being implemented and report back to Regional Council as required on any identified needs for further property tax supports; and
- C) That Report #2020-COW-14 be received for information regarding additional federal and provincial supports for individuals, families and supporting organizations in response to the economic impacts of COVID-19.

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

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,

- (87) That the main motion (86) of Councillors Carter and Barton be amended by adding the following as a new Part D):

- D) That the Region of Durham pass a by-law that will cancel, reduce or refund taxes where a lower tier municipality has done so for residential taxpayers whose taxes have become unduly burdensome as a result of the COVID emergency pursuant to Section 365 of the Municipal Act.

MOTION RULED OUT OF ORDER ON A
RECORDED VOTE
(See Following Motion)

The foregoing motion (87) of Councillors Joe Neal and John Neal was ruled Out of Order by the Regional Chair. Councillor Joe Neal challenged the ruling of the Chair. The ruling of the Chair was UPHELD ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor Ashe
Councillor Barton

No
Councillor Anderson
Councillor Brenner

Councillor Bath-Hadden	Councillor Mitchell
Councillor Carter	Councillor John Neal
Councillor Chapman	Councillor Joe Neal
Councillor Collier	
Councillor Crawford	
Councillor Dies	
Councillor Drew	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor Marimpietri	
Councillor McLean	
Councillor Mulcahy	
Councillor Nicholson	
Councillor Pickles	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Roy

Declarations of Interest: None

The main motion (86) of Councillors Carter and Barton was then put to a vote and
CARRIED ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
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 Pickles
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Roy

Declarations of Interest: None

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,
(88) That Council give unanimous consent to consider Item #4.2, Report
#2020-P-6, at this time.

CARRIED UNANIMOUSLY
ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
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 Nicholson	

Councillor Pickles
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Joe Neal
Councillor Roy

Declarations of Interest: None

- 4.2 Delegation of Limited Consent Granting Authority to the Commissioner of Planning and Economic Development in Response to COVID-19 Emergency (2020-P-6)
[CARRIED]
-

Moved by Councillor Marimpietri, Seconded by Councillor Chapman,
(89) That a By-law to delegate limited consent granting authority to the Region's Commissioner of Planning and Economic Development during the COVID-19 emergency, generally in the form set out in Attachment #1 of Report #2020-P-6 of the Commissioner of Planning and Economic Development, be adopted.

CARRIED

Moved by Councillor Collier, Seconded by Councillor Anderson,
(90) That Council give unanimous consent to consider Item #4.3, Report #2020-INFO-28, at this time.

CARRIED UNANIMOUSLY
ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Bath-Hadden	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
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 Pickles
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Roy

Declarations of Interest: None

- 4.3 Carruthers Creek Watershed Plan Update, Impact of COVID-19 Pandemic on
Public Consultation, File: D07-17-01 (2020-INFO-28)
[CARRIED]
-

Moved by Councillor Collier, Seconded by Councillor Dies,
(91) A) That Report #2020-INFO-28 be received for information, and

It is further recommended:

- B) That the public comment period for the Carruthers Creek Watershed Plan Update be paused until the COVID-19 emergency state is lifted by all levels of government, at which time the public comment period would restart;
- C) That an in-person Public Open House be rescheduled once the emergency state is lifted by all levels of government to ensure proper due process and meaningful consultation; and
- D) That the public be provided a minimum of 3 weeks notification of an in-person Public Open House, and a minimum of 6 weeks after the Public Open House meeting to provide written comments, consistent with the pre-COVID-19 timing.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Carter
Councillor Chapman

No

Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Kerr

Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Councillor Pickles

Members Absent: Councillor Roy

Declarations of Interest: None

5. By-laws

19-2020 Being a by-law to provide delegation of authority from Regional Council to the Commissioner of Planning and Economic Development for the administration and decision making with respect to the granting of consents under the *Planning Act* remains timely and effective during the COVID-19 Pandemic.

This by-law implements the recommendations contained in Item #4.2 of Other Business presented to Regional Council on April 8, 2020

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(92) That By-law Number 19-2020 be passed.

CARRIED

6. Confirming By-law

20-2020 Being a by-law to confirm the proceedings of Regional Council at their meeting held on April 8, 2020.

Moved by Councillor Ashe, Seconded by Councillor Chapman,

- (93) That By-law Number 20-2020 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on April 8, 2020 be passed.

CARRIED

7. Adjournment

Moved by Councillor Smith, Seconded by Councillor Pickles,

- (94) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:16 AM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk

Communications

April 29, 2020

- CC 06 Susan Cassel, City Clerk, City of Pickering writing to Ralph Walton, Regional Clerk/Director of Legislative Services advising of a motion adopted at their March 18, 2020 Council meeting re: Motion to Authorize Mayor Ryan's absence and to Appoint a Deputy Mayor and Alternate Deputy Mayor (Our File: C00)

Recommendation: Receive for information

(See attached correspondence on pages 42-42)

- CC 07 Durham Region Business Improvement Associations writing to John Henry, Regional Chair regarding support for Durham Region BIAs through the COVID-19 Pandemic (Our File: A00)

Recommendation: Refer to consideration of Item 9.1 under Notice of

Motions (See attached correspondence on pages 44-46)

Sent By Email

March 19, 2020

Ralph Walton
Regional Clerk/Director of Legislative Services
clerks@durham.ca

Subject: Re: Motion to Authorize Mayor Ryan's absence and to Appoint a Deputy Mayor and
Alternate Deputy Mayor
File: A-1400-001-20

The Council of The Corporation of the City of Pickering considered the above matter at a meeting held on March 18, 2020 and adopted the following resolution:

Whereas Section 259 (1) of the Municipal Act, 2001, provides that the office of a member of council of a municipality becomes vacant if the member, in part, is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;

And Whereas Section 242 provides that a municipality may, by by-law or resolution, appoint a member of the council to act in the place of the head of council or other member of council designated to preside at meetings in the municipality's procedure by-law when the head of council or designated member is absent or refuses to act or the office is vacant, and while so acting such member has all the powers and duties of the head of council or designated member, as the case may be, with respect to the role of presiding at meetings;

And Whereas City of Pickering Policy ADM 045 provides for the definition of a Deputy Mayor and outlines the process in which a Deputy Mayor is appointed;

And Whereas the Province of Ontario has declared a state of emergency due to the COVID-19 Pandemic and the City of Pickering has subsequently opened its Emergency Operations Centre, as there is a critical need to ensure the continuity of leadership and key decision making to allow critical business and operations to continue and also ensure that the best interests of residents and the community are looked after during this unprecedented time of crisis and uncertainty;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering:

1. Authorizes Mayor Ryan to be absent from meetings of Committee and Council beyond three successive months;

2. That notwithstanding the provisions of Policy ADM 045, Council Appointments to Committees, Councillor Kevin Ashe be appointed as Deputy Mayor for the remainder of the term until November 14, 2022 and while so acting as the Deputy Mayor, shall have all the powers and authorities of the Mayor;
3. That in the event that Deputy Mayor Ashe is unable to act, that Councillor David Pickles be appointed as the alternate Deputy Mayor, with all the associated powers and duties, until such time that Deputy Mayor Ashe is able to resume his duties;
4. That Councillor Maurice Brenner continue as the appointed alternate member to the Council of the Regional Municipality of Durham in accordance with section 04.09 of the City's Procedure By-law; and, that the Council of the Regional Municipality of Durham be requested to expand his duties to include attendance and voting rights at Committee of the Whole and any Standing Committee that Mayor Ryan was appointed to and any other duties afforded to a Regional Councillor for the remainder of the term (November 14, 2022) or until Mayor Ryan is able to resume his duties, whichever comes first; and,
5. That a copy of this Resolution be provided to the Regional Clerk of the Regional Municipality of Durham.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660 extension 2019.

Yours truly



Susan Cassel
City Clerk

SC:rp

Copy: Chief Administrative Officer



**Village of
Newcastle**
"More than our history"



March 22nd, 2020

Office of the Regional Chair, John Henry
605 Rossland Road East
Whitby, ON, L1N6A3
john.henry@durham.ca

Re: Support for Durham Region Business Improvement Associations through the COVID-19 Pandemic

Dear Chair Henry and Members of Regional Council,

Thank you all for your brave leadership during these unprecedented times,

On behalf of over 3,200 Durham Region businesses within eight (8) Business Improvement Areas, we are writing to share the urgent concerns of our members that require immediate action. In recent days, we have partnered with the Ontario Business Improvement Association (OBIAA) and the Tourism Industry Association of Ontario (TIAO) to create and share their survey, through our contacts, that speaks specifically to the needs of the Region's small businesses.

We can confirm that businesses are suffering severe financial impacts and are struggling to make ends meet – paying rent, utilities, and most important – employees. While some costs have been deferred, and that has been a welcome announcement, the loss of revenue and cancellations are causing extreme uncertainty and concern, that once closed, they may very well never reopen. Already layoffs are happening.

During these difficult times, small businesses need our BIAs more than ever, to advocate and lobby on their behalf today, while also planning to execute plans to rejuvenate tourism, economic development, and sense of community when life returns to a sense of normalcy in the future. In order to support businesses today and continue to invest in our communities, striving towards the Region's growth and strategic plan, we are seeking immediate financial assistance from the Durham Region in the form of a grant to relieve our members of twenty-five percent or one fiscal quarter of budgeted BIA monies. These funds will ensure that BIAs can continue to operate, maintaining essential programming and economic and strategic planning, resulting in a drop in BIAs

levies and ensuring that businesses aren't burdened while their doors are closed in these unprecedented times. As government agencies and Boards of Management for each of our cities, towns, and villages under your purview, this cash infusion of an estimated \$350,000 would equate to less than 0.00025 percent of the Durham Region's 2020 budgeted grossed overall expenditures, but its return-on-investment from a multiplier effect will result in over 200 million dollars in economic stimulus and impact through our programs and events¹.

BIA's build on the idea that pooled social and financial resources within a commercial area can improve the opportunity to generate revenue for local business owners. The district levy works to provide guaranteed revenue dedicated to streetscape improvements, promoting and advertising the downtowns and so much more, leading to increased foot-traffic and tourism benefits, which in turn shifts the general business mindset from independent wealth to the collective benefit.

The cultural, historical, and commercial significance of traditional main streets brings with it the need for stewardship and investment in order to move through anticipated and continuous economic cycles. As an Ottawa mayor once quipped, "BIAs are the canary in the coal mine." They are the first to show and feel the impact of policy decisions and face the market pressures which shift our provincial economy. With this in mind, the BIA offers a window for government at all levels to see what's happening in commercial districts across the province. This view makes BIA's essential for the revitalization, market and promotion, and advocacy of downtowns.

A successful BIA has a revolutionary impact on the identity of the Region, turning obsolete commercial areas into highly sought-after urban environments. Our successful BIAs are magnets for new businesses, new residents, and out-of-town visitors. We are a generator of life and energy that stimulates civic pride and communal culture. We bring more people together for social interaction than any other activity. We provide goods and services, inspiration, delight, recreation, and romance. Together, we host over 40 community events and programs Region-wide, with stakeholders that include musicians, vendors, external agencies, health care professionals, our Rotary Clubs, and so many others. The Durham Region also benefits from the efficiency that its strong downtowns sustain in matters, such as public infrastructure and transportation. The Region's growth plan is highly dependent on the success of its BIAs.

Unlike Chambers of Commerce or Boards of Trade, which are essential in their own right and advocate specifically for their voluntary paid membership of businesses within the Region, our BIAs affect every member of the community and membership in a BIA is compulsory for communities in which they reside. Durham BIAs, if considered a collective whole and a fabric of the Region, are the largest employers with over 20,000 local employees. Direct beneficiaries and members include not only private businesses, but also post-secondary institutions such as Ontario Tech University, Durham College, Trent University, and not-for-profits, churches, parks, civic and cultural centres. Each BIA should be recognized as unique and should not be forced into a one-size-fits-all description. The intent here is to provide the foundation for you to understand how essential we are and the diversity that is our main streets and downtowns.

¹ According to the Tourism Regional Economic Impact Model (TREIM) based on 2019 visitor rates

Our BIAs are organized by the collective listed above, but primarily our main streets and downtowns are "mom and pop" small businesses. When a citizen of the Durham Region shops with us they are helping a mom or dad put food on the table, a family pay a mortgage, or pay their loyal local employees. The citizens of this great Region are our shareholders, and they are the ones we strive to make happy, the ones we put on events to invite and join us. This initiative will keep extra money in small businesses pockets to manage during these challenging times, while knowing that the organization they founded that is prepared to kick-start the recovery process will be there to help them afterwards.

We look forward to setting up a follow-up conference call to further discuss the plan and details. Thank you for supporting small businesses and we look forward to working together through these coming months.

Yours truly,

Durham Region BIAs

cc: Durham Region Council Members

Notice of Motions

April 29, 2020

9.1 Immediate Financial Assistance to Relieve Regional Business Improvement Area Members of twenty-five percent or one fiscal quarter of budgeted BIA monies

Councillors Kerr and Leahy gave Notice that the following motion will be presented at the April 29, 2020 meeting, or subsequent meeting of Regional Council:

Whereas the various Business Improvement Area organizations (BIAs) provide vital support to and advocate for local businesses and the achievement of Regional growth and strategic planning; and

Whereas regional BIAs will provide a vital role in the rejuvenation of local business during and after the COVID-19 pandemic; and

Whereas regional BIAs will provide a vital role in the rejuvenation of tourism, economic development, and sense of community in their respective municipalities during and after the COVID-19 pandemic; and

Whereas BIAs build on the idea that pooled social and financial resources within a commercial area can improve the opportunity to generate revenue for local businesses and their employees; and

Whereas the cultural, historical, and commercial significance of traditional main streets brings with it the need for stewardship and investment in order to move through anticipated and continuous economic cycles including this COVID-19 pandemic; and

Whereas the BIA district levy works to promote and advertise the respective downtown leading to increased foot traffic and tourism benefits which, in turn, shifts the general business mindset from independent wealth to the collective benefit; and

Whereas the BIAs offer a window for government at all levels to see what's happening in commercial districts across the Region of Durham which makes BIAs essential for the revitalization, marketing, promotion, and advocacy of regional downtowns; and

Whereas successful BIAs have a revolutionary impact on the identity of the Region, turning obsolete commercial areas into highly sought-after urban environments including hosting over 40 community events and programs region-wide; and

Whereas the Region's growth plan is highly dependent on the success of its BIAs; and

Whereas Durham BIAs, if considered as a collective whole, are a fabric of the Region and are the largest employers with over 20,000 local employees; and

Whereas the Province has just ordered the closing of all non-essential businesses and regional BIA businesses are economically burdened while their doors are closed in these unprecedented and uncertain times of the COVID-19 pandemic; and

Whereas regional BIAs need to continue to operate, to develop essential programming, and to maintain economic and strategic planning services to local businesses now as a beacon of hope for when we ultimately will pass through this COVID-19 pandemic; and

Whereas this ask will result in keeping extra money in small businesses' pockets to manage during these challenging time of the COVID-19 pandemic, while knowing that the BIA organization they founded is prepared to kick-start the recovery process and to help them after the pandemic has passed; and

Whereas the BIA ask will equate to less than 0.00025 percent of the Durham Region's 2020 budgeted gross overall expenditures, but its return-on-investment from a multiplier effect will result in over 200 million dollars in economic stimulus and impact through regional BIA programs and events;

Therefore, be it resolved that the Regional Municipality of Durham provide immediate financial assistance in the form of an estimated \$350,000 grant to relieve regional BIA members of twenty-five percent or one fiscal quarter of budgeted BIA monies.

9.2 Waiving of Overage Charges on LTE Network for Rural Mobile Phone Subscribers

Councillors Brenner and Pickles gave Notice that the following motion will be presented at the April 29, 2020 meeting, or subsequent meeting of Regional Council:

Whereas many Rural Communities do not have access to broadband Internet and use the LTE Network as a bridge to the Internet;

And whereas during the COVID-19 Health Emergency, the ability to access the Internet is an essential service that enables the Public to have reliable up to date information from various levels of government;

And whereas during this crisis those without Broadband Internet access risk excessive overage charges through the LTE Network;

Now therefore be it resolved that Council for the Region of Durham recommends that the CRTC take the necessary action to direct Mobility providers to waive overage charges for those customers that do not have access to Broadband Internet during the COVID-19 Health Care Crisis;

And that copies of this motion be sent to Ian Scott, Chair and CEO for CRTC; Honourable Steven Guilbeault, Minister for Canadian Heritage and all Durham MPs.

Temporary By-law to Reduce or Refund Taxes for Residential and Farm Taxpayers whose Taxes have Become Unduly Burdensome Due to COVID-19 Emergency

Councillors Joe Neal and John Neal gave Notice that the following motion will be presented at the April 29, 2020 meeting, or subsequent meeting of Regional Council:

Whereas small business owners and employees of businesses which have been forced to shut down during the COVID-19 emergency are being economically impacted;

And Whereas assistance from the federal and provincial government will still leave many taxpayers who are small business owners and employees of businesses shut down unable to pay their tax bills, in spite of any deferrals;

And Whereas Section 365 of the Municipal Act permits lower tier municipalities to pass a by-law that will cancel, reduce or refund taxes for residential and farm taxpayers whose taxes have become unduly burdensome;

And Whereas Clarington has approved in principle a temporary by-law under Section 365 of the Municipal Act, which would provide up to 50% tax relief of the Clarington portion for certain residential taxpayers, along with a means test, and a cap on the total;

And Whereas Durham Region taxes are approximately 50% of the average residential tax bill;

And Whereas Durham Region has reserves totalling \$2.5 billion, of which approximately \$1.0 billion are non-development charge reserves;

And Whereas Durham Region could provide a similar temporary relief program as Clarington's, and provide this to all lower tier municipalities in Durham which adopted a temporary by-law similar to Clarington's, without reconsidering the 2020 Budget;

And Whereas Durham Region should be using its rainy day funds now to help out taxpayers who will be unduly burdened in this emergency;

Now Therefore Be it Resolved That:

1. Durham Region approve in principle a temporary by-law under Section 365 of the Municipal Act, and which would make available from its reserves up to \$25 million in total for residential and farm taxpayers who have been approved by their respective lower tier municipality for temporary tax relief;
2. The portion of the Durham Region tax bill which would be eligible for a rebate would be up to 50% for the duration of the emergency; and
3. Region staff be directed to establish a uniform program with any local municipalities participating by June 30, 2020.

Other Business

April 29, 2020

- 12.1 Application to Amend the Durham Regional Official Plan, submitted by Werrcroft Farms Ltd., to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Municipality of Clarington, File: OPA 2019-003 (2020-COW-5)
-

Recommendations to Council:

- A) That Amendment #178 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 #2020-COW-5 of the Commissioner of Planning and Economic Development; and
- B) That “Notice of Adoption” be sent to the applicant, the applicant’s agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.

(See attached Report #2020-COW-5 on pages 56-64)

- 12.2 Sanitary Sewage Surcharge Agreement with Del Monte Fresh Produce, (Canada) Corporation, 940 Thornton Road South, in the City of Oshawa (2020-COW-6)
-

Recommendations to Council:

- A) That the Regional Municipality of Durham enters into a Sanitary Sewage Surcharge Agreement as provided for in the Regional Municipality of Durham’s Sewer By-law #55-2013, with Del Monte Fresh Produce, (Canada) Corporation; and
- B) That the Regional Chair and Clerk be authorized to execute the agreement.

(See attached Report #2020-COW-6 on pages 65-67)

- 12.3 Amendments to Regional Traffic and Parking By-law #44-2006 (2020-COW-7)
-

Recommendations to Council:

- 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 #2020-COW-7 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 #2020-COW-7 of the Commissioner of Works.

(See attached Report #2020-COW-7 on pages 68-79)

12.4 Update on Ontario's Flood Management Strategy (2020-COW-8)

Recommendations to Council:

- A) That Regional Council receive this update for information; and
- B) That Regional staff be directed to prepare a more detailed report to Regional Council on Ontario's Flooding Strategy and its impacts on the Region, once the COVID 19 emergency ends.

(See attached Report #2020-COW-8 on pages 80-88)

12.5 Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2020-2023 (2020-COW-9)

Recommendation to Council:

That the recommendations contained in Confidential Report #2020-COW-9 of the Commissioner of Corporate Services be adopted.

(See Report Under Separate Cover)

12.6 Approval by Regional Council of Memorandum of Understanding between Durham Region Provincial Offences Court and Oshawa courthouse to have reciprocal use of each others' facilities during a local emergency (2020-COW-10)

Recommendations to Council:

- A) That Regional Council approve the Memorandum of Understanding ("Memorandum") between the Ministry of Attorney General Court Services Division – Oshawa courthouse ("Attorney General"), and the Durham Region Provincial Offences Court ("Provincial Offences Court") agreeing that each party has reciprocal use of the other party's primary location as an Alternate Site Delivery Location ("Alternate Site") during a local emergency; and
- B) That Regional staff be directed to execute such documents and carry out such tasks as may be required to implement the terms of the Memorandum.

(See attached Report #2020-COW-10 on pages 89-97)

12.7 Indexing of Regional Development Charges (2020-COW-11)

Recommendations to Council:

- A) That the scheduled indexing (for July 1, 2020) of residential and non-residential development charges under Development Charge (DC) By-law #28-2018 (Regional Residential and Non-residential Development Charges) and By-law #81-2017 as amended (Regional Transit Development Charge) be waived for the one year period of July 1, 2020 to June 30, 2021, subject to the necessary public process and subsequent Regional consideration on June 24, 2020;
- B) That in order to waive the indexing of Regional development charges, the public process to amend the applicable development charge by-laws be authorized as follows:
 - i. The Statutory Public meetings of Regional Council, as required by the Development Charges Act, 1997 be held on May 27, 2020, in the Regional Council Chambers at the beginning of the regular Regional Council meeting to consider the above proposed amendments to Development Charge By-law #28-2018 and By-law #81-2017 (approval of the amending By-laws by Regional Council is scheduled for June 24, 2020);
 - ii. The proposed Regional Development Charge Amending By-laws and Background Studies as required by the Development Charges Act, 1997 will be made available upon request from the Regional Clerk's Department at no charge and will be posted on the Region's website, commencing April 24, 2020; and
 - iii. Staff be authorized to place appropriate notification in newspapers of sufficiently general circulation in Durham Region and the Regional website setting forth the date, time, location and purpose of the Statutory Public Meetings and the date and contact for the release of the proposed Development Charge By-law amendment and Background Studies.

(See attached Report #2020-COW-11 on pages 98-103)

12.8 Oral Health Clinic Relocation and Expansion to Meet the Needs of the Ontario Seniors Dental Care Program (2020-COW-12)

Recommendations to Council:

- A) That Works Department staff be authorized to finalize a lease agreement with 2381502 Ontario Inc., o/a Midtown Centre for approximately 9,000 square feet of space at 200 John Street Oshawa to relocate the Oral Health Division, including the Oral Health Clinic and staff office space in order to accommodate the Ontario Senior's Dental Care Program, prior to approval from the Province for funding for the capital costs related to the Ontario Seniors Dental Care Program;

- B) That staff be authorized to begin the capital work to relocate and expand the Oral Health Clinic from 1615 Dundas Street E., Whitby to 200 John Street, Oshawa at an estimated total cost of \$2.3 million in advance of receiving Provincial funding approval and that any required Regional financing be provided at the discretion of the Commissioner of Finance;
- C) That the Commissioner of Finance be authorized to execute any necessary funding or contract agreements subject to the review and concurrence of the Regional Solicitor; and
- D) That the Regional Chair and Clerk be authorized to execute all documents associated with the lease agreement.

(See attached Report #2020-COW-12 on pages 104-111)

12.9 Granting of a Permanent Easement to Markham Stouffville Hospital to Construct and Maintain a Portion of the Driveway for the Uxbridge Cottage Hospital Located at 6 Campbell Drive, in the Township of Uxbridge (2020-COW-13)

Recommendations to Council:

- A) That a permanent easement be granted to the Markham Stouffville Hospital for the Uxbridge Cottage Hospital site located in at 6 Campbell Drive in the Township of Uxbridge, for the construction and maintenance of a portion of the driveway located on property owned by the Regional Municipality of Durham at a nominal sum; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.

(See attached Report #2020-COW-13 on pages 112-114)

12.10 Council Resolution – Blue Box Transition Date (2020-COW-15)

Recommendation to Council:

That a resolution on transition to full producer responsibility included as Attachment #1 to Report #2020-COW-15 of the Commissioner of Works be endorsed and forwarded to the Minister of the Environment Conservation and Parks and Association of Municipalities of Ontario.

(See attached Report #2020-COW-15 on pages 115-121)

12.11 Approval to Award a Sole Source Agreement for Annual Maintenance of the Analytical Instrument Using Liquid Chromatography Mass Spectrometry (LC-MS/MS) for the Analysis of Regulatory Water Samples at the Regional Environmental Laboratory Located in the City of Pickering (2020-COW-16)

Recommendations to Council:

- A) That the Regional Municipality of Durham enter into a sole source agreement with AB SCIEX LP to perform annual instrument maintenance and manufacturer recommended preventative maintenance on equipment located at the Regional Environmental Laboratory effective October 16, 2020 for a term not to exceed four (4) years at an estimated total contract value of \$168,117* for a period of four years, cost shared 50/50 with the Regional Municipality of York, with the Regional Municipality of Durham's share to be funded from the Regional Environmental Laboratory's Operating Budget; and
- B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
(*) before applicable taxes

(See attached Report #2020-COW-16 on pages 122-125)

12.12 Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the Town of Ajax (2020-COW-17)

Recommendations to Council:

That the recommendations contained in Confidential Report #2020-COW-17 of the Commissioner of Works be adopted.

(See Report Under Separate Cover)

12.13 Expropriation of Lands Required for Seaton Phase 1 Regional Infrastructure, in the City of Pickering (2020-COW-18)

Recommendations to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate Expropriation proceedings with respect to the property requirements for 2765 Townline Road in the City of Pickering as are generally depicted in Attachment #1 to Report #2020-COW-18 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 Seaton Phase 1 Regional Infrastructure project;
- B) 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 A) in this Report, 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; and

- C) 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 B) in this report, including the Notices of Application of Approval to Expropriate.

(See attached Report #2020-COW-18 on pages 126-131)

12.14 Advancement of the Construction of the Region of Durham Paramedic Service Training Centre for inclusion in the Approved Seaton Paramedic Response Station Project, Including Provision for the Inclusion of a Future Durham Emergency Management Office, in the City of Pickering (2020-COW-19)

Recommendations to Council:

- A) That the advancement of the construction of the Region of Durham Paramedic Service Training Centre for inclusion in the current construction of the Seaton Paramedic Response Station, in the City of Pickering, at an estimated cost of \$3.50 million, be approved;
- B) That the approved budget for the Seaton Paramedic Response Station be increased from \$4.5 million to \$10.5 million, with the revised project breakdown as follows:

Project Component	Seaton Paramedic Response Station Design/Construction and Training Centre/DEM Design (in millions)	Paramedic Training Facility and Driving Pad Construction and Design (in millions)	Total (in millions)
Design and Contract Administration	\$0.84		\$0.84
Construction	6.10	3.43	9.53
Fixtures and Furniture	0.06	0.07	0.13
Total Project Cost	\$7.00	\$3.50	\$10.50

- C) That the total estimated cost of \$10.50 million for this project be financed as follows:

Seaton Paramedic Response Station:

Previously Approved

• Development Charges	\$2,500,000
• Property Taxes	<u>2,000,000</u>
Sub-total	<u>\$4,500,000</u>

Additional Funding Required

• Development Charges	\$700,000
• Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner of Finance	<u>\$1,800,000</u>
Sub-total	<u>\$2,500,000</u>

Revised Total Phase 1	<u>\$7,000,000</u>
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Paramedic Training Facility

Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner of Finance	<u>\$3,500,000</u>
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Total Project Cost	<u>\$10,500,000</u>
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(See attached Report #2020-COW-19 on pages 132-140)



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Planning and Economic Development
Report: #2020-COW-5
Date: April 29, 2020

Subject:

Decision Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Werrcroft Farms Ltd., to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Municipality of Clarington, File: OPA 2019-003.

Recommendation:

That the Commissioner of Planning and Economic Development Department recommends to Regional Council:

- A) That Amendment #178 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 Commissioner's Report #2020-COW-5; and
 - B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.
-

Report:**1. Purpose**

- 1.1 On July 10, 2019, Clark Consulting Services Ltd., on behalf of Werrcroft Farms Ltd., submitted an application to amend the Regional Official Plan (ROP) to permit the severance of a 0.39 ha (0.98 acre) parcel of land containing an existing farm dwelling, from a 22 ha (55 acre) agricultural parcel.

2. Site Location/Description

- 2.1 The subject site is located on the south side of Regional Road 20, west of Middle Road, just northeast of the Hamlet of Haydon. The parcel is municipally known as 8800 Middle Road, Part of Lot 13, Concession 8, in the Municipality of Clarington (refer to Attachment #1).
- 2.2 The agricultural parcel is primarily flat and rectangular in shape and contains an existing dwelling. A woodlot and hydro corridor are located on the proposed retained property. A stream and a woodlot are located just west of the proposed severance.
- 2.3 The applicant is a private farm corporation which owns a total of seven farm properties that encompasses over 207 hectares, or 511 acres of agricultural land.
- 2.4 The uses surrounding the subject site include:
- a. North – Regional Road 20, woodlands, wetlands and agricultural lands;
 - b. East – Middle Road, agricultural lands, woodlands and wetlands;
 - c. South – agricultural lands; and
 - d. West – agricultural lands, woodlands and wetlands.

3. Background

- 3.1 A Planning Justification Report prepared by Clark Consulting Services has been submitted in support of the application. The Planning Justification Report concluded that the proposed amendment complies with the Provincial Policy Statement (PPS), the Greenbelt Plan, the Oak Ridges Moraine Plan, and the Regional Official Plan. The report also concluded the proposed severance will comply with Minimum Distance Separation (MDS) requirements. The Site Phase One Environmental Site Assessment completed by GHD identified no environmental concerns on the subject site.

4. Provincial Plans

- 4.1 The PPS, the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan permit lot creation in prime agricultural areas for a residence surplus to a farming operation as a result of a farm consolidation, provided that the planning authority ensures that no new residential dwellings are permitted on the retained farm parcel to be created by the severance.
- 4.2 The PPS and the Greenbelt Plan also require the creation of lots to comply with MDS requirements.

5. Durham Regional Official Plan

- 5.1 The subject site is located within the limits of the Oak Ridges Moraine Conservation Plan (ORMCP) and is designated as “Countryside Area” and “Prime Agriculture” on Schedule ‘B’ – Map ‘B3’ of the Regional Official Plan. Severance applications for agricultural uses may be considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 5.2 The Regional Official Plan requires agricultural parcels to have a minimum lot area of 40 hectares. The purpose of this policy is to ensure that agricultural lands remain viable for farming operations. This application is requesting to sever a 0.4 hectare parcel from a 22 hectare parcel. The existing farm parcel is smaller than the typical farm parcel size.
- 5.3 The subject site has been farmed for over 50 years and was formally acquired in 2017. The farming of this property supports the Werry Farms Ltd. dairy operation.
- 5.4 The subject site will continue to be used as active agricultural land, just as it was prior to this application, as the proposed severance does not encompass any active farmland. As the parcel’s use will not be altered in any way through this application, this parcel will continue to be a viable farm parcel.
- 5.5 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
 - a. The dwelling is not needed for a farm employee;
 - b. The farm parcel is a size which is viable for farm operations;
 - c. For sites within the Protected Countryside of the Greenbelt Plan, the dwelling was in existence as of December 16, 2004;

- d. The farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling; and
- e. No further severances shall be permitted from the acquired farm parcel.

6. Planning Analysis

- 6.1 Werrcroft Farms Ltd. owns a total of seven farm properties in the Municipality of Clarington and the City of Oshawa (refer to Attachment #2). Three properties contain six existing dwellings. The owners live in one house, four of the houses are occupied by family or tenants and one is vacant. The residence on the subject site is currently rented by a tenant having no ties to the farming operation. The proposed retained agricultural parcel is of a size that will remain viable for farming.
- 6.2 The dwelling located on the subject site was built in 1970's. The proposed amendment complies with the provisions of the PPS, the Greenbelt Plan, the Oak Ridges Moraine Plan, and the ROP. The proposed severed parcel will be limited in size to accommodate the surplus farm dwelling and the existing private well and septic systems.
- 6.3 The proposed severed parcel complies with MDS requirements. The subject site has been rezoned to prohibit the development of a new residential dwelling on the proposed retained agricultural parcel. Any further severances and/or new residential dwellings on the retained farm parcel will be prohibited in accordance with Provincial and Regional policies.

7. Public Meeting and Submissions

- 7.1 In accordance with the Planning Act, a notice of public meeting regarding this application was published in the appropriate newspaper, mailed to those who own land within 120 metres (400 feet) of the subject site, and a public meeting was held on September 3, 2019. Commissioner's Report #2019-P-32 provides information on the application.
- 7.2 The Region did not receive any written submissions from the public concerning the application.

8. Consultation

- 8.1 On October 31, 2019, the Council of the Municipality of Clarington adopted a resolution supporting the approval of the application to amend the ROP and the related Area Municipal Official Plan Amendment and Zoning By-law Amendment

applications. The proposed Zoning By-law Amendment prohibits the development of a residential dwelling on the retained agricultural parcel.

- 8.2 The Central Lake Ontario Conservation Authority, the Regional Health Department, the Durham Agricultural Advisory Committee and the Regional Works Department have no concerns with the approval of the amendment application.

9. Notice of Meeting

- 9.1 Written notification of the meeting time and location of the Council meeting was sent to all that requested notification, in accordance with Regional Council procedure.
- 9.2 The recommendation of the Commissioner of Planning and Economic Development is scheduled to be considered by Regional Council on April 29, 2020. If Council adopts the proposed Amendment, notice will be given by the Regional Clerk and Council's decision will be final unless appealed to the Local Planning Appeal Tribunal (LPAT).

10. Conclusion

- 10.1 The proposed amendment is consistent with the PPS and conforms with the policies of the Greenbelt Plan, the Oak Ridges Moraine Plan and the ROP. It has been demonstrated that the dwelling is surplus to the needs of the farming operation. The proposed Zoning By-law Amendment will set restrictions to prohibit any further severance and/or a new dwelling to be constructed and the proposal maintains the intent of the ROP in protecting agricultural lands for agricultural purposes. Accordingly, it is recommended that Amendment #178 to the ROP, as shown in Attachment #3, be adopted.

11. Attachments

Attachment #1: Location Sketch

Attachment #2: Werrcroft Farms Ltd. Agricultural Land Holdings

Attachment #3: Amendment #178 to the Regional Official Plan

Respectfully submitted,

Original signed by

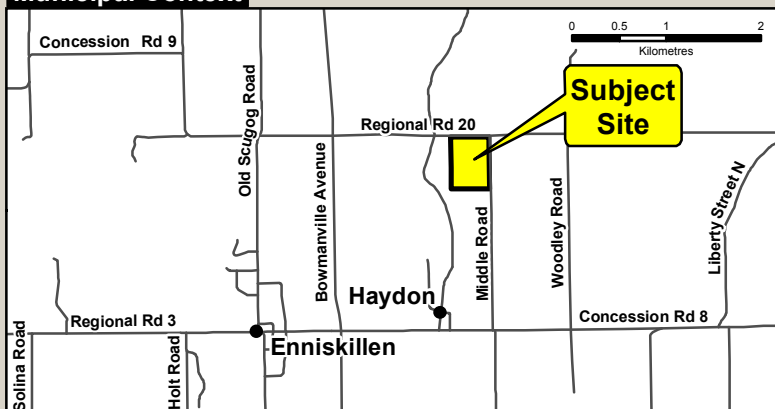
Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

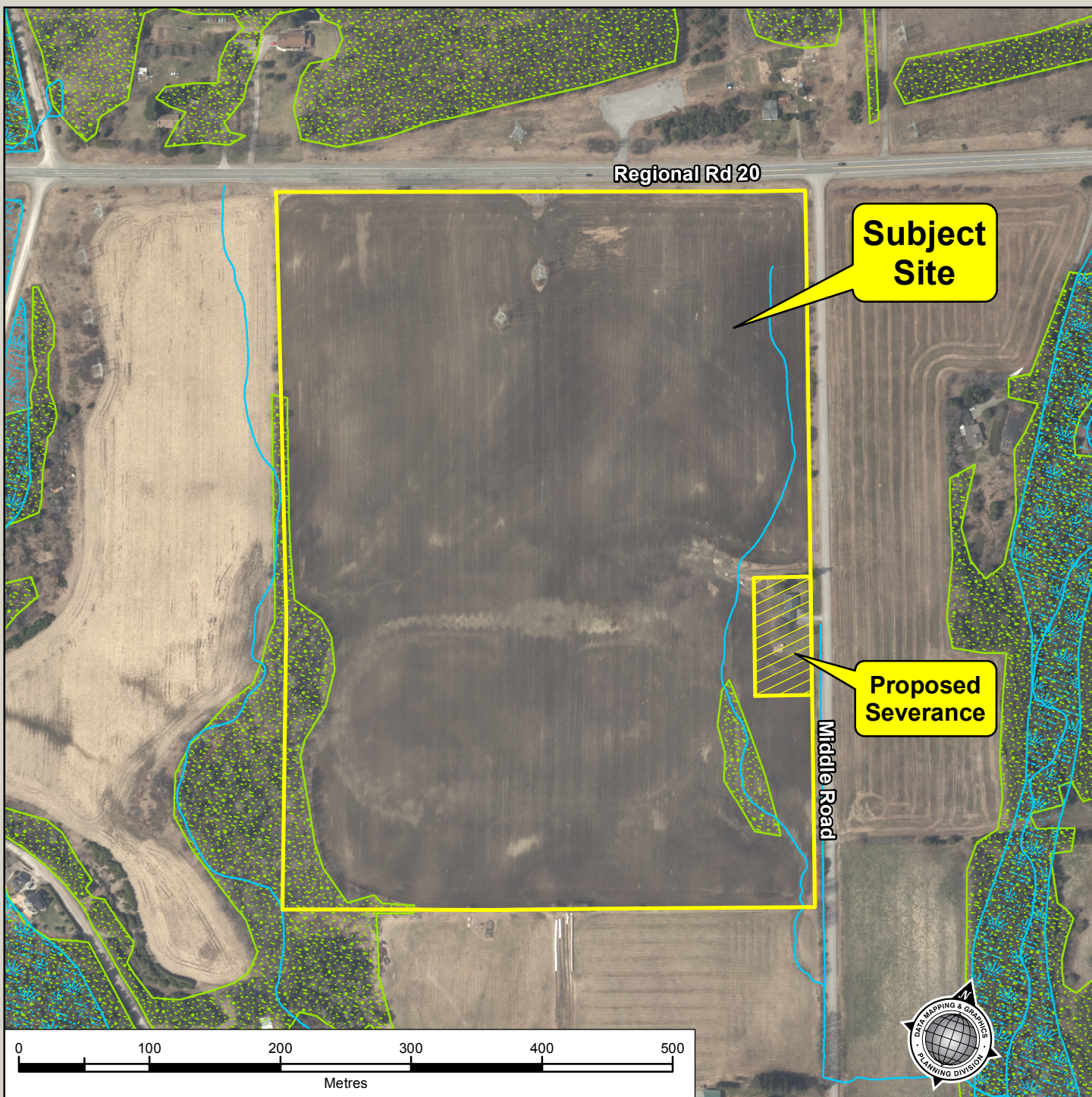
Elaine C. Baxter-Trahair
Chief Administrative Officer

Municipal Context



Attachment #1
 Commissioner's Report: #2020-COW-5
 File: OPA 2019-003
 Municipality: Municipality of Clarington

Legend



Municipal Context



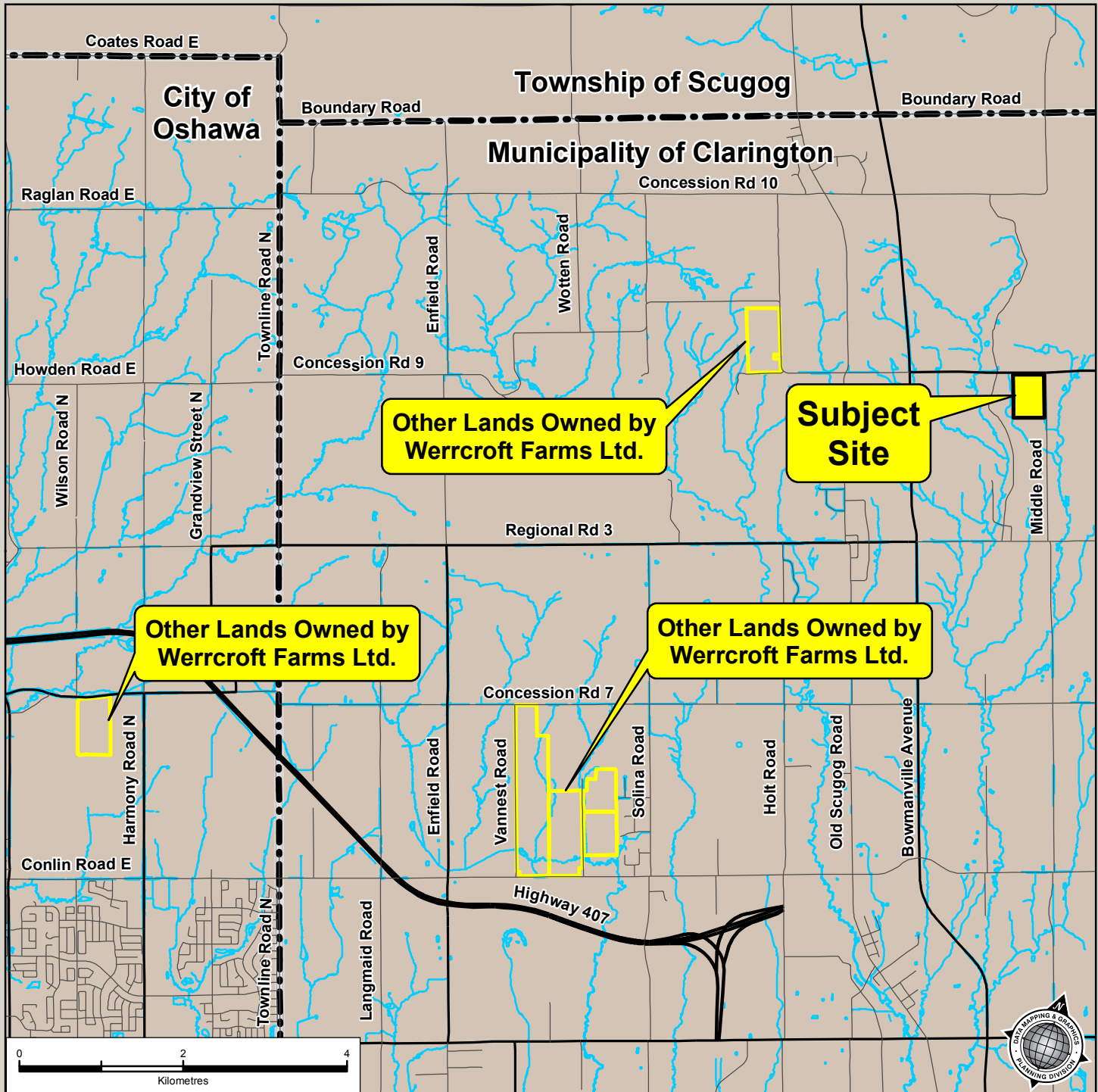
Attachment #2

Commissioner's Report: #2020-COW-5

File: OPA 2019-003

Municipality: Municipality of Clarington

Legend



Amendment 178 to the Regional Official Plan

- Purpose and Effect:** The purpose of this Amendment is to permit the severance of a residential dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated “Countryside Area” and “Prime Agriculture,” in the Municipality of Clarington and to permit the retained farm parcel to be less than 40 hectares in size.
- Location:** The subject site is located on the south side of Regional Road 20 west of Middle Road. The parcel is municipally known as 8800 Middle Road, Part of Lot 13, Concession 8, in the Municipality of Clarington.
- Basis:** The subject site has been consolidated with other non-abutting farm parcels owned by the applicant. The residential dwelling on the subject site is not required by, and is surplus to, the farm operation. This amendment conforms to the Durham Regional Official Plan, the Greenbelt Plan, the Oak Ridges Moraine Plan and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.2:
- “9A.3.2 xx) A surplus dwelling is severed from the 21.6 hectare parcel identified as Assessment No. 18-17-010-150-08900 located in Part of Lot 13, Concession 8, in the Municipality of Clarington, subject to the inclusion of provisions in the zoning by-law to prohibit further severances, the construction of any dwelling on the retained parcel.”*
- Implementation:** The provisions set forth in the Durham Regional Official Plan regarding the implementation of the Plan shall apply in regards to the Amendment.
- Interpretation:** The provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-6
Date: April 29, 2020

Subject:

Sanitary Sewage Surcharge Agreement with Del Monte Fresh Produce, (Canada) Corporation, 940 Thornton Road South, in the City of Oshawa

Recommendation:

- A) That the Regional Municipality of Durham enters into a Sanitary Sewage Surcharge Agreement as provided for in the Regional Municipality of Durham's Sewer By-law #55-2013, with Del Monte Fresh Produce, (Canada) Corporation; and
 - B) That the Regional Chair and Clerk be authorized to execute the agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Regional Municipality of Durham (Region) Council authorization to enter into a Sanitary Sewage Surcharge Agreement with Del Monte Fresh Produce, (Canada) Corporation (Del Monte) as made available under Part XIII of By-law #55-2013 (Sewer Use By-law).

2. Background

- 2.1 Del Monte operates a fresh cut fruit and vegetable processing facility that produces fruit, vegetable cups and trays for retail sale at 940 Thornton Road South, in the City of Oshawa (Oshawa). The waste from Del Monte's facility

consists of fruits, vegetables and juices. Wastewater from Del Monte is treated in their onsite wastewater treatment facility.

- 2.2 Del Monte's treatment system was modified in January of 2019 to meet the specifications described in the Region's Compliance Program Agreement dated January 1, 2017; however, Del Monte is still unable to meet the sanitary sewer use by-law limit for biochemical oxygen demand (BOD) in their wastewater being discharged to the Region's sanitary sewer.

3. Surcharge Agreement

- 3.1 The Region's Sewer Use By-law #55-2013 permits agreements for the discharge of BOD above the limits set out in the by-law. Del Monte has requested a Sanitary Sewage Surcharge Agreement with the Region to permit BOD to be discharged above the limits set out in the sewer use by-law. Del Monte has agreed to the terms and applicable fees within the Sanitary Sewage Surcharge Agreement.
- 3.2 Del Monte's discharge is not expected to have adverse effect on the treatment of wastewater at the receiving Corbett Creek Water Pollution Control Plant.

4. Conclusion

- 4.1 The Sanitary Sewage Surcharge Agreement between the Regional Municipality of Durham and Del Monte Fresh Produce, (Canada) Corporation has been reviewed by Works Department and Legal Services Division staff of the Corporate Services Department.
- 4.2 This is a site-specific request and Regional staff has considered potential impacts before concurring with this agreement. Regional staff will continue to monitor Del Monte Fresh Produce, (Canada) Corporation to ensure compliance with the Sanitary Sewage Surcharge Agreement.

4.3 For additional information, please contact Greg Lymer, Manager, Technical Support Division, at 905-668-7711, extension 3500.

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-7
Date: April 29, 2020

Subject:

Amendments to Regional Traffic and Parking By-Law #44-2006

Recommendation:

- 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 this report, 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.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to amend Regional Traffic and Parking By-Law #44-2006 as is periodically required to authorize staff to make changes to traffic regulations. As such, it is necessary that the Works Committee and Regional Council approve the recommendations in this report for Corporate Services – Legal Services to prepare an amending by-law.

2. Background

- 2.1 Traffic and Parking By-Law #44-2006 was last consolidated on July 5, 2006. It has been updated several times since its introduction to combine additional changes in

traffic regulations and amend the appropriate schedules within the by-law. The last such update was passed on December 18, 2019.

3. Discussion

3.1 The following amendments to Traffic and Parking By-Law #44-2006 are proposed:

- a. No Parking Signs – Automated Shuttle Bus Pilot Project– Regional Road 46 (Brock Street), Town of Whitby
 - An addition to Schedule II is required to add no parking signs on the west side of Regional Road 46 (Brock Street) from Watson Street to Front Street for safe operation of the Automated Shuttle Bus Pilot Project in the Town of Whitby. This change is requested by Durham Region Transit working in collaboration with Region of Durham, Town of Whitby and other stakeholders to assist in the Automated Shuttle Bus Pilot Project.
- b. Through Highways – Traffic Operations – Regional Road 25 and 25A (Consumers Drive / Champlain Ave / Stellar Drive), Town of Whitby
 - An addition to Schedule XIII is required to include Regional Road 25 (Stellar Drive), an extension of Consumers Road completed in 2019. The limits of Champlain Avenue and Stellar Drive have changed, and new road designations need to be reflected in the by-law.
- c. Through Highways – Traffic Operations – Regional Road 28 (Third Concession Road), City of Pickering
 - An addition to Schedule XIII is required to include Regional Road 28 (Third Concession Road) from Regional Road 1 (Brock Road) to 2.6 km west of Regional Road 1 (Brock Road). Third Concession Road was transferred to the Region of Durham from the City of Pickering in conjunction with the build out of the Seaton lands.
- d. Stop Signs – Durham Vision Zero – Regional Road 12 (Cameron Street), Township of Brock
 - An addition to Schedule XIV is required to include a new all-way stop at the intersection of Regional Road 12 (Cameron Street) at Laidlaw Street in Cannington. This change was requested by Township of Brock, Canadian National Institute for the Blind and supported by the

Region of Durham Works Department to improve pedestrian safety including those pedestrians with accessible needs.

- e. Stop Signs – Durham Vision Zero – Regional Road 37 (Finch Avenue), City of Pickering
 - An addition to Schedule XIV is required to include a new all-way stop at the intersection of Regional Road 37 (Finch Avenue) at Rosebank Road in the City of Pickering. The all-way stop is required to improve traffic operations and pedestrian safety at the intersection.
- f. Stop Signs – Automated Shuttle Bus Pilot Project – Regional Road 46 (Brock St Street), Town of Whitby
 - An addition to Schedule XIV is required to include a new all-way stop at the intersection of Regional Road 46 (Brock Street) at Watson Street in Whitby. This change is requested by Durham Region Transit working in collaboration with Region of Durham, Town of Whitby and other stakeholders to assist in the Automated Shuttle Bus Pilot Project.
- g. Maximum Rate of Speed – Durham Vision Zero – Regional Road 4 (Taunton Road), Municipality of Clarington
 - A change to Schedule XVI is required to extend the existing 50 km/h posted speed limit on Regional Road 4 from 230 metres east of Langmaid Road to Regional Road 34 (Courtice Road). This change is requested by Durham Regional Police Services to assist with enforcement efforts along this section of Taunton Road.
- h. Maximum Rate of Speed – Durham Vision Zero – Regional Road 5 (Myrtle Road), Town of Whitby
 - A change to Schedule XVI is required to decrease the posted speed limit from 80 km/h to 60 km/h on Regional Road 5 (Myrtle Road) from Highway 12 (Baldwin Street) to 450 metres west of Highway 12. This change is required to provide a speed transition zone approaching the traffic control signal at Highway 12 and to improve pedestrian safety within the community.
- i. Maximum Rate of Speed – Durham Vision Zero - Regional Road 7 (Island Road), Township of Scugog

- A change to Schedule XVI is required to decrease the posted speed limit from 80 km/h to 70 km/h to provide speed transition zones on sections of Island Road as identified in a recently completed safety review study.
 - (i) From Highway 7A to 200 metres north of Head Road / Portview Road; and
 - (ii) From 750 metres north of Chandler Drive / Seven Mile Island Road to 250 metres north of Pogue Road.
- j. Maximum Rate of Speed – Durham Vision Zero – Regional Road 11 (Sandford Road), Township of Uxbridge
 - A change to Schedule XVI is required to address a clerical error from By-law #62-2019 to reflect posted speed limit zone changes to the corridor.
- k. Maximum Rate of Speed – Durham Vision Zero – Durham Road 21, Township of Scugog
 - A change to Schedule XVI is required to decrease the posted speed limit from 80 km/h to 70 km/h on Durham Road 21 from 540 metres west of Marsh Hill Road (Utica) to 450 metres west of Grey Sideroad (Manchester). The change is required to provide a more uniform speed limit between the communities.
- l. Maximum Rate of Speed - Durham Vision Zero – Regional Road 23 (Mara Road), Township of Brock
 - A change to Schedule XVI is required to decrease the posted speed limit from 80 km/h to 60 km/h on Regional Road 23 (Mara Road) from 290 metres south of Concession Rd 7 to 385 metres north of Franklin Street. The change is required to provide a transition zone for vehicles entering and exiting the community.
- m. Maximum Rate of Speed – New Road – Regional Road 25 (Stellar Avenue), Town of Whitby
 - An addition to Schedule XVI is required to add a new posted speed limit of 60 km/h on Regional Road 25 (Stellar Avenue) from Regional Road 26 (Thickson Road) to Regional Road 52 (Thornton Road). Stellar Avenue is a new east-west road extension of Consumers Drive from Thickson Road to Thornton Road.

- n. Maximum Rate of Speed – New Road - Regional Road 28 (Third Concession Road), City of Pickering
- An addition to Schedule XVI is required to add a new posted speed limit on 60 km/h on Regional Road 28 (Third Concession Road) from Regional Road 1 (Brock Road) to 2.6 km west of Regional Road 1 (Brock Road). Third Concession Road was transferred to the Region of Durham from the City of Pickering in conjunction with build out of the Seaton lands.
- o. Maximum Rate of Speed – Durham Vision Zero – Regional Road 57 (Bowmanville Avenue), Municipality of Clarington
- A change to Schedule XVI is required to decrease the posted speed limit on Regional Road 57 from 80 km/h to 70 km/h along the following sections based on speed studies and the need to provide a transition zone:
 - (i) From 250 metres north of Stevens Road to Longworth Avenue; and
 - (ii) From Longworth Avenue to 950 metres south of Concession Road 4.
- p. Speed Zones in School Areas – Durham Vision Zero - Regional Road 12 (Cameron Street), Township of Brock
- A change to Schedule XX is required to address a clerical error from By-law #62-2019 to maintain the flashing school zone sign in the school zone on Regional Road 12 (Cameron Street) from 845 metres west of Brock Sideroad 18A and 1425 metres west of Brock Sideroad 18A for automated speed enforcement.
- q. Speed Zones in School Areas – Durham Vision Zero - Regional Road 37 (Finch Avenue), City of Pickering
- A change to Schedule XX is required to address a clerical error from By-law #62-2019 to maintain the flashing school zone sign in the school zone on Regional Road 37 (Finch Avenue) from 129 metres east of Dixie Road and 94 metres east of Maple Ridge Drive/Bowler Drive for automated speed enforcement.

4. Conclusion

- 4.1 The proposed amendments to Traffic and Parking By-Law #44-2006 reflect the legislative changes to traffic regulations on Regional roads, as periodically required to ensure conformance with changes in traffic management strategies and road improvements.
- 4.2 This report has been reviewed by the Legislative Services and Legal Services Divisions of the Corporate Services Department.
- 4.3 For additional information, please contact Steven Kemp, Manager, Traffic Engineering and Operations at 905-668-7711 ext. 4701.

5. Attachment

Attachment #1: Amendments to Regional Traffic and Parking By-Law #44-2006

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer

By-law Number **-2020
of The Regional Municipality of Durham

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.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That Schedule II (No Parking) be further amended by **adding** thereto the following:

Column 1 Highway	Column 2 Side	Column 3 Between	Column 5 Prohibited Times of Day	Amending By-Law Number and Date
Regional Road 46 (Brock Street)	West	Watson Street and Front Street	Anytime	

2. That Schedule XIII (Through Highways) be further amended by **deleting** thereof the following:

Column 1 Highway	Column 2 Between	Amending By- law Number and Date
Regional Road 25	The east limit of Brock Street and the west limit of Regional Road 53 (Stevenson Road)	Added by By-law 42-2008 June 18, 2008

3. That Schedule XIII (Through Highways) be further amended by **adding** thereto the following:

Column 1 Highway	Column 2 Between	Amending By- law Number and Date
Regional Road 25	The east limit of Brock Street and the west limit of Regional Road 52 (Thornton Road)	
Regional Road 25	The east limit of Regional Road 52 (Thornton Road) and the west limit of Regional Road 53 (Stevenson Road)	
Regional Road 25A	The south of limit of Regional Road 25 (Stellar Drive) and the west limit of Regional Road 52 (Thornton Road)	

Column 1 Highway	Column 2 Between	Amending By-law Number and Date
Regional Road 28	The west limit of Regional Road 1 (Brock Road) and 2.6 km west of Regional 1 (Brock Road)	

4. That Schedule XIV (Stop Signs) be further amended by **adding** thereto the following:

Column 1 Intersection of Portion of Highway	Column 2 Direction	Amending By-law Number and Date
Regional Road 12 (Cameron Street) at Laidlaw Street	Eastbound and westbound on Regional Road 12 (Cameron Street); Northbound and southbound on Laidlaw Street	
Regional Road 37 (Finch Avenue) at Rosebank Road	Eastbound and westbound on Regional Road 37 (Finch Avenue); Northbound and southbound on Rosebank Road	
Regional Road 46 (Brock Street) at Watson Street	Northbound and southbound on Regional Road 46 (Brock Street); Eastbound and westbound on Watson Street	

5. That Schedule XVI (Maximum Rate of Speed) be further amended by **deleting** thereof the following:

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 4	Taunton Road	230 m east of Langmaid Road	450 m east of Regional Road 34 (Enfield Road / Trulls Road)	50 km/h	
Regional Road 4	Taunton Road	450 m east of Regional Road 34 (Enfield Road / Trulls Road)	100 m east of Washington Road	70 km/h	Added by By-Law 22-2018 May 18, 2016
Regional Road 5	Myrtle Road	480 m east of Highfield Drive	King's Highway No. 7 and 12	80 km/h	

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 5	Myrtle Road and Raglan Road	King's Highway No. 7 and 12	Stevenson Road	60 km/h	Added by By-Law 24-2007 March 28, 2007
Regional Road 7	Island Road	King's Highway No. 7A	Hood Drive / Carnegie Beach Road	80 km/h	
Regional Road 11	Sandford Road	Regional Road 30 (York-Durham Townline)	25 m west of Lundy Drive	80 km/h	
Regional Road 21	Goodwood Road	600 m east of Regional Road 1 (Brock Road)	500 m west of Marsh Hill Road	80 km/h	
Regional Road 21	Goodwood Road	500 m west of Marsh Hill Road	400 m east of Marsh Hill Road	70 km/h	
Regional Road 21	Goodwood Road	400 m east of Marsh Hill Road	450 m west of Gray Sideroad	80 km/h	Added by By-Law 77-2017 December 13, 2017
Regional Road 23	Osborne Street, Simcoe Street, Mara Road	Thorah Concession Road 5	South side of bridge over White's Creek	50 km/h	
Regional Road 23	Mara Road	South side of bridge over White's Creek	King's Highway No. 12	80 km/h	
Regional Road 25	Consumers Drive and Champlain Avenue	King's Highway No. 401 westbound on/off ramp	Regional Road 53 (Stevenson Road)	60 km/h	Added by By-Law 42-2008 June 18, 2008
Regional Road 57	Regional Road 57	North limit of King's Highway No. 401	250 m north of Stevens Road	60 km/h	Added by By-law 42-2008 June 18, 2008

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 57	Regional Road 57	250 m north of Stevens Road	Crestview Avenue	80 km/h	Added by By-law 77-2017 December 13, 2017

6. That Schedule XVI (Maximum Rate of Speed) be further amended by **adding** thereto the following:

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 4	Taunton Road	230 m east of Langmaid Road	Regional Road 34 (Courtice Road)	50 km/h	
Regional Road 4	Taunton Road	Regional Road 34 (Courtice Road)	100 m east of Washington Road	70 km/h	
Regional Road 5	Myrtle Road	480 m east of Highfield Drive	450 m west of King's Highway No. 7 and 12	80 km/h	
Regional Road 5	Myrtle Road and Raglan Road	450 m west of King's Highway No. 7 and 12	Stevenson Road	60 km/h	
Regional Road 7	Island Road	King's Highway No. 7A	200 m north of Head Road / Portview Road	70 km/h	
Regional Road 7	Island Road	200 m north of Head Road / Portview Road	750 m north of Chandler Road / Seven Mile Island Road	80 km/h	
Regional Road 7	Island Road	750 m north of Chandler Road / Seven Mile Island Road	250 m north of Pogue Road	70 km/h	

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 7	Island Road	250 m north of Pogue Road	Hood Drive / Carnegie Beach Road	80 km/h	
Regional Road 11	Sandford Road	Regional Road 30 (York- Durham Townline)	25 m east of Lundy Drive	80 km/h	
Regional Road 21	Goodwood Road	600 m east of Regional Road 1 (Brock Road)	540 m west of Marsh Hill Road	80 km/h	
Regional Road 21	Goodwood Road	540 m west of Marsh Hill Road	450 m west of Gray Sideroad	70 km/h	
Regional Road 23	Osborne Street, Simcoe Street, Mara Road	Thorah Concession Road 5	385 m north of Franklin Street	50 km/h	
Regional Road 23	Mara Road	385 m north of Franklin Street	290 m south of Concession Road 7	60 km/h	
Regional Road 23	Mara Road	290 m south of Concession Road 7	King's Highway No. 12	80 km/h	
Regional Road 25	Consumers Drive and Stellar Drive	King's Highway No. 401 westbound on/off ramp	Regional Road 52 (Thornton Road)	60 km/h	
Regional Road 25	Champlain Avenue	Regional Road 52 (Thornton Road)	Regional Road 53 (Stevenson Road)	60 km/h	
Regional Road 25A	Champlain Avenue	Regional Road 25 (Stellar Drive)	Regional Road 52 (Thornton Road)	60 km/h	
Regional Road 28	Third Concession Rd	Regional Road 1 (Brock Road)	2.6 km west of Regional Road 1 (Brock Road)	60 km/h	
Regional Road 57	Bowmanville Avenue	North limit of King's Highway No. 401	Longworth Avenue	60 km/h	

Column 1 Regional Road Number	Column 2 Local Name(s)	Column 3 From	Column 4 To	Column 5 Maximum Rate of Speed	Amending By-law Number and Date
Regional Road 57	Bowmanville Avenue	Longworth Avenue	950 m south of Concession Road 4	70 km/h	
Regional Road 57	Bowmanville Avenue and Regional Road 57	950 m south of Concession Road 4	Crestview Avenue	80 km/h	

7. That Schedule XX (Speed Zones in School Areas) be further amended by **adding** thereto the following:

Column 1 Highway	Column 2 Between	Column 3 Time of Day	Amending By-law Number and Date
Regional Road 12 (Cameron Street)	845 m west of Brock Sideroad 18A and 1425 m west of Brock Sideroad 18A	When indicated by flashing signals on school zone limit official sign	Added by By-law 60-2007 October 10, 2007 Deleted by By-law 62-2019 December 18, 2019
Regional Road 37 (Finch Avenue)	129 m east of Dixie Road and 94 m east of Maple Ridge Drive / Bowler Drive	When indicated by flashing signals on school zone limit official sign	Deleted by By-law 62-2019 December 18, 2019

This By-law Read and Passed on the -----th day of -----, 2020.

John Henry, Regional Chair and CEO

R. Walton, Regional Clerk



The Regional Municipality of Durham Report

From: Chief Administrative Officer
Report: #2020-COW-8
Date: April 29, 2020

Subject:

Update on Ontario's Flood Management Strategy

Recommendations:

- A) That Regional Council receive this update for information; and
 - B) That Regional staff be directed to prepare a more detailed report to Regional Council on Ontario's Flooding Strategy and its impacts on the Region, once the COVID 19 emergency ends.
-

Report:

1. Purpose

- 1.1 This report briefly outlines Regional actions to prepare for the 2020 flood season and provides an update on the action the Province has taken in response to severe flooding that occurred in Ontario in 2019. It summarizes:
 - a. the key findings of the Special Advisor on Flooding released in Fall 2019; and
 - b. the subsequent flooding strategy released March 10, 2020 by the Province of Ontario entitled: Protecting People and Property: Ontario's Flooding Strategy.

2. Regional 2020 Flood Preparations

- 2.1 In preparation for the 2020 flood season, Durham Emergency Management (DEM) is in regular contact with our five conservation authorities to track and respond to flood risk in the Region.

- 2.2 Record-setting water levels from Lake Erie combined with high flows from the Ottawa River are resulting in conditions that could result in flooding on Lake Ontario. Lake Ontario water levels also are above average for this time of year. According to CLOCA, shoreline flooding is already possible when coupled with wave action or storm surge.
- 2.3 Regional Works staff are monitoring potential impacts on roads, water supply and water pollution control plants and other facilities that have been affected in the past or could be affected by high water levels or wave action. Some precautionary measures to reduce impacts have already been taken at site specific locations.
- 2.4 Regional staff are working with the Intact Centre on Climate Adaptation to design and deliver a virtual webinar to Durham Region residents in Spring 2020 to help them with home flood preparedness (pre-flooding) and emergency preparedness during a flooding event.

3. Background – Summary of Special Advisor Report

- 3.1 Severe flooding affecting households, businesses and infrastructure occurred in various areas of Ontario during the spring and summer of 2019. Emergency declarations were made by 23 municipalities and one First Nation. The Great Lakes also have experienced some of the highest water levels in decades putting people and shoreline properties at risk.
- 3.2 The Province responded by consulting across Ontario on its flood mitigation and land use planning policies. They first held “listening sessions” in areas directly impacted by devastating flooding, including Muskoka, Pembroke and Ottawa. Later they broadened the consultation with an online survey from May 16 to June 28, 2019. The Special Advisor on Flooding was appointed in July 2019 to assess the flood management efforts that had occurred in Spring 2019. His role also was to provide expert advice on ways to improve Ontario’s flood policy framework and response, including the Great Lakes and urban flooding. His report was released November 28, 2019.
- 3.3 The Advisor worked with provincial staff and agencies, conservation authorities and municipalities to review and understand the workings of legislation, regulation, policy frameworks and technical guidance related to flood plains, shorelines, emergency management and land use planning in Ontario.

- 3.4 He also toured communities affected by the 2019 flooding including Ottawa, Pembroke, North Bay, Toronto, Muskoka, Huntsville, Cambridge, Brantford, Port Stanley and London. He met with MPPs, provincial ministers, the International Joint Commission¹, the Insurance Bureau of Canada, the Intact Centre on Climate Adaptation, and representatives from the Association of Municipalities of Ontario (AMO), the Electric Safety Authority and the Regional Public Works Commissioners among others.
- 3.5 The [Advisor's Report](#) summarizes the watershed and weather conditions that contributed to serious flooding in 2019 Ontario-wide and in the affected watersheds such as temperature change, snowpack, runoff, frozen soils, and amount of precipitation.
- 3.6 The Advisor describes key characteristics of the watersheds. He distinguishes between the riverine and lake flooding related to spring melt conditions and the pluvial (intense, rain-related) flooding that occurs primarily in urban areas where runoff is rapid, and stormwater and sewage systems are overwhelmed.
- 3.7 He notes that with a changing climate we should no longer rely on “an analysis of data from the past to predict the magnitude of future hydrological events” (p.32).
- 3.8 The Report describes the complex array of legislation, policies, governance, funding and emergency response arrangements that apply to the management of water, watersheds and flooding in Ontario. These vary considerably across the Province.
- 3.9 The Advisor concludes that in the case of the 2019 flooding “nothing points to human error or the negligent operation of water control structures as the cause of the flooding” (p.4). He also notes that, without the measures taken, the flooding would have been worse.
- 3.10 He found that most of the organizations charged with managing flood situations fulfilled their prescribed roles and directions in 2019. However, many of the applicable policies, processes and standards and flood plain mapping that provide the basis for decision-making and action have not been updated in more than a decade. Some date from the last century. Collaboration and communication among the stakeholder organizations and the public could be improved.

¹ The International Joint Commission is a bi-national organization established by the governments of Canada and the U.S. to co-operate in the protection of shared waters.

- 3.11 He also notes that the basis for forecasting, managing and responding to flooding has not been kept up to date, nor reviewed or expanded in response to information about climate change or increasing development pressures in some areas.
- 3.12 A foundation of Ontario's flood management policy is to keep people and property out of harm's way through land use planning mechanisms. Floodplain mapping is the basis for reviewing applications and approving/denying development proposals near watercourses or shorelines.
- 3.13 In Chapter 6, the Special Advisor identifies key gaps in the Province's flood management regime:
- Gaps in policy and technical guidance;
 - Significant gaps in the provincial emergency management program, policies and standards as previously identified in the 2017 Report of the Ontario Auditor General.
 - Out of date floodplain and flood risk mapping.
 - Unclear roles, responsibilities and accountabilities with respect to the management of flooding and other natural hazards.
 - Conflicting policies related to prevention vs mitigation and prevention-based vs risk-based approaches.
 - Lack of policy to prevent/mitigate urban flash flooding caused by intense rainfall events that overwhelm the available storm drainage system, often unrelated to riverine flooding.
 - Lack of funding for permanent works/infrastructure.
 - Lack of investment in monitoring, data management, flood forecasting and warning systems to support preparedness.
 - Need to update the capacity and processes used by Emergency Management Ontario to best practice standards, improve their support and communications to municipalities and emergency management partners.
 - Need to review and rationalize eligibility, allocation and delivery of disaster recovery assistance to municipalities and individuals, including consideration of "build back better" and buy-out/relocation programs where appropriate.
 - Need for a dialogue with the insurance industry and federal government regarding the availability of flood insurance to Ontarians.
 - Need to assist municipalities whose landfill capacity is significantly impacted by dealing with flood waste materials.

- 3.14 Finally, the Advisor deals specifically with the fiscal pressures and capacity issues that appear to be limiting the efficiency and effectiveness of Ontario's water and flood management policies and processes noting on page 145:
- Concerns have been raised about declining budgets, staffing and expertise at Ministry of Natural Resources and Forestry (MNRF) to support the provincial hazard management policies.
 - Reliance on conservation authorities to deliver delegated functions reduces costs to MNRF but increases costs to conservation authorities (CAs) and municipalities that fund them.
 - Huge differences exist in the fiscal and staff capacity of large and small conservation authorities to support hazard management policy objectives.
 - Differences also exist in the capacity of municipalities to implement natural hazard policies outlined in the Provincial Policy Statement (PPS) and manage flooding.
- 3.15 The Special Advisor stated that the costs of updating floodplain mapping and acquiring data are prohibitive for most municipalities. He also noted that most of the updated floodplain mapping in the 2015 to 2019 period had been jointly funded by the municipal and federal governments in the range of \$81 million dollars. There is no mention of provincial contributions over that period.
- 3.16 The Report includes 66 recommendations to the Province and other responsible parties to address significant gaps in mapping and communication and to improve flood management and response in Ontario.

4. Background - Provincial Flooding Strategy

- 4.1 In response to the Flood Advisor's report, on March 10, 2020 the Province released Protecting People and Property: Ontario's Flooding Strategy.
- 4.2 This 40-page document lists seven principles:
- a. Local governments hold the primary responsibility for identifying and managing flood risks.
 - b. Provincial and federal governments must play a key role in supporting local decision making.
 - c. Local decisions on managing flood risk should be based on the latest data and science
 - d. The most cost effective, sustainable way to reduce risk is to keep people and property out of high-risk areas.

- e. Where development exists, systems must be in place to support effective early warning and emergency response.
- f. Recovery efforts should incorporate build back better to reduce future impacts.
- g. Risks should be managed collaboratively by governments, conservation authorities, industry, landowners and indigenous communities.

4.3 The strategy identifies five priorities and related actions including:

Priority 1: Understanding flood risks

- a. Action: Enhance flood mapping to provide clear, defensible survey and mapping standards for flood and other water related hazards. This is the basis for decision making by municipalities and CAs to direct development away from hazardous flood plains. This mapping is also vital to agencies monitoring and forecasting flooding and planning flood response by:
 - establishing a multi-agency flood mapping technical team (federal, provincial, municipal, conservation authority and academia)
 - developing a multiyear approach to updating flood mapping
 - maintaining flood related foundational geospatial data
 - establishing a Provincial elevation mapping program (LiDAR)
 - updating provincial standards for flood mapping
- b. Action: Increase Public Awareness and education by
 - increasing Access to Flood-related Information
 - increasing transparency around water management decisions

Priority 2: Strengthening governance of flood risks by:

- a. Action: Clarifying roles and responsibilities in identifying natural hazards
- b. Action: Clarifying urban flooding roles and responsibilities
- c. Action: Promote sound land use planning decision including:
 - updating the Provincial Policy Statement
 - updating the existing technical guidelines
 - reviewing policy and ideological approaches of existing guidance
 - maintaining wetlands and pervious surface
 - enhancing the resiliency of provincial infrastructure and other built form
 - update existing policy, legislative and regulatory requirements

Priority 3: Enhance flood preparedness

- a. Action: Enhance flood forecasting and early warning including:
 - maintain flood forecasting and warning
 - enhance flood forecasting and warning
 - enhance science and research
- b. Action: Enhance use of satellite imagery
 - maintain Ontario's Road Weather Information System (511 website)

Priority 4: Enhance flood response and recovery

- a. Action: Enhance emergency response including:
 - enhance emergency response activities
- b. Action: Review Disaster Recovery Assistance including:
 - reviewing the results of the Municipal Disaster Recovery Assistance Pilot Climate Resilience Incentive
 - reviewing the Implementation of Disaster Recovery Assistance for Ontarians for Spring 2019
 - supporting the development of Federal Flood Insurance and Relocation Programs

Priority 5: Invest in flood risk reduction

- a. Action: Secure funding for flood risk reduction by leveraging existing funding programs (e.g. Ontario Community Infrastructure Fund), by continuing to provide funding to CAs related to flooding and natural hazards, and by encouraging expansion of the Federal Disaster Mitigation and Adaptation Fund and National Disaster Mitigation Program

5. Preliminary Analysis of Ontario's Flooding Strategy

- 5.1 Given the COVID 19 emergency, Regional staff have not yet been able to thoroughly review Ontario's Flooding Strategy, released on March 10, 2020, to assess the potential impacts on Regional operations and practices. Nor have staff been able to consult with key local planning and infrastructure partners: local area municipalities and conservation authorities. While this report provides some preliminary comments below, Regional staff recommends preparing a more thorough analysis as time permits.

- 5.2 The Province is commended for advancing the flooding strategy in a timely way in response to the Special Advisor's Report. Many of the actions outlined in the strategy align with directions the Region has set out in the Durham Community Climate Adaptation Plan, our asset management plans, and other guiding documents.
- 5.3 Regional staff strongly support many initiatives suggested by the Special Advisor. Ontario's Flooding Strategy responds to many of the Advisor's recommendations with activities to "explore", "evaluate" and "encourage" improvements to the flood management system. There are some commitments to continue current investments. Overall, the flooding strategy lacks timelines, accountability and provincial funding commitments for the improvements and actions outlined.
- 5.4 The strategy emphasizes the shared responsibility to identify and manage flood risks and events by various governments and agencies and the need for collaboration. Durham Region already contributes substantially to the operation of conservation authorities. In 2020, this amounts to almost \$8.4 million, up 2.1% from 2019, to support watershed management activities by the five Durham Region conservation authorities. Across Ontario, municipal contributions represent about 53% of the revenue of the conservation authorities. In contrast, the provincial contribution represents only 8% of CA revenue province wide. A provincial expectation of greatly increased municipal financial support for CAs may be unrealistic.
- 5.5 Durham Region also has completed climate change modelling for the Region to 2050 and developed the Durham Community Climate Adaptation Plan. This plan and related workplans identify areas with flood risk and recommend mitigation measures. The CAs are key partners in implementing this plan.
- 5.6 In February 2020, Durham Regional Council declared a climate change emergency and committed to accelerating implementation of the adaptation plan including those measures that deal with flood risk.

6. Conclusion

- 6.1 The Special Advisor's Report thoroughly identifies the strengths and weaknesses of Ontario's flood management regime and makes specific recommendations for improvement. Ontario's Flooding Strategy is intended to "address and build upon the Advisor's recommendations". Municipalities and conservation authorities are identified as a key implementation partners for the strategy.
- 6.2 This report provides some preliminary comments on Ontario's Flooding Strategy. However, preparation of a more detailed report to Council on Ontario's Flooding

Strategy is recommended once the current emergency ends. This report would include a more thorough examination of the implications of the Strategy for Regional operations and identify opportunities for the Region to share expertise and best practices with the Province to advance flood management policy and practice.

6.3 For additional information, contact: Ian McVey, Manager of Sustainability, at 905-668-7711, extension 3803.

Prepared by: Christine Drimmie, Manager, Strategic Initiatives, at 905-668-7711, extension 2029.

Respectfully submitted,

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Corporate Services
Report: #2020-COW-10
Date: April 29, 2020

Subject:

Approval by Regional Council of Memorandum of Understanding between Durham Region Provincial Offences Court and Oshawa courthouse to have reciprocal use of each others' facilities during a local emergency.

Recommendation:

- A) That Regional Council approve the Memorandum of Understanding ("Memorandum") between the Ministry of the Attorney General Court Services Division - Oshawa courthouse ("Attorney General"), and the Durham Region Provincial Offences Court ("Provincial Offences Court") agreeing that each party has reciprocal use of the other party's primary location as an Alternate Site Delivery Location ("Alternate Site") during a local emergency.
 - B) That Regional staff be directed to execute such documents and carry out such tasks as may be required to implement the terms of the Memorandum.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Regional Council's approval of the Memorandum between the Attorney General and the Provincial Offences Court (Attachment #1), agreeing that each party has reciprocal use of the other party's respective primary location as an Alternate Site during a local emergency.

2. Background

- 2.1 Under the Emergency Management and Civil Protection Act, 2006 all ministries must have a plan to continue operations and services in case of emergencies.
- 2.2 Part of the plan must be to have an Alternate Site where critical services can continue if the primary ministry site is inaccessible during an emergency.
- 2.3 Therefore, the Attorney General and Provincial Offences Court want to enter into a Memorandum by which each party has reciprocal use of the other party's primary location as an Alternate Site in case of a local emergency impacting one site only.
- 2.4 The Memorandum allows for reciprocal use at no additional cost to either party of courtrooms, hearing rooms, meeting rooms, and office space when possible, as well as operational resources (telephones, printers, computers, supplies, etc.).
- 2.5 The use of the Attorney General's court facilities as a no cost Alternate Site will potentially result in significant cost savings for Durham Region in case of an emergency, as otherwise Durham Region would be required to arrange for leased facilities on an emergency basis in another facility.
- 2.6 The Memorandum can be terminated on 60 days written notice.

3. Conclusion

- 3.1 It is recommended that the Finance and Administration Committee recommend to Regional Council the approval of the Memorandum between the Attorney General and the Provincial Offences Court, agreeing that each party has reciprocal use of the other party's primary location as an Alternate Site during an emergency.
- 3.2 It is further recommended that the Finance and Administration Committee recommend to Regional Council that staff be directed to execute such documents and carry out such tasks as may be required to implement the Memorandum.

4. Attachments

Attachment #1: Memorandum of Understanding between: Ministry of the Attorney General Court Services Division, Lte. Col Samuel Sharpe, D.S.O., M.P. Courthouse, 150 Bond St., Oshawa Ontario and Provincial Offences Court – City of Whitby, 605 Rossland Rd E., Lower Level, Whitby Ontario

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



Memorandum of Understanding between:

**Ministry of the Attorney General Court Services Division
 Lte. Col. Samuel Sharpe, D.S.O., M.P. Courthouse
 150 Bond Street, Oshawa Ontario**

and

**Provincial Offences Court - City of Whitby
 605 Rossland Road E, Lower Level, Whitby Ontario**

1.0 Legislative Responsibilities

Under the *Emergency Management and Civil Protection Act, 2006* all ministries are responsible for the formulation of emergency plans in respect of any emergency that affects the continuity of operations and services in their respective ministries¹.

It is recognized that ministries require Alternate Site Delivery Locations (ASDL) whereby services critical to ministry operations can continue if the primary Ministry site is inaccessible during an emergency.

It is therefore desirable that the Parties (MAG and POC) enter into a Memorandum of Understanding setting forth the framework by which the parties agree to reciprocal use of the party's respective primary locations as Alternate Site Delivery Locations (ASDL) to the other party.

2.0 Current Primary Location

2.1 MAG Primary Location:

150 Bond Street East. Oshawa, Ontario L1G 0A2

2.2 POC Primary Location:

605 Rossland Road E, Lower Level, Whitby Ontario L1N 6A3

3.0 Alternate Site Delivery Locations

¹ *Emergency Management and Civil Protection Act, 2006*

It is understood that the Parties have agreements in place for other alternate locations. MAG has agreements in place for two other Alternate sites based on the radius of the area of impact of an emergency affecting MAG's Courthouse at 150 Bond Street E, Oshawa.

4.0 Reciprocal Agreement

The MAG Court Services Division (Lte. Col. Samuel Sharpe, D.S.O., M.P. Courthouse) and the Durham Region - Provincial Offences Court, agree, at no additional cost to either party, to the reciprocal use of their site, hearing rooms, courtrooms and any other available space, when possible, to the other's court location in cases of localized emergencies that affect one location but do not extend to, or impact on, the other.

5.0 Provision of Resources (Attached hereto as Appendix B)

5.1 Provision of General Resources

The following resources will generally be provided at the location for the purposes of continuing program delivery in the event of an emergency:

- access to operational resources (i.e. ICON, DFCC, photocopiers, telephones, printers, fax, work space, computers, scanner, etc.);
- adequate space for meetings/operational briefings, courtroom(s), chambers;
- access to kitchen facilities, fridge, micro-wave, coffee, water;
- secure storage area for pre-positioned continuity kits and vital records/information; and
- general supplies.

5.2 Provision of Additional Resources

Additionally, the Host location will provide:

- temporary access (e.g. access cards) to the location; and
- access to information and equipment to assist the visiting site's Representatives in familiarization with the Host locations equipment, layout and basic operations.

6.0 Activation Protocol

Both Parties agree to provide to the other updated emergency contact information for activation requests, indicating which staff member(s) to call and in what order. (Attached hereto as Appendix A)

6.1 Activation of the Host Site: (during business hours)

The Parties agree to follow the established protocol for activation of the Host location. Upon receiving an activation request, the Host location will immediately advise the Requesting/Visiting site as to whether the location is available for use. Once confirmed, the Host location will make necessary logistical arrangements, including arranging for access cards to

the location and initiate activating workstations in advance of the arrival of visiting staff.

At the time of the initial request, the Requesting/Visiting site will provide the following information:

- requested time/date of ASDL activation;
- anticipated duration of ASDL activation;
- list of visiting ministry/Durham Regional staff anticipated to arrive at Host ASDL; and
- special provisions requested.
- Security requirements

7.0 Non-Business Hour Notification

Although this agreement is not intended for 24/7 activation there may be times when either party may be notified during non-business hours that they will not be able to access their building the next working day.

7.1 Non-Business Hour Definition

For the purposes of this memorandum, non-business hours are defined as 6:00 am to 8:30 am and between 5:00 pm and 11:00 pm.

7.2 Non-Business Hour Notification

During non-business hours, the Requesting/Visiting Site will use the emergency contact information as provided. (Appendix A)

8.0 ASDL Management Responsibilities

8.1 Requesting/Visiting Site

The Site shall be responsible for the overall management of its ASDL representatives.

8.2 Host Site

In addition to the provision of resources indicated in section 5.0, the Host Site may wish to extend their support to the Requesting/Visiting Site's ASDL operations at the discretion of the Host Site.

9.0 Precedence of Operations

The Parties mutually acknowledge that their respective emergency operational requirements take precedence. In such cases, the Parties acknowledge that alternate space must be sought by the Requesting/Visiting site and is the responsibility of the Requesting/Visiting site.

Depending on the nature and scope of the emergency, the Host location may be unavailable for the Requesting/Visiting site's use as an ASDL. This may include:

-
- Emergency event(s) that impact the Host location directly, leaving it inaccessible; or
 - Emergency events that require activation of the Host's ASDL.

10.0 MOU Amendments and Termination

This Memorandum of Understanding continues in effect until amended, in writing, by both Parties or until terminated, in writing, by either party upon 60 days notice

11.0 Approval

This Memorandum of Understanding between Ministry of the Attorney General, Court Services Division (Lte. Col. Samuel Sharpe, D.S.O., M.P. Courthouse) and the Durham Region - Provincial Offences Court, for the reciprocal use of their location as an Alternate Site Delivery Location (ASDL) has been reviewed by the Manager of Court Operations, MAG and the Manager of the Provincial Offences Court.

Signature
Don Beaton
Commissioner of Corporate Services
Regional Municipality of Durham

Date

Signature
Rebekah McNeill
Manager of Court Operations, Lte. Col. Samuel Sharpe D.S.O., M.P. Courthouse
Ministry of the Attorney General

Date

Appendix “A”:

150 Bond Street, Oshawa

Supervisor of Court Operations				
	Name	Title	Primary Phone	Alt. Phone
Alt. 1	Rebekah McNeill	Manager, Court Operations	905-743-2626	647-669-9450
Alt. 2	Robin Lenehan	Supervisor, Court Operations	905-743-2643	289-356-6599
Alt. 3	Kim Skyers	Supervisor, Court Operations	905-743-2641	905-441-5584
Alt. 4	Julie Legassicke	Supervisor, Court Operations	905-743-2631	905-431-3336
Alt. 5		Supervisor, Court Operations		

605 Rossland Street East, Whitby

Supervisor of Court Operations				
	Name	Title	Primary Phone	Alt. Phone
Alt. 1	George Bazios	Manager, Court Operations	905-668-3130 X3575	289-928-4476 George.Bazios@Durham.ca
Alt. 2	Tanya Mason	Supervisor, Court Operations	905-668-3130 X 3587	289-404-8552 Tanya.Mason@Durham.ca
Alt. 3	Stephen Dimanno	Supervisor, Court Operations	905-668-3130 X3573	289-830-1404 Stephen.Dimanno@Durham.ca

Appendix “B”:

605 Rossland Street East, Whitby

Infrastructure and Inventory List

- Two cells – including off load area and police secured area
- Cell block with access to courtroom
 - Unsecured Loading area available (This location has no sallyport)
- Counter – 1 wicket
- Courtroom - 101
- Judicial Official Chambers/Offices
- Exhibit cabinet (locks) – documents only
- Access to Icon
- Boardroom (available as potential CEMT gathering location)

Other

- 24 hour building security
- Judicial Secured Parking (This location does not have secured judicial parking. Just designated spots)
- Wandering station – To be provided by MAG

150 Bond Street, Oshawa

Infrastructure and Inventory List

Infrastructure and Inventory List

- Two cells – including off load area and police secured area
- Cell block with access to courtroom
- Counter – 1 wicket
- Courtroom – (TBD)
- Judicial Official Chambers/Offices
- Exhibit cabinet (locks) – documents only
- Access to Icon/Printers
- Boardroom (available as potential CEMT gathering location)
- Two interview rooms outside the courtroom off the courtroom corridor for Durham Region Prosecution use.

Other

- 24 hour building security
- Judicial Secured Parking
- Wandering station – To be provided by MAG



The Regional Municipality of Durham Report

To: The Committee of the Whole
From: Commissioner of Finance
Report: #2020-COW-11
Date: April 29, 2020

Subject:

Indexing of Regional Development Charges

Recommendations:

That the Committee of the Whole recommends to Regional Council:

- A) That the scheduled indexing (for July 1, 2020) of residential and non-residential development charges under Development Charge (DC) By-law No. 28-2018 (Regional Residential and Non-residential Development Charges) and No. 81-2017 as amended (Regional Transit Development Charge) be waived for the one year period of July 1, 2020 to June 30, 2021, subject to the necessary public process and subsequent Regional consideration on June 24, 2020;
- B) That in order to waive the indexing of Regional development charges, the public process to amend the applicable development charge by-laws be authorized as follows:
 - a) The Statutory Public meetings of Regional Council, as required by the Development Charges Act, 1997 be held on May 27, 2020, in the Regional Council Chambers at the beginning of the regular Regional Council meeting to consider the above proposed amendments to Development Charge By-law No. 28-2018 and No. 81-2017 (approval of the amending By-laws by Regional Council is scheduled for June 24, 2020);
 - b) The proposed Regional Development Charge Amending By-laws and Background Studies as required by the Development Charges Act, 1997 will be made available upon request from the Regional Clerk's Department at no charge and will be posted on the Region's website, commencing April 24, 2020; and

- c) Staff be authorized to place appropriate notification in newspapers of sufficiently general circulation in Durham Region and the Regional website setting forth the date, time, location and purpose of the Statutory Public Meetings and the date and contact for the release of the proposed Development Charge By-law amendment and Background Studies.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to advise of the public process underway to permit Council to consider on June 24, 2020 the necessary amendments to permit the waiver of the annual indexing, if a positive increase, scheduled for July 1, 2020 of Regional and Regional Transit Development Charges (DC) under By-law No.28-2018 and No. 81-2017, due to the economic uncertainties related to the COVID-19 pandemic.

2. Background

- 2.1 There are four Regional DC By-laws (No. 28-2018, No. 81-2017, No. 38-2019 and No. 86-2001) that contain a provision that the prevailing Regional DCs be adjusted annually, without amendment to those by-laws, as of the 1st day of July in accordance with the Statistics Canada Non-residential Building Construction Price, for the most recently available annual period ending March 31:
- Regional DC By-law No. 28-2018 (water, sewer, roads and soft services);
 - Regional Transit DC By-law No. 81-2017;
 - Seaton Water Supply and Sanitary Sewerage Area Specific DC By-law No. 38-2019; and
 - GO Transit Service DC By-law No. 86-2001.
- 2.2 The indexing for Regional By-law No. 86-2001 (GO Transit Service DC By-law) is limited to a maximum of 3 per cent, as per section 18 of that by-law.

3. Economic Uncertainties

- 3.1 Given the current economic conditions and future uncertainties related to the COVID-19 pandemic, it is anticipated there will be a significant impact on the residential and non-residential construction industry and related employment (skilled tradespersons, local restaurants, material suppliers etc.).
- 3.2 There is an opportunity for Regional Council to consider waiving the pending July 1, 2020 development charge indexing, in order to provide some relief for the local development and building industry during these uncertain times.
- 3.3 Given the time requirements of the legislated public process for an amendment to the DC by-law, staff have begun the public process with the release of the necessary Background Studies. By initiating the public process, Council will have fulfilled the

legislated requirements in order to consider such an action with a Public Meeting during the May Council meeting and the final recommendations at the June Council meeting.

- 3.4 While, it is proposed that the scheduled indexing (for July 1, 2020) of residential and non-residential development charges under DC By-law No. 28-2018 (Regional Residential and Non-residential Development Charges) and No. 81-2017 (Regional Transit Development Charge) be waived for a period of one year (until July 1, 2021), the waiving of the indexing of the remaining DC By-laws (By-law No. 38-2019 and 86-2001) on July 1, 2020 are not being proposed for the following reasons:

- The Seaton Water Supply and Sanitary Sewerage Area Specific DC By-law (No. 38-2019) requires indexing to ensure the appropriate development charge credits are applied to the landowners who upfronted the capital costs for this service area under the Seaton Front-Ending Agreement; and
- The GO Transit Development Charge By-law (No. 86-2001) is not being amended as the revenue generated from this by-law is collected on behalf of the Province to fund Durham's share of GO Transit Capital Costs.

4. Revenue Impacts

- 4.1 Indexing of the applicable by-laws for July 1, 2020 is based on the Statistics Canada Non-residential Building Construction Price Index for the 12 month period ending March 31, 2020. This is not released until mid-May by Statistics Canada.
- 4.2 Therefore, it is difficult to estimate the potential foregone revenue for the period July 1, 2020 to June 30, 2021 from waiving the scheduled July 1, 2020 indexing. The estimate of foregone revenue is also dependent on the level of residential and non-residential activity during this time period which is difficult to predict. However, based on recent activity in the Non-residential Building Construction Price Index, staff have estimated the potential forgone revenue at \$3.5 to \$4.5 million.
- 4.3 Staff will be preparing a report for the Public Meeting on May 27, 2020. An updated estimate of the potential foregone revenue will be provided in that report, as the indexing factor should be known prior to the preparation of that report.

5. Impact of Future Capital Program

- 5.1 Indexing for the known inflationary price increases related to capital projects ensures that the Region continues to recover growth related costs through its development charges at prevailing cost levels required to fund capital investments in water, sewer, roads and other services.
- 5.2 The recommendation to waive indexing of the Regional development charges will result in lower development charge receipts in 2020 and 2021. However, this will not result in a financial shortfall for the 2020 capital program. The long-standing Regional Financing Policy is to fund the current capital program from the prior year's development charge reserve fund balance. Therefore, the 2020 capital program for water, sewer and roads was funded from the reserve fund balances as of December

31, 2019 and thus are not dependent on the 2020 development charge receipts.

- 5.3 The lower development charge receipts in 2020 and 2021 will have an impact on the 2021 and later growth-related capital program, therefore, the future growth-related capital program will be adjusted to match the reduced development charge funding. That is, some capital projects may be deferred due to decreased development charge receipts which could delay development.

6. Requirements of DCA, 1997 and Associated Regulations RE: Public Process

Public Process

- 6.1 The DCA, 1997 and associated regulations require that Regional Council hold at least one public meeting to receive public representation on the proposed amending by-laws and background studies.
- 6.2 The required public meeting is recommended to be held at the beginning of the Regional Council meeting on May 27, 2020 in the Regional Council Chambers. In addition, the Regional Council Meeting scheduled for June 24, 2020 will consider the final amending by-laws.

Notice of Public Meeting

- 6.3 Regional Council is required to give at least 20 days notice of a public meeting. Therefore, the Regional Clerk will by May 6, 2020, advertise a notice in newspapers of sufficient general circulation in Durham Region and on the Regional web-site, the date, time, location and purpose of the Statutory Public Meeting and the date and contact for the release of the proposed amending by-laws and background studies.

Release of Proposed Amending By-laws and Background Studies

- 6.4 Further, the DCA, 1997 and associated regulations require that the proposed amending by-laws and background studies be made available to the public at least two weeks prior to the public meeting and 60 days prior to the passing of the amending Development Charge By-laws. Accordingly, the proposed amending by-laws and Background Studies will be available on the Regional website and from the Regional Clerk's office at no charge upon request as of April 24, 2020.

Public Input

- 6.5 The statutory public meeting of Council will be on May 27, 2020. Normally, the public meeting permits public representations related to the proposed by-law from any person who attends the meeting, as required under the DCA, 1997 and associated regulations. However, in light of the COVID-19 pandemic and the Provincial Emergency Order prohibiting any public gatherings of five or more people, the Region of Durham will not be allowing the public into the Council Chambers. Members of the public can speak via teleconference during the meeting. Interested parties can also submit written correspondence via email directly to the Regional Clerk or can mail comments to the Regional Clerk.

- 6.6 The public submissions, both at the public meeting and those received in writing will be considered by staff in preparing the final amending by-laws, which will be presented to Regional Council on June 24, 2020.

7. Time Frame for Regional Development Charge Amendment Review

- 7.1 Figure 1 provides the timing of the necessary actions to amend By-law No. 28-2018 and No. 81-2017.

Figure 1
Schedule of Dates for the Region of Durham
DC By-law Amendment Process

1.	Background studies and proposed by-law available to public on the Region's website	April 24, 2020
2.	Public Meeting Ad placed in newspapers	By May 6, 2020
3.	Public Meetings of Council	May 27, 2020
4.	Final Date for Public Comment	June 1, 2020 5:00 pm
5.	Consideration of Final Amending By-laws	June 24, 2020
6.	Newspaper and other notice given of by-law passage	By 20 days after passage of by-law
7.	Last day for by-law appeal	40 days after passage of by-law
8.	Region makes available pamphlet (where by-law not appealed)	By 60 days after in-force date

8. Conclusion

- 8.1 It is recommended that Council consider the waiver of the July 1, 2020 indexing of the Regional and Regional Transit development charges under By-law No. 28-2018 and No. 81-2017 with a Public Meeting to consider the matter at the May Council meeting and final recommendations to be considered at the June meeting.
- 8.2 The one-time waiving of the development charge indexing, if a positive increase, will assist the development and construction sectors during these uncertain times and help promote these economic sectors within the local Durham communities.

8.3 This report has been reviewed by staff of the Works, Legal and Planning and Economic Development Departments who concur with the above recommendations.

Respectfully submitted,

Original Signed by Nancy Taylor

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by Elaine Baxter-Trahair

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner & Medical Officer of Health, Commissioner of Finance and
Commissioner of Works
Report: #2020-COW-12
Date: April 29, 2020

Subject:

Oral Health Clinic Relocation and Expansion to Meet the Needs of the Ontario Seniors
Dental Care Program

Recommendations:

That Regional Council:

- A) Authorize Works Department staff to finalize a lease agreement with 2381502 Ontario Inc., o/a Midtown Centre for approximately 9,000 square feet of space at 200 John Street Oshawa to relocate the Oral Health Division, including the Oral Health Clinic and staff office space in order to accommodate the Ontario Senior's Dental Care Program, prior to approval from the Province for funding for the capital costs related to the Ontario Seniors Dental Care Program;
 - B) Authorize staff to begin the capital work to relocate and expand the Oral Health Clinic from 1615 Dundas Street E., Whitby to 200 John Street, Oshawa at an estimated total cost of \$2.3 million in advance of receiving Provincial funding approval and that any required Regional financing be provided at the discretion of the Commissioner of Finance;
 - C) Authorize the Commissioner of Finance to execute any necessary funding or contract agreements subject to the review and concurrence of the Regional Solicitor; and
 - D) Authorize the Regional Chair and Clerk to execute all documents associated with the lease agreement.
-

Report:

1. Purpose

- 1.1 This report seeks approval to finalize a lease agreement with 2381502 Ontario Inc., o/a Midtown Centre, the owners of 200 John St. W in Oshawa, to meet the pending

service demands of the Ontario Senior's Dental Care Program (OSDCP) prior to receiving Provincial funding approval for the capital costs estimated at \$2.3 million for the relocation of the Oral Health Division and expansion of the Oral Health Clinic to accommodate the OSDCP.

- 1.2 This report also seeks approval to advance the relocation and expansion of the Oral Health Clinic capital project in advance of receiving Provincial funding approval for these costs and for any Regional financing to be provided at the discretion of the Commissioner of Finance.

2. Background

- 2.1 On April 11, 2019, the Province announced the creation of the OSDCP to provide oral health services to eligible low-income seniors. The OSDCP will be delivered through public health units, local Community Health Centres (CHCs) and Aboriginal Health Access Centres (AHACs). It should be noted that there are no AHACs in Durham Region.
- 2.2 Seniors 65 years of age or older with an annual income of \$19,300 (for a single person), or family income of \$32,300 (for a couple), or less are eligible to receive oral health services provided by public health units.
- 2.3 The Ministry of Health (MOH) communicated that the OSDCP will be rolled out in two stages: Stage I was launched on November 20, 2019 and leverages existing infrastructure; Stage II implementation will expand the program through capital investments that will ensure adequate infrastructure to provide care for eligible seniors in each public health unit. Durham Region Health Department's (DRHD's) application for provincial funding was submitted for consideration under Stage II.
- 2.4 DRHD was informed in mid-March that MOH funding decisions would be communicated by the end of March. Due to the COVID-19 pandemic, DRHD has not received any information on the status of its application.
- 2.5 Seniors are now able to get an application form from the MOH website or DRHD. Following assessment of applications, eligible clients are enrolled in the program and provided with proof of enrolment in the form of a dental card.
- 2.6 The MOH provided \$1.6 million in additional base funding for the 2019 funding year to support the OSDCP (pro-rated at \$1.2 million for the period of April 1, 2019 to December 31, 2019) as articulated in the 2019 Public Health Funding and Accountability Agreement. Funding approval for the 2020 funding year has not yet been received from the Province.
- 2.7 On June 21, 2019, the MOH announced the launch of a capital funding application process to support the staged implementation of the OSDCP. DRHD submitted an initial assessment of current infrastructure and projected future needs as a component of this process on July 30, 2019.

- 2.8 The projects proposed in the capital applications will be assessed using criteria including whether they demonstrate: ability to provide the required dental services to OSDCP clients in their catchment area; ability to address access issues in underserved areas; and value for money as well as factors such as stakeholder engagement and local considerations.
- 2.9 The MOH communicated that projects that build on existing infrastructure will be considered first as part of Stage I. Capital projects may also include those that expand into unoccupied space at public health units or CHCs as an alternative space solution, as well as relocation to new space or entering into a new lease. Provincial funding for these projects (including DRHD's project) is being considered under Stage II.
- 2.10 On December 18, 2019, Regional Council approved the following motion:
- 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;
 - 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;
 - 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;
 - 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;
 - That beginning the work to relocate and expand the Oral Health Clinic be subject to Provincial funding and Council approval; and
 - That the Commissioner of Finance be authorized to execute any necessary Agreements.

3. Current Status

- 3.1 The Works Department has hired Barry Bryan Associates to provide design, preparation of tender documents and construction cost estimate for a new Oral Health Clinic and Administrative Office located at 200 John St. W., Oshawa. The consultant will complete the work to prepare the final design by mid-July 2020. The award for the RFP was \$59,940 plus applicable taxes with financing for this contract to be provided at the discretion of the Commissioner of Finance.

- 3.2 A draft floor plan has been provided and the initial design confirms that the space at 200 John St. W. is able to accommodate all the needs of a new Oral Health Clinic and Administrative Office.
- 3.3 The goal is to proceed with tendering the construction by August 2020.
- 3.4 To date, three dental assistants (3.0 FTE) and two full-time dental hygienists (2.0 FTE) have been hired. Recruitment for the full-time dentists has begun but is currently on hold due to the impact on recruitment activities from COVID-19 response. Recruitment for a full-time Clerk 2 and Administrative Assistant has been delayed.
- 3.5 Oral Health Clinic staff have begun to see senior clients and have provided oral health services to 110 seniors to date. Due to the COVID-19 pandemic, the Oral Health Clinic is not currently seeing any Healthy Smiles Ontario (HSO) or OSDCP clients as per recommendations of the Royal College of Dental Surgeons of Ontario. Staff in the clinic are currently supporting clients who require urgent dental care to access services in the community.
- 3.6 On January 13, 2020, DRHD submitted a detailed capital funding application to the MOH as part of the Stage II capital application process, which was subsequently revised on March 11, 2020, as requested by the MOH.
- 3.7 The MOH confirmed that it will not provide funding for capital costs associated with non-OSDCP services. As such, the MOH asked DRHD to remove any capital costs associated with moving existing staff and the HSO portion of the Oral Health Clinic to the Midtown Centre.
- 3.8 DRHD submitted a separate one-time funding request as part of the 2020 Annual Service Plan and Budget Submission to the MOH for the estimated capital cost for moving existing staff space and the HSO Clinic to Midtown Centre.
- 3.9 The MOH has not provided any anticipated timelines for capital funding approval and has not indicated how much capital funding will be approved for DRHD.
- 3.10 Annual provincial funding of \$1.6 million for the OSDCP is being used for new staff positions, the purchase of some furniture and equipment, advertising and promotion, education and training, program materials and supplies, professional services, facilities lease costs, equipment maintenance and repairs and other eligible costs.

4. Relocating the Oral Health Clinic

- 4.1 The current location of the Oral Health Clinic on the second floor at 1615 Dundas St. E. has a number of ongoing challenges including: issues related to plumbing and flooding; mechanical issues with the elevator often breaking down; issues with the HVAC system; and safety concerns due to only one exit/entry point.

- 4.2 Most recently, the frequency of plumbing issues has increased. There have been seven floods in the Oral Health Clinic since April 2019 with the last three occurring since January 2020.
- 4.3 Each time there is a flood in the clinic, all client appointments, which is on average 30 client appointments, must be cancelled and rescheduled causing significant challenges for a vulnerable client population. As such, it is no longer sustainable to stay in the current location beyond the time that is necessary.
- 4.4 The space at Midtown Centre 200 John St. W. in Oshawa is just under 9,000 square feet and can be designed to accommodate all staff, with ample clinic space for seven operatories, consult rooms, meeting space and an expanded client waiting area. The space is on the ground floor of the building, there is ample free parking and there is plenty of natural light with many windows and two large sky lights. The new space is also at ground level, improving accessibility for both seniors and families with young children. The new space also has multiple entry ways and exits, addressing some of the safety concerns of the current Oral Health Clinic location.
- 4.5 Oshawa is the neighbourhood with the greatest proportion of seniors aged 65 and older living in low-income households in Durham Region. As such, the clinic may be located in the neighbourhood with the most OSDCP clients.
- 4.6 The proposed new space will be located in the same mall as the Income Support Division of Social Services, making it easier to provide oral health screening and health promotion services to Ontario Works clients. Carea, in collaboration with Lakeridge Health will also be establishing a facility at this location, improving opportunities for its clients to access oral health services.
- 4.7 There will be minimal disruption in services to HSO and OSDCP clients as services will continue to be provided at the current Oral Health Clinic at 1615 Dundas St. E. while renovations are underway at the new location. Once the construction is complete at the new location, all staff can move and service provision can begin in the new space.
- 4.8 Designing a new location will allow DRHD to ensure the Oral Health Clinic incorporates: exemplary infection prevention and control (IPAC) considerations; adequate mechanical equipment and capacity, such as sufficient vacuum suction draw and compressed air pressure to operate dental equipment; an optimized HVAC system to ensure adequate ventilation to prevent the spread of airborne contaminants and viruses and bacteria in aerosols which is an especially important consideration given the COVID-19 pandemic; efficient flow of clients and staff; and patient and staff privacy, comfort and safety. The new space also has multiple entry ways and exits, addressing some of the safety concerns of the current Oral Health Clinic location.

- 4.9 Establishment of a stand-alone clinic to serve only OSDCP clients will require additional Management office space and purchase of duplicate mechanical and dental equipment that could be shared if HSO and OSDCP services were co-located. Additionally, there would be no opportunities for staff cross coverage when needed, resulting in the need for additional staff to support the OSDCP. As such, moving the entire Oral Health Division to a new space supports costs efficiencies.
- 4.10 As appropriate space to meet the needs of the Oral Health Clinic is very limited within the region, there is an urgency to obtain the authority to finalize the lease with 2381502 Ontario Inc., o/a Midtown Centre for the new space. A preliminary lease has been negotiated with 2381502 Ontario Inc., o/a Midtown Centre conditional upon funding approval from the Province and Council approval.

5. Financial Implications

- 5.1 The preliminary capital cost estimate to move from the current location and re-design the new location to accommodate the HSO program and OSDCP is \$2.3 million. This estimate includes demolition costs of the current Oral Health Clinic space at the Whitby Mall to return the space back to its original state. The preliminary estimated cost of \$2.3 million to relocate and expand the Oral Health Clinic including three dental operatories was approved as part of the 2020 Health Department Business Plans and Budget to be financed from Provincial subsidy.
- 5.2 The MOH has now informed DRHD that it will only consider funding the OSDCP portion of the capital costs of relocating the Oral Health Clinic through the OSDCP capital funding application process. The OSDCP portion of the estimated capital costs is \$1.4 million of the overall project budget of \$2.3 million.
- 5.3 The HSO portion of the estimated capital costs of relocating the Oral Health Clinic is \$0.9 million. The Region submitted a one-time funding request to the Province as part of the 2020 Annual Service Plan and Budget Submission for this portion of the project.
- 5.4 The MOH has not provided feedback regarding either capital funding request or funding available. There is a risk that the one-time capital funding request is denied and that only a portion of the capital costs for the OSDCP portion are approved. The Region would be required to fund any costs not funded by the Province. This report seeks authority for the Commissioner of Finance to provide any required financing.
- 5.5 The annual lease cost in the new space is estimated to be \$126,000 (\$14/sq. ft). Other annual operational costs are forecasted to be consistent with the operating costs at 1615 Dundas St. E. Both the lease costs and the operating costs will be accommodated within the approved Public Health Business Plans and Budgets.
- 5.6 An eight-month rent free fixturing period has been negotiated at which time the Region will only be required to pay operating costs estimated at \$4.91/sq. ft.

- 5.7 For the reasons outlined in this report, including the significant plumbing issues at the current Oral Health Clinic location, there is an urgency to advance the capital project for the relocation and expansion of the Oral Health Clinic at the Whitby Mall to the Midtown Centre in advance of receiving confirmation of provincial funding.
- 5.8 It is recommended that the Commissioner of Finance be authorized to execute any necessary funding or contract agreements subject to the review and concurrence of the Regional Solicitor.

6. Conclusion

- 6.1 It is recommended that authorization be granted to finalize a lease agreement with 2381502 Ontario Inc., o/a Midtown Centre to relocate the Oral Health Division including the Oral Health Clinic and Administrative Office prior to approval from the Province for funding for the capital costs related to OSDCP, and that the Regional Chair and Clerk will be authorized to execute any documents associated with the lease of this premises.
- 6.2 Further it is recommended that the capital work to relocate and expand the Oral Health Clinic, at an estimated total cost of \$2.3 million, proceed in advance of receiving Provincial funding approval and that any required Regional financing be provided at the discretion of the Commissioner of Finance.
- 6.3 Lastly, it is recommended that the Commissioner of Finance be authorized to execute any necessary funding or contract agreements subject to the review and concurrence of the Regional Solicitor.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Original signed by

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-13
Date: April 29, 2020

Subject:

Granting of a Permanent Easement to Markham Stouffville Hospital to Construct and Maintain a Portion of the Driveway for the Uxbridge Cottage Hospital Located at 6 Campbell Drive, in the Township of Uxbridge

Recommendations:

- A) That a permanent easement be granted to the Markham Stouffville Hospital for the Uxbridge Cottage Hospital site located in at 6 Campbell Drive in the Township of Uxbridge, for the construction and maintenance of a portion of the driveway located on property owned by the Regional Municipality of Durham at a nominal sum; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to grant an easement to Markham Stouffville Hospital to construct and maintain a portion of the driveway located on Regional Municipality of Durham (Region) property (Attachment #1) for access to the Uxbridge Cottage Hospital in the Township of Uxbridge (Uxbridge).

2. Background

- 2.1 As part of a site plan submitted for expansion work to the Uxbridge Cottage Hospital, Uxbridge approved a temporary entrance permit to allow a portion of a

driveway to be constructed on the Region's well property during construction work on the facility. The driveway will continue to be required to allow access to the Region's Emergency Medical Services building leased from Markham Stouffville hospital property.

- 2.2 Uxbridge requires that Markham Stouffville Hospital obtain formal permission from the Region to allow the portion of the driveway to permanently remain on the Region's well property prior to granting site plan approval.

3. Discussion

- 3.1 The subject property is a triangular shaped area comprised of 27.8 square metres. The proposed easement is located at the eastern boundary of the property.
- 3.2 The request for the permanent easement has been circulated internally and no concerns or issues have been identified. The easement will be conveyed for a nominal sum.

4. Conclusion

- 4.1 Markham Stouffville Hospital requires a permanent easement for access to its location as part of the site plan approval process undertaken with the Township of Uxbridge. The access is required for the Region of Durham Paramedic Service station leased from Markham Stouffville Hospital and contained with their site.

5. Attachments

- 5.1 Attachment #1: Location Map

Respectfully submitted,

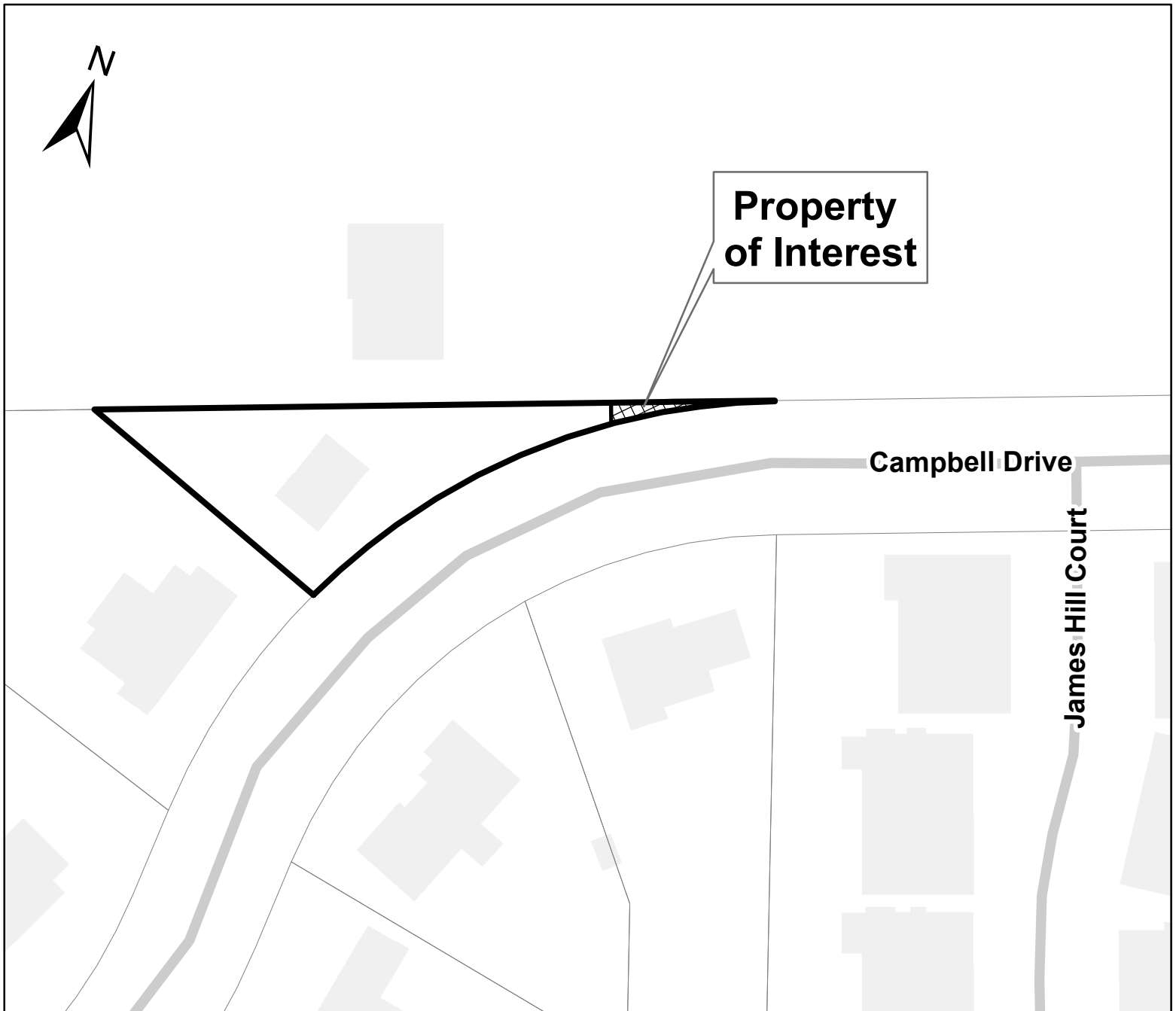
Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

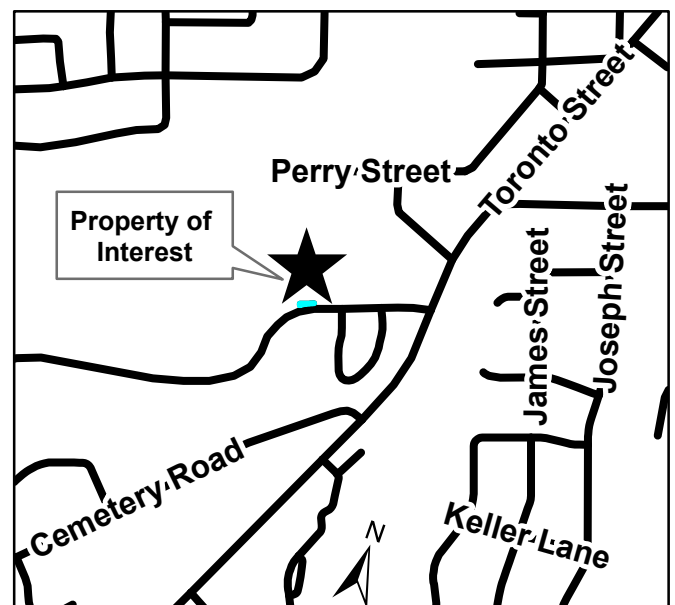


Attachment #1 - Location Map

Access Easement 6 Campbell Drive Township of Uxbridge



GIS Data: Produced by Durham Region, 2019.
 2017 Contours/2017 Drainage/2017 Orthophotography provided by © First Base Solutions Inc.
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The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-15
Date: April 29, 2020

Subject:

Council Resolution - Blue Box Transition Date

Recommendation:

That a resolution on transition to full producer responsibility included as Attachment #1 to this report be endorsed and forwarded to the Minister of the Environment Conservation and Parks and Association of Municipalities of Ontario.

Report:

1. Purpose

- 1.1 This report provides an update to Regional Council on recent progress on the stakeholder consultations with the Ministry of Environment, Conservation and Parks (MECP) related to the transition of the Blue Box Program to full extended producer responsibility.
- 1.2 This report also seeks Council endorsement of the attached resolution (Attachment #1) as requested by the Association of Municipalities in Ontario (AMO).

2. Background

- 2.1 In August 2019, MECP Minister Jeff Yurek, announced that municipal Blue Box programs will be transitioned to full producer responsibility over a three-year period based on the recommendations in the August 6, 2019 final report titled, "Renewing the Blue Box: Final Report on the Blue Box Mediation Process" from David Lindsay, Special Advisor on Recycling and Plastic Waste. The report provides next

steps for improving the Blue Box Program to reduce costs, increase diversion rates and reduce plastic waste and litter. Municipalities played a key role in helping to develop the recommendations within this report.

- 2.2 The transition to full extended producer responsibility is expected to take place over the next five years in accordance with the following timelines:

Date	Description of Activity
Summer 2020	Draft regulation anticipated for comment
September 2019 – December 2020	Wind-up plan development for existing Blue Box Program Plan Regulation development by MECP in consultation with stakeholders
January 2021 – December 2022	Producers prepare to take over operational and financial control of the blue box system in accordance with regulatory obligations
January 2023 – December 2025	Municipalities gradually transition operational and financial responsibility for the blue box system to producers. 33 per cent of Ontario municipalities to transition each year.

- 2.3 AMO and municipal representatives, including Regional Municipality of Durham (Region) Waste Management staff, are participating in the current regulation development process. The draft regulations are expected for comment Summer 2020.
- 2.4 Waste Management staff has prepared for the eventual transition of the Region's Blue Box program to producers by aligning recycling collection and processing contract expiry dates or including off ramp clauses wherever possible. Council has authorized contract alignments and staff participation in the blue box consultation process in the following Council reports:
- a. Report #2020-COW-3 "Solid Waste Management: 2020 Strategic Issues and Financial Forecast";
 - b. Report #2019-COW-3 "Solid Waste Management Servicing and Financing Study";

- c. Report #2018-INFO-75 “Update on the Status of the Transition to Full Extended Producer Responsibility for the Blue Box Program and Impacts of China’s National Sword Campaign on the Blue Box Program”;
 - d. Report #2018-COW-43 “Approval to Award a Negotiated Sole Source Contract Extension with Miller Waste Systems for the Curbside Collection of Non-Hazardous Waste, Recyclables and Organic Waste from Residences and Multi-Residential Buildings in the Townships of Brock, Scugog and Uxbridge and the Municipality of Clarington”;
 - e. Report #2017-COW-178 “Update on the Regional Municipality of Durham’s Participation and Opportunities to Influence the Implementation of the *Waste Diversion Transition Act, 2016*, the *Resource Recovery and Circular Economy Act, 2016* and the Ministry of the Environment and Climate Change Strategy for a Waste-Free Ontario: Building the Circular Economy”; and
 - f. Report #2017-COW-179 “Amendment and Extension of the Existing Agreement with Miller Waste Systems for the Operation and Maintenance of the Region’s Material Recovery Facility and Sole Sourcing of Equipment and Project Management Services for Capital Upgrades.”
- 2.5 In addition to the above noted reports, a collection contract for blue box material for the Town of Whitby and City of Oshawa was awarded to GFL Environmental Inc on July 1, 2016. This contract expires on July 1, 2023. Similarly, the collection contract for the City of Pickering and Town of Ajax was awarded to Miller Waste Systems and expires on June 30, 2022 with an option to extend for one year to June 30, 2023. Additional contract extensions are possible.

3. Blue Box Transition

- 3.1 In order to facilitate the development of a transition approach by MECP, AMO has requested non-binding resolutions from every municipality in Ontario indicating a preferred date to transition their blue box programs to producers. The resolutions will provide AMO and MECP an indication of which municipalities are interested in transitioning in each of the three transition years and will also inform the MECP’s regulatory development process. AMO has requested the resolution be received by June 2020.
- 3.2 Durham Region is in a good position, operationally, to transition the blue box system to producers in the first of the three transition years. However, Durham also has the flexibility to transition in the second or third transition years. Most of the MECP’s and producers’ transition details and how the existing program will ultimately change still remain unknown and undecided.

- 3.3 The MECP has committed to a seamless transition of the blue box program with no impact to residents. However, there are many outstanding questions; What materials will be collected in the blue box and how? Will it still be a blue box? What will the new service levels be? What specific services currently provided by municipalities will be transitioned? What, if any, will the funding levels be for non-transitioned municipalities during the transition period? How will changes regarding roles and responsibilities will be communicated among the transitioning parties and residents/consumers?
- 3.4 Despite the uncertainties, waste management staff recommend that the Region indicate a preference to transition collection and processing of blue box material to producers on July 1, 2023 contingent on analysis of regulatory requirements and their impacts on the Region. This recommendation is based on the work completed to date to align the Region's recycling collection and processing contracts but is also contingent on the final regulatory requirements as determined by the MECP.

4. Advantages of 2023 Transition

- 4.1 There are several advantages to the Region of an early blue box transition date. The most significant is cost avoidance. Transitioning the blue box collection and processing system to producers ensures 100 per cent funding of this portion of the Region's waste collection obligations.
- 4.2 The Region has been anticipating the move to full producer responsibility for several years. Investment in the Region's Material Recovery Facility (MRF) has been strategic to address core processing needs for optimizing material sorting only. The MRF is no longer state-of-the-art and will require significant investment to continue operation in the longer term. An early transition date will allow the Region to avoid additional capital investment in the MRF.
- 4.3 Finally, since collection contracts have been extended or issued for a shorter timeframe than is standard in the industry, many of the collection vehicles used to service the Region are aging and in need of replacement. An early transition date will allow the Region to avoid additional contractual costs for new collection vehicles for short-term contracts.
- 4.4 However, the advantages of transitioning early in the three-year transition period must be balanced with the risks of being one of the first municipalities to transition to a new system that will certainly experience some start up issues and the

negative impacts to recycling collection services that will be perceived by the public.

5. Conclusion

- 5.1 The transition of the Blue Box program to full extended producer responsibility is underway with a new regulation and requirements for a producer-run Blue Box Program expected late in 2020 or early 2021.
- 5.2 The Ministry of the Environment, Conservation and Parks is working on a transition mechanism to phase-in one third of Ontario Blue Box programs to producer responsibility in each of the three transition years. Understanding municipal preferences in this regard will inform the Ministry of the Environment, Conservation and Parks decisions.
- 5.3 The Regional Municipality of Durham's blue box collection and processing contracts have been aligned to allow the Region to transfer responsibility to producers in the first year of transition, by July 1, 2023, as indicated in the attached Council Resolution. The Regional Municipality of Durham is prepared to be among the first municipalities to transition their program but has flexibility to transition in the later years and will make a final decision after a review of the regulation and its impacts on the Regional Municipality of Durham when it is available.
- 5.4 For additional information, please contact Gioseph Anello, Acting Director, Waste Management Services at 905-668-7711, extension 3445.

6. Attachments

Attachment #1: Council Resolution re: Blue Box Transition

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer

Resolution on Transition to Full Producer Responsibility

WHEREAS the amount of single-use plastics leaking into our lakes, rivers, waterways is a growing area of public concern;

WHEREAS reducing the waste we generate and reincorporating valuable resources from our waste stream into new goods can reduce GHGs significantly;

WHEREAS the transition to full producer responsibility for packaging, paper and paper products is critical to reducing waste, improving recycling and driving better economic and environmental outcomes;

WHEREAS the move to a circular economy is a global movement, and that the transition of Blue Box programs would go a long way toward this outcome;

THEREFORE BE IT RESOLVED:

WHEREAS the Regional Municipality of Durham is supportive of a timely, seamless and successful transition of Blue Box programs to full financial and operational responsibility by producers of packaging, paper and paper products;

AND WHEREAS the Association of Municipalities of Ontario has requested municipal governments with Blue Box programs to provide an indication by June 2020 of the best date to transition our Blue Box program to full producer responsibility;

THAT the Regional Municipality of Durham would like to transition their Blue Box program to full producer responsibility on July 1, 2023 **contingent on analysis of regulatory requirements, once they are finalized, and their impacts on the Regional Municipality of Durham. This resolution is non-binding and Council reserves the right to determine an alternate preferred transition date based on advice of staff after analysis of the final regulation.**

AND THAT this decision is based on the following rationale: contracts for Blue Box collection and processing expire or include opt-out clauses that are effective on July 1, 2023.

AND THAT any questions regarding this resolution can be directed to Gioseph Anello, Acting Director Waste Management at 905-668-4113 ext. 3445 or gioseph.anello@durham.ca

AND FURTHER THAT the resolution be forwarded to the Association of Municipalities of Ontario and the Ontario Ministry of the Environment, Conservation and Parks.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-16
Date: April 29, 2020

Subject:

Approval to Award a Sole Source Agreement for Annual Maintenance of the Analytical Instrument Using Liquid Chromatography Mass Spectrometry (LC-MS/MS) for the Analysis of Regulatory Water Samples at the Regional Environmental Laboratory Located in the City of Pickering

Recommendation:

- A) That the Regional Municipality of Durham enter into a sole source agreement with AB SCIEX LP to perform annual instrument maintenance and manufacturer recommended preventative maintenance on equipment located at the Regional Environmental Laboratory effective October 16, 2020 for a term not to exceed four (4) years at an estimated total contract value of \$168,117* for a period of four years, cost shared 50/50 with the Regional Municipality of York, with the Regional Municipality of Durham's share to be funded from the Regional Environmental Laboratory's Operating Budget; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Municipality of Durham (Durham) Council's authorization to execute a sole source agreement with AB SCIEX LP to perform annual manufacturer recommended maintenance and periodic repairs to

ensure safety and reliability of the instrument in use at the Regional Environmental Laboratory. Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The Liquid Chromatography Mass Spectrometry (LC-MS/MS) is used to analyze for disinfection by-products and various pesticides under the Safe Drinking Water Act of Ontario; drinking water samples are received from the Regional Municipality of York (York) and the Regional Municipality of Durham (Durham), neighboring municipalities, cities and external clients for regulated testing; samples are also submitted for investigational/troubleshooting applications. The LC-MS/MS allows for the direct injection of the water samples, greatly reducing the sample processing time reflected in the ability of the laboratory to provide results much faster as compared to a conventional method.
- 2.2 To ensure Durham's commitment to provide timely and accurate analytical services, it is imperative that the instrument be maintained in the best possible operational condition at all times to protect public health and to maintain licensure with the Ontario Ministry of Environment, Conservation and Parks (MECP). The provision of a preventative maintenance program is important to reduce the amount of reactive maintenance undertaken on this instrument.

3. Sole Source Justification

- 3.1 The LC-MS/MS is a proprietary instrument and SCIEX's proprietary diagnostic tools ensure that SCIEX Engineers have the maximum level of certainty when troubleshooting complex technical issues. Factory trained, and SCIEX-certified Engineers will troubleshoot and repair the instrument with certified Original Equipment Manufacturer (OEM) parts.
- 3.2 Only SCIEX employees have access to the latest technical developments, repair procedures, instrument schematics, software application updates and planned maintenance procedures. Only SCIEX Engineers have access to confidential and proprietary tools that enable them to efficiently diagnose and service across the entire product portfolio, as well as optimize instrument performance.
- 3.3 Phone and email support are available through their Global Technical Assistance Center (TAC). TAC is staffed by senior Engineers with skillsets to help speed call resolution and assists customers in maximizing productivity.

- 3.4 To ensure maximum uptime instrument performance, a team of Applications and Technical Specialists are trained and certified to help support the most challenging service calls.
- 3.5 Engineer certification is renewed every two years.
- 3.6 The Assurance Plan is backed by a “Fix or Replace Commitment”. This ensures the instrument performs to OEM specifications. If the manufacturer cannot fix the problem, the instrument will be replaced.

4. Financial Implications

- 4.1 Durham’s Purchasing By-law #16-2020, Section 7, permits the acquisition of goods and services through sole source negotiations. The by-law also requires approval by the appropriate standing committee and Council for the award of sole source contracts that exceed \$100,000 in value.
- 4.2 Financing for the provision of annual instrument maintenance and periodic preventative maintenance of AB SCIEX LP at an estimated value of \$42,029* annually is available within the approved and future Regional Environmental Laboratory Operating Budget. The total estimated contract cost for the four-year term proposed is \$168,117*, cost shared 50/50 with York.

5. Conclusion

- 5.1 It is recommended that a sole source agreement be authorized to AB SCIEX LP to perform annual instrument maintenance and manufacturer recommended preventative maintenance effective October 16, 2020 for a term not to exceed four (4) years to ensure safety and reliability of the instrument at the Regional Municipality of Durham’s Environmental Laboratory.
- 5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

5.3 For additional information, please contact Raymond McCurdy, Supervisor,
Regional Environmental Laboratory, at 905-686-0041.

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham

Report

To: Regional Council
From: Commissioner of Works
Report: #2020-COW-18
Date: April 29, 2020

Subject:

Expropriation of Lands Required for Seaton Phase 1 Regional Infrastructure, in the City of Pickering

Recommendations:

- A) That authority be granted to Regional Municipality of Durham staff to initiate Expropriation proceedings with respect to the property requirements for 2765 Townline Road in the City of Pickering as are generally depicted in Attachment #1 to this report, and for such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the Seaton Phase 1 Regional Infrastructure project;
- B) 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 A) in this Report, 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; and
- C) 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 B) in this report, including the Notices of Application of Approval to Expropriate.

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to expropriate property necessary for the construction of infrastructure required for servicing lands under development in Seaton, in the City of Pickering.

2. Background

- 2.1 In November of 2015, the Regional Municipality of Durham (Region) executed the Seaton Phase 1 Regional Infrastructure Front Ending Agreement (RFEA) with the Seaton Landowners. The RFEA anticipated that there were third party lands which would need to be acquired and transferred into the Region's ownership to construct all of the infrastructure projects required to service the community.
- 2.2 Section 4.3 of the RFEA, entitled "Land Required from Third Parties", requires that; "the Private Landowners will use their reasonable commercial best efforts to acquire the Third-Party Lands". In the event that the Private Landowners are unable to acquire any lands; "for a price, or on the terms of purchase and sale, easement, lease, or license that in their opinion are reasonable, they may request that the Region acquire such Third-Party Lands using its powers of expropriation."

3. Property Acquisition

- 3.1 The Private Landowners have been attempting to acquire the lands located at 2765 Townline Road, Pickering, shown on Attachment #1 for over a year without success.
- 3.2 The Trustee for the Landowners has requested that the Region acquire these lands on their behalf (Attachment #2).

4. Financial Implications

- 4.1 All costs incurred by the Region related to the acquisition of these lands will be recovered from the Landowners in keeping with the terms of the RFEA and as confirmed in the Trustee's request letter. Securities will be provided by the Trustee to address the private landowner's share of the costs incurred (i.e. 75.316 per cent). The Region will be required to invoice the Province the remaining 24.684 per cent of costs incurred. The total cost to acquire these properties will be recovered by the Region.

5. Conclusion

- 5.1 Regional Municipality of Durham staff will continue to negotiate with the property owner in an attempt to acquire the necessary property. Should these negotiations fail, this approval will permit staff to commence expropriation proceedings to ensure that the timelines are met allowing this project to proceed to construction.
- 5.2 If Regional Municipality of Durham staff exercise the option of commencing expropriation pursuant to the authority being sought through this report, staff will report back further to Regional Council to seek authority for the next stage which will be to expropriate the property requirements and proceed to serve the next set of notices on affected property owners as would be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26.
- 5.3 This report has been reviewed by the Legal Services Division of the Corporate Services Department and the Finance Department.
- 5.4 For additional information, please contact Jenni Demanuele, Director of Business Services, at 905-668-4113, extension 3456.

6. Attachments

Attachment #1: Location Map – 2765 Townline Road, City of Pickering

Attachment #2: Trustee request letter, dated March 19, 2020

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer



Property
of Interest

Third Concession Road

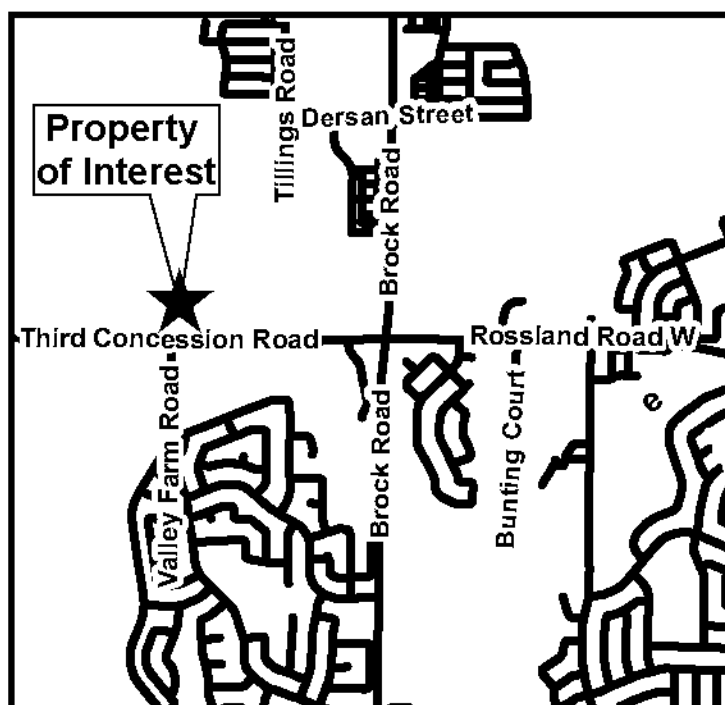
Valley Farm Road

Attachment #1 - Location Map

**2765 Townline Road
City of Pickering**



GIS Data: Produced by Durham Region, 2019. 2017 Contours/2017 Drainage/2017 Orthophotography provided by ©First Base Solutions Inc. © MPAC and its suppliers. All rights reserved. Not a Plan of Survey. © Teranet Enterprises Inc. and its suppliers. All rights reserved. Not a Plan of Survey. This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region hereby disclaims all representations and warranties. Flood Plain data is licensed "as is" © CLOCA, GRCA, KRCA, LSRCA and TRCA. This data is provided to the Region of Durham for internal use only, and excludes all representations, warranties, obligations and liabilities, whether express or implied, in relation to the information. For other uses, including spatial analysis, the respective Conservation Authority must be contacted.



NORTH PICKERING COMMUNITY MANAGEMENT INC.

ORIGINAL

March 19, 2020

Regional Municipality of Durham
 Works Department
 605 Rossland Road East
 Whitby, Ontario
 L1N 6A3

Attention: Mr. Paul Gillespie, P. Eng.,
 Manager, Development Approvals Division

Dear Sir:

**RE: Seaton Phase 1 Regional Infrastructure
 Front Ending Agreement dated November 26, 2015 ("RFEA")
 North Pickering Community Management Inc.
 Landowner Constructed Work, Assignment 1b
 Land Required from Third Parties
 2765 Townline Road
 Part of Lots 20 and 21, Concession 3, City of Pickering
 PIN 26383-0044 and PIN 26383-0023
 Request for Regional Expropriation
 RFEA, Section 4.3
 City of Pickering
 Region of Durham**

I am the President of and an Authorized Signing Officer for North Pickering Community Management Inc., the Trustee appointed pursuant to the provisions of the Seaton Phase 1 Regional Infrastructure Front Ending Agreement dated November 26, 2015 (the "RFEA").

In accordance with **section 4.3.2 of the RFEA** please accept this letter as a formal request by the Seaton Landowners that the Region use its powers of expropriation to acquire the parcel of land legally described as Part of Lots 20 and 21, Concession 3, and municipally known as 2765 Townline Road in the City of Pickering. The subject land is required in connection with Landowner Constructed Work Assignment No. 1b (Peter Matthews Drive); despite reasonable efforts being made, the Seaton Landowners have been unsuccessful in acquiring same.

... 2

As set out in **section 4.3.2 of the RFEA** the Seaton Landowners agree to fund the costs of such expropriation including the Region's costs for any arbitration and compensation proceedings. Further, any costs incurred by the Region in connection with the expropriation of the subject land, including funds required to pay the compensation for the subject lands including pursuant to an offer made pursuant to Section 25 of the *Expropriations Act*, will be paid by the Private Landowners to the Region within thirty (30) Business Days and by the Province by cheque within forty-five (45) days following Notice that such funds have been expended or will be expended by the Region.

I trust the above is satisfactory and that the Region will immediately take steps to exercise its powers of expropriation with respect to the subject land.

Thank you.

Yours truly,

NORTH PICKERING COMMUNITY MANAGEMENT INC.

A handwritten signature in blue ink, appearing to read 'Andrew', followed by a long horizontal flourish.

Andrew Orr
President, A.S.O.
Trustee

cc. Seaton Landowners Group (via email only)
Group Project Manager/Engineer - Mr. Glenn Pitura (via email only)
CSA Solicitor - Mr. Daniel Steinberg (via email only)
SCS Consulting - Ms. Julie Bottos (via email only)
CSA Accountant - Mr. Joseph Di Ilio (via email only)

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3111.



The Regional Municipality of Durham Report

To: Regional Council
From: Commissioner & Medical Officer of Health, the Commissioner of Finance and the Commissioner of Works
Report: #2020-COW-19
Date: April 29, 2020

Subject:

Advancement of the Construction of the Region of Durham Paramedic Service Training Centre for inclusion in the Approved Seaton Paramedic Response Station Project, Including Provision for the Inclusion of a Future Durham Emergency Management Office, in the City of Pickering

Recommendations:

That Regional Council:

- A) Approve the advancement of the construction of the Region of Durham Paramedic Service Training Centre for inclusion in the current construction of the Seaton Paramedic Response Station, in the City of Pickering, at an estimated cost of \$3.50 million;
- B) That the approved budget for the Seaton Paramedic Response Station be increased from \$4.5 million to \$10.5 million, with the revised project breakdown as follows:

Project Component	Seaton Paramedic Response Station Design/Construction and Training Centre/DEM Design (in millions)	Paramedic Training Facility and Driving Pad Construction and Design (in millions)	Total (in millions)
Design and Contract Administration	\$0.84		\$0.84
Construction	6.10	3.43	9.53
Fixtures and Furniture	0.06	0.07	0.13
Total Project Cost	\$7.00	\$3.50	\$10.50

C) That the total estimated cost of \$10.50 million for this project be financed as follows:

Seaton Paramedic Response Station:

Previously Approved

• Development Charges	\$2,500,000
• Property Taxes	<u>2,000,000</u>
sub-total	<u>\$4,500,000</u>

Additional Funding Required

• Development Charges	\$700,000
• Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner of Finance	<u>\$1,800,000</u>
sub-total	<u>\$2,500,000</u>

Revised Total Phase 1 \$7,000,000

Paramedic Training Facility

Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner of Finance	<u>\$3,500,000</u>
Total Project Cost	<u>\$10,500,000</u>

Report:**1. Purpose**

- 1.1 This report seeks Regional Council's approval to advance the construction of the Region of Durham Paramedic Services (RDPS) Training Centre for inclusion in the current planned construction of the RDPS Response Station in Seaton. The design work for the Response Station and the Training Centre, already approved, has been expanded to include provisions for a future Durham Emergency Management (DEM) office.

2. Background

- 2.1 Land for the station was provided by the Province of Ontario as part of the Community Lands Agreement between the Province and the Region for the development of Seaton. The parcel transferred for RDPS purposes is much larger than previous RDPS sites (4 acres vs the typical 1.5 to 2 acres), creating an opportunity to consider additional functions and facilities at this location.
- 2.2 Funding in the amount of \$4.5 million for the design and construction of the Seaton Paramedic Response Station was approved in the 2018 and 2019 capital budgets. The scope of the project was to develop the design for the Paramedic Response Station and the Training Centre, with only the Paramedic Response Station advancing to construction in Phase 1 of the site development.

3. Current Facilities

- 3.1 RDPS Headquarters, located at 4040 Anderson Street in the Town of Whitby, currently hosts the RDPS training centre. At the time of construction, RDPS training staff consisted of two full-time employees. The classroom for education and training is approximately 1,300 square feet, which was adequate space at the time of design and construction. However, RDPS staff levels have grown and as demands for training increase, the capacity of the existing classroom is inadequate. The complement of training staff has grown to six in order to meet legislative requirements for training. In addition, frequent training of paramedics is necessary to ensure conformity to new legislative standards (e.g., enhance mental health resiliency).

- 3.2 RDPS recently renovated space at 4040 Anderson to accommodate workstations for road managers. Road managers are required to evaluate patient reports, as well as schedule employees for work and review documents that are legislatively required. There is no additional space for offices or workstations at this location.
- 3.3 The size of the parcel of land in Seaton created an opportunity for RDPS to consider the consolidation and modernization of its training programs. RDPS is legislatively required to provide paramedic staff with ongoing training to meet the ever-changing demands on the profession. The original conceptual plan for the site in Seaton included a separate dedicated RDPS Training Centre. Design for both the station and the training facility were included in Phase 1 of the project, along with the construction of the Paramedic Response Station. The Training Centre was to be built in a future phase, and included programming for training on vehicle operations, medical oversight training, patient care and other mandatory training programs.
- 3.4 The amount of space available for repurposing at 4040 Anderson upon construction of the second phase of the Seaton site is approximately 3,000 square feet and includes both the training room and general office area. The proposed training facility in Seaton is approximately 6,900 square feet and will include a shared space area for a lunch room and washrooms. Since the classroom at the proposed facility will be double in size, it will allow the opportunity for increased class sizes and reduce the number of days required for education.
- 3.5 In its current configuration, the classroom at RDPS Headquarters will provide additional and much needed space for large meetings. If the opportunity to develop and construct the proposed Paramedic Training Facility in Seaton is not realized, more education sessions will be required, limiting RDPS' ability to hire and train new staff, as well as limit the ability for the education staff to perform peer review audits of patient care, which is also a legislated standard.
- 4. Advancing the Construction of the RDPS Training Centre and Design for a Future Durham Emergency Management Office**
- 4.1 AECOM was retained by the Region under Request for Proposal (RFP) 1105-2018 to develop the overall master plan for the site, deliver the detailed design for the Paramedic Response Station and Paramedic Training Centre and to provide construction contract administration for the construction of the station.

AECOM reviewed the long-term plan for the site and recommended that the training facility be constructed as part of the original station build.

- 4.2 While previously envisioned as a second phase, AECOM indicated that by combining the station and the training facility into one phase, construction and operating economies of scale could be achieved. There are some cost efficiencies related to the construction of the Training Centre in conjunction with the Paramedic Response Station, as opposed to constructing it at a later date. These efficiencies include contract mobilization, material procurement, permitting and the overall benefit to operations for not having to disrupt the site for a second phase of the construction.
- 4.3 The Region currently pays to use a facility in Toronto for driver training purposes. The proposed facility in Seaton includes a 32,000 square foot driver training pad, eliminating the need to conduct driver training in Toronto and creating a potential for other Regional services to use the local facility (e.g., Durham Regional Police Service, Regional Works Operations, etc.).
- 4.4 The boardroom at RDPS Headquarters, where the paramedic training currently occurs, will become available for use by staff at Regional Headquarters when the new training facility in Seaton is constructed. This available boardroom space will be particularly beneficial while the renovations related to the space modernization project is ongoing at Regional Headquarters.
- 4.5 Leased space to accommodate the needs of paramedic training was not considered for the following reasons:
 - a. With the Region designing and constructing its own paramedic training facility, it will ensure that the appropriate IT infrastructure, backup power and security equipment is included in the tender. These requirements may be more challenging to acquire when leasing a facility; and
 - b. There is an inherent risk with leases that an alternative secure and adequate facility may not be available if the lease ends.
- 4.6 During the Master Planning exercise consideration was given to adding space for DEM operations into this facility. Various layouts were considered, and it was determined that at a future point, space for DEM operations could be incorporated into this site and would be complementary to RDPS operations. To provide for this future expansion, design work is being competed now for incorporation into the overall master detailed design.

5. Financial Implications

5.1 The additional capital costs to construct a Paramedic Training Centre and Driving Pad at the Seaton site is estimated at \$3.5 million for a total project cost of \$10.5 million, including the previously approved design work and paramedic station construction and provisions for the future inclusion of DEM. The most recent estimate for the original scope of the project is \$7.0 million and is based on further work on the detailed design. The current approved budget for the original project scope is \$4.5 million and was based on recent RDPS facility construction projects. There are distinct differences in the Seaton project versus prior RDPS facility construction projects that have increased the estimated costs:

- a. The Seaton site is approximately 2.5 times the size of previous RDPS facility sites. Additional site grading and servicing cost are currently estimated at \$0.63 million.
- b. Additional servicing costs to accommodate expansion on this site are currently estimated at \$0.38 million.
- c. Components of the building are being oversized to plan for the ultimate construction of the training facility along with adjustments in the scope to reflect emerging program requirements and to satisfy new building code requirements. Items include oversized mechanical rooms to support the future construction phases of the project, decontamination rooms for first responders returning from calls and emergency events, staff amenities such as lunch room, kitchenette and common space, and universal washroom provisions to meet changes in the building code. These additional items are currently estimated at \$0.678 million.
- d. AECOM has reviewed statistical cost escalation based on the Government of Canada's surveys of non-residential construction and applied recommended increases to the overall construction project of \$0.652 million. The cost escalation has been recommended given the time that has passed and changes in the market from when the last station located in Sunderland was constructed.
- e. Provisions for LEED Silver certification for this facility have been included at an estimated cost of \$0.11 million.

- 5.2 The estimated construction cost of the Paramedic Training Centre and Driving Pad is \$3.5 million. The construction costs for the Training Centre were not included in any previous budget and were not identified in the current capital forecast period.
- 5.3 Construction of the DEM component will be included in future capital budget forecasts, with costs related to oversizing of building systems and amenities to include this future expansion reflected in the current construction estimates.
- 5.4 The costs presented in this report are preliminary Class D estimates. Given the uncertainty of the markets during the current pandemic and in the recovery period to follow, construction costs may be less depending on the market conditions during tender period. Costs will be refined as the design work progresses to more a more detailed level and the market stabilizes once restrictions are lifted.
- 5.5 The following provides the recommended financing for the entire project cost of \$10.5 million:

Seaton Paramedic Response Station:

Previously Approved

• Development Charges	\$2,500,000
• Property Taxes	<u>\$2,000,000</u>
sub-total	<u>\$4,500,000</u>

Additional Funding Required

• Development Charges	\$700,000
• Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner Of Finance	<u>\$1,800,000</u>
sub-total	<u>\$2,500,000</u>

Revised Total Phase 1	<u>\$7,000,000</u>
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Paramedic Training Facility

Capital Impact Stabilization Reserve Fund or other Financing at the Discretion of the Commissioner of Finance	<u>\$3,500,000</u>
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Total Project Cost	<u>\$10,500,000</u>
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- 5.4 Based on the square footage estimates (6,900 square feet for the Paramedic Training Facility), the additional annual costs to operate and maintain the new facility is estimated at \$180,000.
- 5.5 It is unknown at this time the extent to which the Region will receive funding from the Province related to the cost of the paramedic training facility. Once a paramedic station is nearing substantial completion, the Region provides an estimate of the upcoming year's depreciation related to the new station in the annual planning submission to the Province and for each year thereafter for the useful life of the asset. When the Seaton paramedic station reaches this stage, the Region will also include a separate cost estimate (i.e. depreciation costs) of the paramedic training facility to the Province for consideration of funding.

6. Conclusion

- 6.1 Staff recommend that to achieve economies of scale, the planned Paramedic Training Centre to be located on lands secured in Seaton for a new Paramedic Response Station be advanced for construction concurrent with the new station, along with provisions for the inclusion of a future Durham Emergency Management Office at this site.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Original signed by

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Original signed by

S. Siopis, P. Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer