



## Official Notice

### Meeting of Regional Council

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

**Wednesday, May 27, 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](mailto: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 Jacquie Severs, Manager, Economic Development, Marketing & Cluster Development, re: New Durham Tourism Brand (2020-EDT-3) [Item 12.4 – Other Business]
  - 5.2 Works/Finance/Legal Staff Presentation re: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process (2020-COW-20) [Item 12.7 – Other Business]

## 6. Adoption of Minutes

- 6.1 Regional Council meeting – April 29, 2020 Pages 5 - 29
- 6.2 Closed Regional Council meeting – April 29, 2020 Under Separate Cover

## 7. Communications

- CC 09 Correspondence from the Municipality of Clarington re: Anaerobic Digestion Facility Page 30
- CC 10 Correspondence from Kathleen Power re: Waste Pre-Sorting and Anaerobic Digestion Facility – Siting Report Page 30
- CC 11 Correspondence from Building Industry and Land Development Association (BILD) re: Comments on the Proposed Amendments to Regional Development Charge By-laws to Waive the July 1, 2020 Indexing Page 30
- CC 12 Correspondence from Association of Municipalities Ontario re: Nominations to the 2020-2022 AMO Board of Directors Page 30
- CC 13 Correspondence from the Municipality of Clarington re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility – Site Selection Process Municipal Comments on Evaluation of Short-List of Sites and Identification of Preferred Site Page 30
- CC 14 Correspondence from the City of Pickering re: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes, Retirement Homes and other Congregate Facilities Page 31
- CC 15 Correspondence from Doug McLaughlin, Pickering Resident re: Proposed Amendments to Regional Development Charge By-law Nos. 28-2018 and 81-2017 Page 31
- CC 16 Correspondence from Building Industry and Land Development Association (BILD) re: COVID-19 Response and Recovery Page 31
- CC 17 Correspondence from Weston Consulting re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility Page 31

## 8. Delegations

- 8.1 Public meetings pursuant to Section 12 of the Development Charges Act, 1997. The first public meeting will be held to present the proposed amendments to Regional Development

Charge By-law No. 28-2018. The second public meeting will be held to present the proposed amendments to Regional Transit Development Charge By-law No. 81-2017

- 8.2 Kerry Meydam, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
- 8.3 Linda Gasser, Whitby resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
- 8.4 Linda Gasser, Durham resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval
- 8.5 Wendy Bracken, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
- 8.6 Wendy Bracken, Clarington resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval

## 9. Notice of Motions

- 9.1 Motion to Permit Regional Standing Committees, Committee of the Whole and Council to meet in the Months of July and August 2020

Page 64

- 9.2 Request for a Public Inquiry into Long Term Care in Ontario

Pages 64 - 65

- 9.3 Support for Immediate COVID-19 Autism Funding

Pages 65 - 66

## 10. Committee Reports

There are no committee reports

## 11. Unfinished Business

There is no unfinished business

## 12. Other Business

- |      |  |               |
|------|--|---------------|
| 12.1 | Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and Regional Residential and Non-residential Development Charge By-law No. 28-2018 (2020-F-9)  | Page 67       |
| 12.2 | Cancellation of Certain Unpaid Water/Sewer Accounts and Update of the Regional Policy Regarding Cancellation of Accounts (2020-F-10)   | Pages 67 - 68 |
| 12.3 | Update on Financial Implications of Regional Programs and Services Impacted by the COVID-19 Pandemic (2020-F-11)   | Page 68       |
| 12.4 | New Durham Tourism Brand (2020-EDT-3)  | Page 68       |
| 12.5 | Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington (2020-WR-1)  | Page 68       |
| 12.6 | Approval of Request to Release a Regional Easement (2020-W-26)   | Pages 68 - 69 |
| 12.7 | Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process (2020-COW-20) | Page 69       |

## 13. By-laws

There are no by-laws

## 14. Confirming By-law

- |         |   |
|---------|---|
| 24-2020 | Being a by-law to confirm the proceedings of Regional Council at their meeting held on May 27, 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**

**REGIONAL COUNCIL**

**Wednesday, April 29, 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 offered 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

Councillor John Neal  
Councillor Joe 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**

Councillor Bath-Hadden left the meeting at 3:16 PM  
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 Drew made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 12.5 Report #2020-COW-9, Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2020-2023. She indicated that her son is an employee of the Region.

Councillor Bath-Hadden made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 12.5 Report #2020-COW-9, Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2020-2023. She indicated that she has a family member that is an employee of the Region.

Councillor Roy made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 12.5 Report #2020-COW-9, Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2020-2023. She indicated that she has a family member that is an employee of the Region.

Councillor Carter made a declaration of interest under the Municipal Conflict of Interest Act with respect to the following items:

- i) Item 7, CC07 Correspondence from Durham Region Business Improvement Associations re: Support for Durham Region BIAs through the COVID-19 Pandemic;
- ii) Item 7, CC08 Correspondence from the City of Oshawa advising of a motion adopted at their April 27, 2020 Council meeting re: Support for Financial Assistance Request to the Region of Durham from Durham BIAs; and

- iii) Item 9.1 Notice of Motion re: Immediate Financial Assistance to Relieve Regional Business Improvement Area Members of twenty-five percent or one fiscal quarter of budgeted BIA monies

He indicated that he is a paying BIA member and has property within the boundary of the BIA.

Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to the following items:

- i) Item 7, CC07 Correspondence from Durham Region Business Improvement Associations re: Support for Durham Region BIAs through the COVID-19 Pandemic;
- ii) Item 7, CC08 Correspondence from the City of Oshawa advising of a motion adopted at their April 27, 2020 Council meeting re: Support for Financial Assistance Request to the Region of Durham from Durham BIAs; and
- iii) Item 9.1 Notice of Motion re: Immediate Financial Assistance to Relieve Regional Business Improvement Area Members of twenty-five percent or one fiscal quarter of budgeted BIA monies

He indicated that his spouse owns and operates a business which contributes to BIA levies.

#### **4. Announcements**

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

#### **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

E. Baxter-Trahair, R.J. Kyle and S. Danos-Papaconstantinou provided a PowerPoint presentation regarding the COVID-19 Update.

Highlights of the presentation included:

- Regional Response to COVID-19
  - Public health and safety is Durham Region's top priority
  - Regional Emergency Operations Center is operational
  - We are supporting Durham residents and businesses
  - COVID-19 is impacting the delivery of Regional Services
  - Staff are responding to the needs of this crisis
- FCM Calls for Emergency Funding
  - Canadian municipalities are calling for emergency federal funding through the COVID-19 pandemic
  - FCM urges at least \$10 billion in emergency operating funding

- This would be supplemented with additional funds for municipalities facing extraordinary challenges supporting isolation and good health among vulnerable populations
- Health Department Response to COVID-19
  - The entire team in the Health Department is working around the clock to keep the residents of Durham safe
- Social Services Response to COVID-19
  - Increased measures in long-term care
  - Emergency child care
  - Financial assistance related to COVID-19
  - Support for vulnerable populations
  - Support to the community
- Economic Development Response to COVID-19
  - Formed Durham Economic Task Force
  - Two business surveys, gathering 1000+ responses
  - Central business portal [investdurham.ca/covidresponse](https://investdurham.ca/covidresponse)
  - Advocacy to Province and Federal Government
  - Local food campaign [investdurham.ca/localfood](https://investdurham.ca/localfood)
  - #SupportLocal Campaigns: promoting operational stores/restaurants
  - Supporting & Sharing Good News Stories
  - Webinar calendar & production for the business community
  - Ramping up service to provide live help to businesses through phone or online chat tool on portal
  - 'Recovery Series' digital sector roundtables with larger companies
  - 'Downtowns of Durham' website project with BIA's
- Regional Recovery Plan
  - Provincial Plan for Recovery
    - 3 stages
  - Regional Recovery Plan
    - 4 pillars: Social, Built, Economic, Municipal
  - Comprehensive Regional Recovery Plan
- Next Steps
  - Initiate Recovery Task Force including Regional Senior leadership and community partners
  - Continue to build flexible Regional Recovery Plan and specific action items that are responsive to provincial directive and public health advice
  - Report to Council in May with:
    - Initial set of action items for each of the four pillars
    - Plans for short, medium and long-term recovery
    - Updated and expanded financial projections

Staff responded to questions from Council members regarding the presentation.

**6. Adoption of Minutes**

Moved by Councillor Marimpietri, Seconded by Councillor Brenner,  
(95) That the minutes of the Special Regional Council meeting held on March 25, 2020, be adopted.

CARRIED

Moved by Councillor Kerr, Seconded by Councillor Lee,  
(96) That the minutes of the Regular Regional Council meeting held on March 25, 2020, be adopted.

CARRIED

Moved by Councillor Barton, Seconded by Councillor Anderson,  
(97) That the minutes of the Special Regional Council meeting held on April 8, 2020, be adopted.

CARRIED

**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

Moved by Councillor McLean, Seconded by Councillor Crawford,  
(98) That Council Correspondence CC 06 from the City of Pickering regarding a Motion to Authorize Mayor Ryan's absence and to appoint a Deputy Mayor and Alternate Deputy Mayor be received for information.

CARRIED

CC 07 Correspondence from Durham Region Business Improvement Associations re: Support for Durham Region BIAs through the COVID-19 Pandemic

Moved by Councillor Kerr, Seconded by Councillor Barton,  
(99) That Council Correspondence CC 07 from Durham Region Business Improvement Associations re: Support for Durham Region BIAs through the COVID-19 Pandemic be referred to consideration of Item 9.1 under Notice of Motions.

CARRIED

CC 08 Correspondence from Mary Medeiros, City Clerk, City of Oshawa writing to Regional Municipality of Durham Council advising of a motion adopted at their April 27, 2020 Council meeting re: Support for Financial Assistance Request to the Region of Durham from Durham BIAs

Moved by Councillor Joe Neal, Seconded by Councillor Wotten,  
(100) That Council Correspondence CC 08 from Mary Medeiros, City Clerk, City of Oshawa re: Support for Financial Assistance Request to the Region of

Durham from Durham BIAs be referred to consideration of Item 9.1 under Notice of Motions.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
(101) That Council recess for 15 minutes.

CARRIED

Council recessed at 11:50 AM and reconvened at 12:05 PM.

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Dies who attended the meeting at 12:24 PM and Councillor Roy who attended the meeting at 12:18 PM.

## **8. Delegations**

### **8.1 Greg Milosh regarding Notice of Motion re: Temporary By-law to Reduce or Refund Taxes for Residential and Farm Taxpayers whose Taxes have Become Unduly Burdensome due to COVID-19 Emergency [Item 9.3]**

Participating electronically, Greg Milosh appeared before Council with respect to Item 9.3 Notice of Motion re: Temporary By-law to Reduce or Refund Taxes for Residential and Farm Taxpayers whose Taxes have Become Unduly Burdensome due to COVID-19 Emergency.

G. Milosh stated that the motion paints an accurate picture of several Regional businesses and residents who are feeling the severe financial impact of the lockdown. He added that he agrees that the Federal and Provincial relief programs are not adequate or exclude some recipients.

G. Milosh further stated that he believes Council should give serious consideration to an immediate relief program for qualifying taxpayers and businesses.

G. Milosh advised that the motion references a rebate program not to exceed a cost of \$25 million and he believes that is well within the Region's financial capability.

G. Milosh added that he is concerned that the motion references providing relief "for the duration of the emergency" and stated that an open-ended time frame is concerning and should be reconsidered.

## **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 [REFERRED TO STAFF ON A RECORDED VOTE] [SEE MOTION (103) ON PAGES 8 TO 9]**

Moved by Councillor Kerr, Seconded by Councillor Leahy,

(102) 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.

REFERRED TO STAFF  
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor Barton,  
(103) That the main motion (102) of Councillors Kerr and Leahy be referred back to staff for a report at a future meeting.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Barton  
Councillor Bath-Hadden  
Councillor Brenner  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal

No

Councillor Collier  
Councillor McLean



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

Members Absent: Councillor Dies

Declarations of Interest: Councillor Carter  
Councillor Marimpietri

9.2 Waiving of Overage Charges on LTE Network for Rural Mobile Phone Subscribers  
[CARRIED ON A RECORDED VOTE]

Moved by Councillor Brenner, Seconded by Councillor Pickles,  
(104) 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, all Durham MPs, **the CEO's for Rogers, Telus and Bell, and the local area municipalities.**

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 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: Councillor Dies

Declarations of Interest: None

- 9.3 Temporary By-law to Reduce or Refund Taxes for Residential and Farm Taxpayers whose Taxes have Become Unduly Burdensome due to COVID-19 Emergency  
[REFERRED TO STAFF ON A RECORDED VOTE] [SEE MOTION (106) ON PAGES 11 AND 12]

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
(105) 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:

- A) 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;
- B) 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
- C) Region staff be directed to establish a uniform program with any local municipalities participating by June 30, 2020.  
REFFERED TO STAFF  
(See Following Motion)

Moved by Councillor Carter, Seconded by Councillor Foster,  
(106) That the main motion (105) of Councillors Joe Neal and John Neal be referred back to Finance staff for a report at a future meeting.  
CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Barton  
Councillor Bath-Hadden  
Councillor Brenner  
Councillor Carter

No

Councillor Ashe  
Councillor Collier  
Councillor Crawford  
Councillor McLean  
Councillor Mitchell

Councillor Chapman  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor John Neal  
Councillor Joe Neal  
Councillor Pickles  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Councillor Mulcahy  
Councillor Nicholson  
Councillor Roy

Members Absent: Councillor Dies

Declarations of Interest: None

**10. Committee Reports**

There were no committee reports.

**11. Unfinished Business**

There was no unfinished business to be considered.

**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)
- 

[CARRIED]

Moved by Councillor Smith, Seconded by Councillor Marimpietri,

- (107) 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 on 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.

CARRIED

- 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)  
[CARRIED]

Moved by Councillor Marimpietri, Seconded by Councillor Collier,

(108) A) That the Regional Municipality of Durham enters into a Sanitary Sewage Surcharge Agreement as provide 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.

CARRIED

- 12.3 Amendments to Regional Traffic and Parking By-Law #44-2006 (2020-COW-7)  
[CARRIED]

Moved by Councillor Lee, Seconded by Councillor McLean,

(109) 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.

CARRIED LATER IN THE MEETING

(See Following Motion)

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

(110) That the draft amending by-law as outlined in Attachment #1 to Report #2020-COW-7 be amended by deleting the first row under Item 6 to set the maximum rate of speed on Taunton Road from 230 m east of Langmaid Road to Regional Road 34 (Courtice Road) to 50 km/h.

MOTION DEFEATED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Collier  
Councillor Kerr  
Councillor Leahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Yamada

No

Councillor Ashe  
Councillor Barton  
Councillor Bath-Hadden  
Councillor Brenner  
Councillor Carter  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Foster

Councillor Highet  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Smith  
Councillor Wotten  
Regional Chair Henry

Members Absent: Councillor Dies

Declarations of Interest: None

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

Moved by Councillor Marimpietri, Seconded by Councillor Wotten

(111) A) That Regional Council receive the Update on Ontario's Flood Management Strategy 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.

CARRIED

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)  
[CARRIED ON A RECORDED VOTE LATER IN THE MEETING] [SEE MOTION (127) ON PAGE 23]

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

Moved by Councillor Chapman, Seconded by Councillor Joe Neal,

(112) That the order of the Agenda be altered to consider Confidential Items 12.5 and 12.12 at the end of the Other Business section of the Agenda.

CARRIED

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)  
[CARRIED]

Moved by Councillor Carter, Seconded by Councillor Chapman,

(113) 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; 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.

CARRIED

12.7 Indexing of Regional Development Charges (2020-COW-11)  
[CARRIED ON A RECORDED VOTE]

Moved by Councillor Marimpietri, Seconded by Councillor Lee,

(114) 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 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.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Bath-Hadden  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Marimpietri  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Wotten  
Regional Chair Henry

No

Councillor Barton  
Councillor Brenner  
Councillor Leahy  
Councillor Lee  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Roy  
Councillor Smith  
Councillor Yamada

Members Absent: Councillor Dies

Declarations of Interest: None

Moved by Councillor Chapman, Seconded by Councillor Leahy,  
(115) That Council recess for 15 minutes.

CARRIED

Council recessed at 2:04 PM and reconvened at 2:14 PM.

The Regional Clerk conducted a roll call following the recess and all members of Council were present.

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

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[CARRIED]

Moved by Councillor Pickles, Seconded by Councillor Kerr,  
(116) 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.

CARRIED

- 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)
- 

[CARRIED]

Moved by Councillor Barton, Seconded by Councillor Carter,

- (117) 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.

CARRIED

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

[CARRIED]

Moved by Councillor Joe Neal, Seconded by Councillor Lee,

- (118) That the following resolution on transition to full producer responsibility, included as Attachment #1 to Report #2020-COW-15, be endorsed and forwarded to the Minister of the Environment Conservation and Parks and Association of Municipalities of Ontario:

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](mailto: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.

CARRIED

- 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)  
[CARRIED]

Moved by Councillor Pickles, Seconded by Councillor Leahy,

(119) 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 (4) 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.

CARRIED

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)

[CARRIED LATER IN THE MEETING] [SEE MOTION (123) ON PAGE 22]

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

[This item was considered later in the meeting. See page 22 of these minutes.]

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

[CARRIED]

Moved by Councillor Brenner, Seconded by Councillor Pickles,

(120) 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, 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 Report #2020-COW-18, 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 Report #2020-COW-18, including the Notices of Application of Approval to Expropriate.

CARRIED

- 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)  
[CARRIED ON A RECORDED VOTE]

Moved by Councillor Brenner, Seconded by Councillor McLean,

- (121) 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:

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

- 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>

Paramedic Training Facility

Capital Impact Stabilization Reserve Fund or other  
Financing at the Discretion of the Commissioner  
of Finance

\$3,500,000

**Total Project Cost**

**\$10,500,000**

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Bath-Hadden  
Councillor Brenner  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Pickles  
Councillor Roy  
Councillor Wotten  
Councillor Yamada

No

Councillor Marimpietri  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson

Regional Chair Henry

Members Absent: Councillor Barton  
Councillor Crawford  
Councillor Dies  
Councillor Smith

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
(122) That leave be granted for Councillor Joe Neal to speak a second time to this item.

CARRIED

The order of the Agenda was altered earlier in the meeting to consider Items 12. 12 and 12.5 at this time. [See motion (112) on page 15 of these minutes.]

- 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)  
[CARRIED]
- 

Moved by Councillor Carter, Seconded by Councillor Lee,  
(123) That the recommendations contained in Confidential Report #2020-COW-17 of the Commissioner of Works be adopted.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor Mulcahy,  
(124) That the meeting be closed to the public in order to discuss Confidential Report #2020-COW-9 from the Commissioner of Corporate Services with respect to Collective Bargaining 2020-2023, as it relates to Labour Relations or Employee Negotiations.

CARRIED

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

CARRIED

Council recessed at 3:20 PM and reconvened at 3:30 PM

(Refer to the closed Council meeting minutes of April 29, 2020)

- 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)  
[CARRIED]
-

Regional Chair Henry advised that during the closed meeting session, the Commissioner of Corporate Services responded to questions with respect to the confidential report. He further advised that during the closed session, there were no decisions, motions or recommendations made as it relates to Item 12.5 of Other Business.

Moved by Councillor Joe Neal, Seconded by Councillor Mulcahy,  
(127) That the recommendations contained in Confidential Report #2020-COW-9 of the Commissioner of Corporate Services be adopted.

CARRIED ON THE FOLLOWING RECORDED  
VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Barton  
Councillor Brenner  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Dies  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

No

Councillor Joe Neal

Members Absent: Councillor Bath-Hadden

Declarations of Interest: Councillor Drew  
Councillor Roy

**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

Moved by Councillor Ashe, Seconded by Councillor Chapman,  
(128) That By-law Numbers 21-2020 and 22-2020 inclusive be passed.

CARRIED

**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.

Moved by Councillor Ashe, Seconded by Councillor Chapman,  
(129) That By-law Number 23-2020 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on April 29, 2020 be passed.

CARRIED

**15. Adjournment**

Moved by Councillor Brenner, Seconded by Councillor Crawford,  
(130) That the meeting be adjourned.

CARRIED

The meeting adjourned at 3:56 PM



Respectfully submitted,

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John Henry, Regional Chair & CEO

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Ralph Walton, Regional Clerk

## Communications

May 27, 2020

- CC 09 June Gallagher, Deputy Clerk, Municipality of Clarington writing to John Henry, Regional Chair advising of a motion adopted at the April 14, 2020 Council meeting re: Anaerobic Digestion Facility (Our File: E08)
- 

Recommendation: Refer to consideration of Report #2020-WR-1

(See attached correspondence on page 32)

- CC 10 Kathleen Power writing to Durham Regional Council regarding her comments about the Siting Report for the proposed mixed waste transfer/pre-sort and Anaerobic Digestion (AD) Facility prepared by GHD (Our File: E08)
- 

Recommendation: Refer to consideration of Report #2020-COW-20

(See attached correspondence on pages 33-35)

- CC 11 Jennifer Jaruczek, Planner, Policy & Advocacy, Building Industry and Land Development Association writing to Mary Simpson, Director, Financial Planning & Purchasing, Region of Durham advising that on behalf of their Durham Chapter members, BILD is in support of the Regions decision in regards to the July 1<sup>st</sup>, 2020 Indexing outlined within the background studies (Our File: L01)
- 

Recommendation: Refer to consideration of Report #2020-F-9

(See attached correspondence on page 36)

- CC 12 Trevor Wilcox, Secretary-Treasurer, Association of Municipalities Ontario writing to Head and Members of Council requesting nominations to the 2020-2022 AMO Board of Directors (Our File: A01)
- 

Recommendation: Motion to appoint Regional Chair Henry for the Director – Regional and Single Tier Caucus for the AMO Board of Directors for 2020 – 2022

(See attached correspondence on pages 37-43)

- CC 13 Anne Greentree, Municipal Clerk, Municipality of Clarington writing to the Honourable Jeff Yurek, M.P.P., Minister of Environment, Conservation and Parks advising of a motion adopted at their May 4, 2020 Council meeting re: Region of Durham mixed waste pre-sort and Anaerobic Digestion Organics Processing Facility – Site Selection Process Municipal Comments on Evaluation of Short-List of Sites and Identification of Preferred Site (Our File: E08)
- 

Recommendation: Refer to consideration of Report #2020-COW-20

(See attached correspondence on pages 44-46)

- CC 14 Susan Cassel, City Clerk, City of Pickering writing to The Honourable Justin Trudeau, Prime Minister of Canada advising of a motion adopted at the May 13, 2020 Council meeting re: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes, Retirement Homes and other Congregate Facilities (Our File: A00)
- 

Recommendation: Refer to consideration of Item 9.1 under Notice of Motions

(See attached correspondence on pages 47-49)

- CC 15 Doug McLaughlin, Pickering Resident writing to the Regional Clerk regarding his comments about the Proposed Amendments to Regional Development Charge By-law Nos. 28-2018 and 81-2017 (Our File: L01)
- 

Recommendation: Refer to consideration of Report #2020-F-9

(See attached correspondence on pages 50-53)

- CC 16 Frank Filippo, BILD Durham Chapter Chair, Building Industry and Land Development Association, writing to Regional Chair Henry and Members of Council thanking Chair Henry, Members of Council and staff for the strong leadership and guidance that has been shown throughout this pandemic (Our File: L01)
- 

Recommendation: Receive for Information

(See attached correspondence on pages 54-55)

- CC 17 Ryan Guetter, Senior Vice President and Jason De Luca, Planner, Weston Consulting, writing to The Regional Municipality of Durham regarding Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility and their comments with respect to the evaluation of site selection process and identification of preferred site (Our File: E08)
- 

Recommendation: Refer to consideration of Report #2020-COW-20

(See attached correspondence on pages 56-63)

# Clarington

If this information is required in an alternate format, please contact the Accessibility  
Co-ordinator at 905-623-3379 ext. 2131

April 15, 2020

John Henry, Regional Chair  
Region of Durham  
Via E-mail: chair@durham.ca

Dear Mr. Henry:

**Re:** Anaerobic Digestion Facility

**File Number:** PG.25.06

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At a meeting held on April 14, 2020, the Council of the Municipality of Clarington approved the following Resolution #JC-030-20:

That that matter of the Anaerobic Digestion Facility, be referred to Staff to report back to the April 27, 2020, Planning and Development meeting; and

That the Region of Durham be requested to extend the public comment periods for the anaerobic digester and the expansion of the DYEC from 140 to 160 tonnes, and also examine alternate forums that allow the public meaningful participation.

Yours truly,



June Gallagher, B.A., Dipl. M.A.  
Deputy Clerk

JG/lp

- c. Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham  
Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham  
Susan Siopis, Commissioner of Works, Region of Durham

April 22, 2020

Durham Regional Council  
605 Rossland Road East  
Whitby, Ontario L1N 6A3

Regional Chair and Members of Council,

RE: Waste Pre-Sorting and Anaerobic Digestion Facility - Siting Report

I am sending these comments to you regarding the Siting Report for the proposed Mixed Waste Transfer/Pre-Sort and Anaerobic Digestion (AD) Facility prepared by GHD, after reading about it in the local paper. I realize the comment period ended on March 20, however I was out of the country at that time and decided after reading all of the background reports (staff and technical) available on the Region's website associated with this project, I felt compelled to comment on the siting process .

I am not satisfied with the rationale provided for the preferred site (South Clarington) as being the most appropriate location and sincerely hope that members of Regional Council will critically review the advantages and disadvantages that have been outlined before determining the site for the proposed facility. There is a disproportionate number of advantages listed for the South Clarington site which was the first reason why it peaked my curiosity and lead me to read the Siting Report. Full disclosure, I am a retired municipal land use Planner, having worked for just under 30 years in the Region of Durham. As a resident of Oshawa and through my work experience, the Oshawa and Whitby sites have a history as waste processing sites for a number of years. There is a certain advantage for the Region to seriously consider them for the proposed project. Residents have long identified these sites as such and although I appreciate there are "sensitive receptors" near these sites that are not near the South Clarington site, regardless of the decision made about the proposed Mixed Waste Transfer/Pre Sort and AD facility, the Oshawa and Whitby sites will continue to have waste uses occupy them. All of the supporting background reports for the proposed facilities note the common mitigation measures that are typically applied, regardless of location, including one of the most important - all material is received and processed indoors.

As noted above, the advantages of the South Clarington site are disproportionate. For example, one of the advantages listed indicates no policy conflicts. That can be said of both the Oshawa and Whitby sites as well. The South Clarington site does not "stand out" as a clear first choice as described in the Siting Report.

Another point worth critical review is the advantage listed for South Clarington being in proximity to the Water Pollution Control Plant (WPCP) in Courtice. It has been described to me through an inquiry with Regional staff, as providing a smaller cost, as there is no need to build larger infrastructure given the proximity to the plant. After reviewing the report and discussion with staff I do not understand any advantage associated with proximity to the WPCP plant. In comparison, the Oshawa site for example is on full services (including sanitary). Any effluent from this proposed project will most likely be pre-treated before it is discharged, whether that be to the existing sanitary system or directly to the plant. If it is not being pre-treated in both instances, I would question why. On this basis, I do not see an advantage to the South Clarington site [being in close proximity to the Courtice WPCP](#). In the listing of advantages and disadvantages for the short listed sites, there is a lack of consistency in comparing the results of the evaluation. For example, one of the benefits for the South Clarington site is that "there are no PSWs, ESAs, ANSIs on site". The Oshawa and Whitby sites have existing waste uses currently occupying the site, there would appear to equally be no concern about PSWs, ESAs, or ANSIs. That is not outlined clearly for the reader. In terms of the disadvantages cited for the Whitby and Oshawa locations, there is "a concern from a safety perspective" about proximity to the Oshawa Airport re collision with birds, however the siting report clearly states that "mitigation through design will address, dust, odour and noise , by ensuring that all material is received and processed indoors". Oshawa and Whitby sites are current waste transfer and material recovery sites. As noted in the Siting Report, one of the advantages of the South Clarington site is the waste transfer distance resulting in the "second lowest waste transfer costs" This description in absence of a full evaluation of the other short listed sites in the same regard is completely misleading. The waste and organics from the area municipalities will still be taken from the curbside collection truck to the current waste transfer sites (Ajax and Pickering to the Pickering Miller Waste site on Squires Beach Road; Oshawa and Whitby to the Whitby Miller Waste site on Wentworth Street; and Clarington to the Waste Management of Canada Corporation site on McKnight Road ) From those points the waste will be taken to the proposed Mixed Waste Transfer/Pre-Sort and AD facility. The evaluation of waste transfer distances is not consistent in terms of outlining the potential truck trips involved with the waste. According to the Siting report, there is a clear advantage to the South Clarington site due to the proximity of the DYEC. it is actually not that straight forward if you look at all the sites fairly and consistently.

Should the proposed facility be located at the Whitby site, for example, the transfer of Source Separated Organics (SSO) and other waste destined to be pre-sorted before going to the Durham York Energy Centre (DYEC) that originates in Pickering, Ajax, Whitby & Oshawa (the Durham municipalities with the largest population & assuming the greatest quantity of waste) would actually be trucked a shorter distance for disposal at the AD and for pre sorting in the Mixed Waste Transfer/Pre-Sort facility. It would be

through this pre-sorting that the Region proposes to recover an assumed 80% of the incoming organics (page 17, GHD Background Research, Technical and Options Analysis Report, June 21, 2017) and recyclables from both Single Detached and Multi-Residential waste (Report 2019-WR-5, March 27, 2019, Results of the 2018 Residential Garbage Composition Study Undertaken by Canada Fibers Limited, cited approximately 11% of garbage from Singles was Blue Box recyclables & 16% from Multi Residential garbage was Blue Box materials), thus lowering the amount of waste to ultimately be trucked to the DYEC, and perhaps resulting in fewer trucks making that trip. This kind of analysis was not included in the review of the transportation component of the evaluation of short listed sites. Another, albeit smaller number of trucks moving westward from the South Clarington site to the Whitby site with recovered recycling material was also not included. Should the proposed facility locate on the Whitby site, there is a synergy with an existing material recovery facility.

My point is that the evaluation of sites should be fair and consistent, rather than trying to outline some synergy or advantage to being adjacent to the DYEC. The Whitby site is designated for the proposed use, has very few "sensitive receptors" and has an established presence as a waste processing site. At face value the displacement of existing Regional infrastructure may be a disadvantage however given the advantages of this location and the potential opportunities associated with locating the proposed facilities here, the relocation or reorganization of activities at this site may make it more advantageous. In terms of the uses currently on this site, it is my understanding that investments into equipment that is approaching its lifecycle has been paused by staff and Regional Council for the time being due to uncertainties associated with the Extended Producer Responsibility (EPR) regulations. The future potential of this site and disadvantages listed in the Siting report need to be critically reviewed.

Thank you for the opportunity to comment on the Waste Pre-Sorting and Anaerobic Digestion Facility - Siting Report.

Regards,

*Kathleen Power*

Kathleen Power

c.c.: Gioseph Anello, Manager of Policy and Technical Services



**BUILDING A GREATER GTA**  
Building Industry and Land  
Development Association

April 24, 2020

Ms. Mary E. Simpson  
Director, Financial Planning & Purchasing  
605 Rossland Road East  
Whitby, ON  
L1N 6A3

Dear Ms. Mary E. Simpson,

RE: Background Studies Supporting the Proposed Amendments to Regional Development Charge By-laws to Waive the July 1, 2020 Indexing

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*With approximately 1,500 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area and Simcoe County. In 2018, the building and renovation industry provided over \$34 billion in investment value and employed over 270,000 people in the region. BILD members are city builders. They are active in all segments of the housing market, including intensification and greenfield development, and all types of housing including single family homes, townhouses, high-rise apartments, mixed-use, ownership and rental housing.*

BILD is in receipt of staff's memo outlining the *Background Studies Supporting the Proposed Amendments to Regional Development Charge (DC) By-laws to Waive the July 1, 2020 Indexing*. We are also in receipt of the two DC Background Studies which were released to the public on April 24, 2020. We understand that the Statutory Public Meeting will be held on May 27, 2020 at Regional Council Chambers and will be considered at the Regional Council meeting on June 24, 2020.

**On behalf of our Durham Chapter members, BILD is in support of the Regions decision in regards to the July 1<sup>st</sup>, 2020 Indexing outlined within the background studies.**

The far-reaching effects of COVID-19 has left our industry, like many others, facing unprecedented times. The situation continues to rapidly evolve, and as it does, members of BILD have expressed growing concerns and challenges with current business plans, the viability of future projects, and the overall health of our industry and local economy. Given the state of the economy and uncertainty of the situation, we applaud staff for proceeding with these by-law amendments. Our Membership appreciates the steps the Region has taken to support our industry during this time and for making yourselves available to discuss solutions.

We appreciate the efforts to bring these amendments forward in light of recent events and thank Regional Council and Staff for their leadership and efforts during these trying times. We are your partners in prosperity. If there is anything we can do at BILD or with our members that can be of service to you – we welcome that discussion.

Should you have any questions, please feel free to contact the undersigned.

Sincerely,

Jennifer Jaruczek  
Planner, Policy & Advocacy, BILD

CC: Frank Filippo, BILD Durham Chapter Chair  
BILD Durham Chapter Members

20 Upjohn Rd, Suite 100  
North York, ON M3B 2V9

Tel: 416.391.3445  
Fax: 416.391.2118

[www.gthba.ca](http://www.gthba.ca)



**2020 – 2022  
AMO BOARD OF DIRECTORS  
Call for Nominations**

**April 28, 2020**

**Tuesday, April 28, 2020**

**To: Head and Members of Council**  
**From: Trevor Wilcox, Secretary-Treasurer, AMO**

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2020 – 2022 AMO Board of Directors.

Attached please find:

- A summary of the offices for which elections will be held at the 2020 Annual Meeting;
- An estimate of the annual time commitment required to serve on the AMO Board of Directors and for those who will then serve on the AMO Executive Committee; and
- Nomination Form

Candidates reflecting Ontario's diversity are encouraged to seek election to the AMO Board. The names of all qualified individuals who are duly nominated will appear on the ballot for election to the Board. From the [AMO By-Law No. 2](#) Part 3, qualifications are:

### **3.3 Qualifications of Directors.**

a) Every Director shall:

- be an individual of eighteen (18) or more years of age;
- be an elected official of a Member Municipality or an employee of a Member Municipality of the Corporation;
- not be an undischarged bankrupt; and
- not be declared incapable.

b) The position of Secretary-Treasurer is to be filled by an employee of a Member Municipality and also meet the qualifications of 3.3 a).

Qualified Nominees must obtain a Council resolution of support which must also specify the Caucus or position for which the individual is being nominated. In order to provide the broadest representation possible, AMO By-law No. 2 stipulates that a member municipality can only have one representative on the Board unless another representative is on the Board as an appointed official from a municipal group. See Section 3.4(e)\*

A completed Nomination Form and supporting material must be received no later than 12:00 noon on Monday, June 22, 2020. Nominations will not be accepted beyond that date. AMO's Chief Returning Officer, Peter Fay, will certify the nomination. A Nominations Report will be issued no later than Friday, July 24, 2020.

Please forward a completed Nomination Form to the Association via email [amoelections@amo.on.ca](mailto:amoelections@amo.on.ca) or fax at (416) 971-6191 or mail to the attention of Brian Rosborough, Executive Director. Scans and photographic images of documents are acceptable.

All candidates will be contacted to confirm receipt of their nominations and at that time will receive further information on the election process.

If you have any questions regarding this information, please contact Brian Rosborough, Executive Director at (416) 971-9856, ext. 362, e-mail [brosborough@amo.on.ca](mailto:brosborough@amo.on.ca) or Lorna Ruder, Executive Assistant, ext. 341, email [lruder@amo.on.ca](mailto:lruder@amo.on.ca)

## Commitment:

The following is an estimate of time individuals can normally expect to devote for service on the AMO Board of Directors and Executive Committee (i.e. Chair of each Caucus).

Executive Meetings:	10 days
Memorandum of Understanding Meetings: (Executive Committee only)	8 days
Board Meetings:	6 days
AMO Conference:	3 days
Other Commitments: (task forces, other meetings)	up to 6 days, depending on interest

## Board Meetings:

Board meetings are normally held on the fourth Friday in September, November, January, March and June and on the Saturday and Sunday in advance of the AMO Annual Conference in August. The June meeting is normally held in the President's or Secretary-Treasurer's home municipality. In addition to the Board meetings, Board members may also serve on AMO Task Forces.

## Executive Meetings:

Executive meetings are held on the Thursday before a scheduled Board meeting and on the fourth Thursday of the month when there is no Board meeting. Memorandum of Understanding (MOU) meetings are specifically scheduled annually in concert with the Ministry of Municipal Affairs and Housing.

## **AMO Board/Executive/Volunteer Expense Reimbursement Policy**

This policy applies to members of the Executive and Board as it relates to Executive Committee meetings (including MOU meetings) and Board of Directors meetings.

### ***Travel Expense:***

AMO will reimburse travel expenses in excess of \$300.00 per meeting for AMO Board of Directors, AMO Executive Committee meetings, and MOU meetings, which are generally held in the City of Toronto or the President or Secretary-Treasurer's municipality. Travel expenses refer to airfare, train fare, car mileage, public transit, and parking costs, and shall not apply to AMO Board of Directors/Executive meetings that are held prior to or following the AMO Annual Conference or Symposiums. Members are expected to make the most efficient and cost-effective travel arrangements.

### ***Mileage Rates:***

Automobile travel allowance rates are

- \$0.59 for the first 5,000 kilometers, and
- \$0.53 for each additional kilometer.

AMO's mileage rate is based on Revenue Canada's current "Automobile Deduction Limits and Expense Benefit Rates for Business" and is adjusted annually to reflect any changes.

### ***Accommodation/Meals:***

There is no provision for the reimbursement of accommodation and meals.

### ***Northern Ontario Exception:***

Northern Ontario Executive Committee and Board members are expected to take advantage of airfare savings and make the most efficient and cost-effective travel arrangements. As some Northern Ontario board/executive members have connecting flights making it impossible to complete their travel without incurring accommodation and meal expenses, AMO will reimburse a maximum of three days accommodation and meal expenses.

## Notice of Elections:

Elections will be held for the 2020 -2022 AMO Board of Directors consistent with the AMO By-law No. 2. Positions include:

- President (must be a municipal elected official).
- Secretary-Treasurer (must be a municipal staff official).
- 6 County Caucus Directors. To be Elected: Three elected officials and one municipal employee to be elected by caucus constituency at the conference. Appointed Officials: Chairs of the Eastern and Western Ontario Wardens Caucuses.
- 7 Large Urban Caucus Directors. To be Elected: Five elected officials and one municipal employee to be elected by caucus constituency at the conference. Appointed Official: Chair of the Large Urban Mayors' Caucus of Ontario.
- 6 Northern Caucus Directors. To be Elected: Four elected officials to be elected by caucus constituency at the conference: two from the Northeast and two from the Northwest. Appointed Officials: Chairs of the Federation of Northern Ontario Municipalities and the Northern Ontario Municipal Association.
- 7 Regional and Single Tier Caucus Directors. To be Elected: Six elected officials to be elected by caucus constituency at the conference. Appointed Official: Chair of the Mayors and Regional Chairs of Ontario's Single Tier Cities and Regions.
- 6 Rural Caucus Directors. To be Elected: Four elected officials and one municipal employee to be elected by caucus constituency at the conference. Appointed Official: Chair of the Rural Ontario Municipal Association.
- 6 Small Urban Caucus Directors. To be Elected: Four elected officials and one municipal employee to be elected by caucus constituency at the conference. Appointed Official: Chair of Ontario Small Urban Municipalities.

Each of the above elected caucus members shall serve a two-year term.

Note: in the event the conference is held virtually, conference delegates will vote through electronic means.

\*Excerpt from AMO By-law No. 2, Section 3.4 (e): No Member Municipality may be represented on the Board by more than one Director elected to the Board (either a municipal elected official or a municipal employee) except in the case where the Director is an appointed Director as set out in Section 3.4 b) ii).... (summarized above).

**NOMINATION FORM**  
**2020 – 2022 AMO Board of Directors**

- Candidates reflecting Ontario’s diversity are encouraged to seek election to the AMO Board.
- It is the responsibility of the person nominated to file a complete and accurate Nomination Form.
- Nominations will be accepted no later than **12:00 noon Monday, June 22, 2020.**
- Council Resolution of support must accompany the form and must specify the Board Office position.

**Please type or print clearly:**

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Nominee’s Name, as it is to appear on the ballot

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Nominee’s Municipal Position Title

---

Nominee’s Municipality

---

Municipal Address (Include Postal Code)

---

Municipal Address (Include Postal Code)

---

Nominee’s Email address and phone number

Nominated for the Office of (check one only):

President

Secretary-Treasurer

Director County Caucus

Director Large Urban Caucus

Director Northern Caucus

Director Regional & Single Tier Caucus

Director Rural Caucus

Director Small Urban Caucus

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*A Council Resolution confirming Board Office Nomination and Council support for the Nomination is ATTACHED*

**Consent of Nominee and Statement of Qualification:**

I, the Nominee mentioned in this Nomination Form do hereby consent to such Nomination and declare that I am qualified to be elected and to hold the office for which I am nominated.

---

Signature of Nominee and date

**Certificate of AMO's Chief Returning Officer:**

I, Peter Fay, the Chief Returning Officer, appointed by the Association of Municipalities of Ontario, to officiate over these elections, do hereby certify that I have examined the Nomination Form of the aforementioned Nominee filed with me and am satisfied that such Nominee is qualified to be nominated to the office indicated above.

---

Signature of Chief Returning Officer and date

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Date Nomination Form received in AMO Office



If this information is required in an alternate format, please contact the Accessibility Co-ordinator at 905-623-3379 ext. 2131

May 7, 2020

The Honourable Jeff Yurek, M.P.P.  
Minister of the Environment, Conservation and Parks  
Via E-Mail: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

Dear Minister:

**Re:** Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion  
Organics Processing Facility – Site Selection Process Municipal  
Comments on Evaluation of Short-List of Sites and Identification of  
Preferred Site

**File Number:** PG.25.06

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At a meeting held on May 4, 2020, the Council of the Municipality of Clarington approved the following Resolution #C-202-20:

That Report PSD-013-20 be received;

That Clarington declares itself to be an unwilling host community to the Regional anaerobic digestion and waste pre-sort facility as recommended in the preliminary siting report;

That Report PSD-013-20 be adopted as the Municipality of Clarington's comments on the Mixed Waste Transfer/Pre-Sort and Anaerobic Digestion Organics Processing Facility Siting Report (GHD, March 6, 2020);

That the Region of Durham be requested to address the comments in Report PSD-013-20;

That the Region of Durham be requested to collaborate with the Municipality by committing and contributing to the economic development objectives of the Courtice Waterfront and Energy Park area;

That the Memo from Faye Langmaid, Acting Director of Planning, regarding Courtice Waterfront and Energy Park Secondary Plan, be received for information;



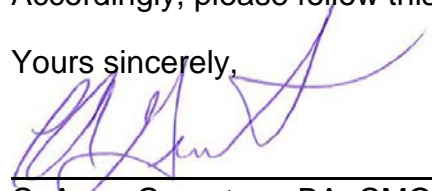
That a copy of Report PSD-013-20 and Council's decision be sent to the Region of Durham, the Ministry of Environment, Conservation and Parks, and the other Durham Region area municipalities;

That all interested parties listed in Report PSD-013-20 and any delegations be advised of Council's decision; and

That Staff report back to the June 15th meeting on whether the siting of the Anaerobic Digestion Organics Processing Facility, in Clarington's Energy Park is a breach of the 2010 EFW Host Community Agreement provisions.

Accordingly, please follow this [link](#) to view Report PSD-013-20.

Yours sincerely,



C. Anne Greentree, BA, CMO  
Municipal Clerk

CAG/cm

- c. **See Attached List of Interested Parties**  
R. Albright, Acting Director of Engineering Services  
F. Langmaid, Acting Director of Planning Services  
A. Burke, Acting Manager – Special Projects Branch  
P. Wirch, Senior Planner

**Interested Parties List**

Brian Bridgeman, Commissioner of Planning and Economic Development, The Regional Municipality of Durham  
Susan Siopis, Commissioner of Works, The Regional Municipality of Durham  
Simon Gill, Director, Economic Development & Tourism, The Regional Municipality of Durham  
Gary Muller, Director of Planning, The Regional Municipality of Durham  
Ralph Walton, Regional Clerk, The Regional Municipality of Durham  
Giuseppe Anello, Manager of Waste Planning & Technical Studies, The Regional Municipality of Durham  
Angela Porteous, Supervisor of Waste Services, The Regional Municipality of Durham  
Susan Cassel, City Clerk, City of Pickering  
Nicole Cooper, Director of Legislative & Information Services, Town of Ajax  
Christopher Harris, Town Clerk, Town of Whitby  
Becky Jamieson, Clerk, Township of Brock  
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge  
Mary Medeiros, City Clerk, City of Oshawa  
JP Newman, Director of Corporate Services/Clerk, Township of Scugog  
Sheila Hall, Executive Director, Clarington Board of Trade  
Jennifer Knox, Director, Nuclear Stakeholder Relations, Ontario Power Generation  
Wendy Bracken  
Ray Davies, Senior Manager, Real Estate Services, Ontario Power Generation  
Jason DeLuca, Weston Consulting  
Hannu Halminen, 1725596 Ontario Ltd.  
Kirk Kemp, 1725596 Ontario Ltd.  
Linda Gasser  
Ryan Guetter, Weston Consulting  
Libby Racansky

Sent by Email

May 15, 2020

The Honourable Justin Trudeau  
Prime Minister of Canada  
[justin.trudeau@parl.gc.ca](mailto:justin.trudeau@parl.gc.ca)

Subject: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes,  
Retirement Homes and other Congregate Facilities  
File: A-1400-001-19

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The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on May 13, 2020 and adopted the following resolution:

Whereas there has been a particularly devastating impact of COVID-19 outbreaks and deaths in our Long-Term Care, Retirement Homes and other congregate facilities across Ontario and Canada;

And Whereas, the Orchard Villa Long-Term Care and Retirement Home in the City of Pickering has been one of the residences that have been hardest hit with many affected and many deaths of our residents and terrible impacts to their families;

And Whereas, we appreciate the work of Long-Term Care, Retirement Home and other congregate facility staff and health care workers caring for affected residents and supporting their family members;

And Whereas, the Council and City of Pickering sincerely gives its condolences to the residents who have passed and their families, and best wishes for recovery to affected residents and their families;

1. Requests that the owner, operator and regulatory bodies of the Orchard Villa Long-Term Care and Retirement Home, take all appropriate measures to immediately care for patients, avoid further virus spread and deaths, and have appropriate communications with family members on resident care;
2. Calls on the Federal and/or Provincial Governments to conduct an investigation, with opportunities for families' participation, at an appropriate time, of the outbreaks and

deaths at Orchard Villa and other affected Long Term Care Homes, Retirement Homes and other congregate facilities, to determine the causes for the particularly devastating impacts and means to address and avoid such outbreaks and deaths in these residences in the future; and,

3. That this motion be forwarded to the Prime Minister of Canada, responsible Federal Ministers, Durham's MPs, Chief Public Health Officer of Canada, Premier of Ontario, responsible Provincial Ministers, Durham's MPPs, Ontario's Chief Medical Officer of Health, Federation of Canadian Municipalities, Association of Municipalities of Ontario, the Association of Local Public Health Agencies (alPHA), and 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: The Hon. Doug Ford, Premier of Ontario  
The Hon. Bill Blair, Minister of Public Safety and Emergency Preparedness  
The Hon. Patty Hajdu, Minister of Health  
The Hon. Deb Schulte, Minister of Seniors  
The Hon. Raymond Sung Joon Cho, Minister for Seniors and Accessibility  
The Hon. Christine Elliott, Minister of Health  
The Hon. Merrilee Fullerton, Minister of Long-Term Care  
Dr. Theresa Tam, Chief Public Health Officer of Canada  
Dr. David Williams, Ontario's Chief Medical Officer of Health  
Ryan Turnbull, Member of Parliament, Whitby  
Jennifer O'Connell, Member of Parliament, Pickering-Uxbridge  
Colin Carrie, Member of Parliament, Oshawa  
Mark Holland, Member of Parliament, Ajax  
The Hon. Erin O'Toole, Member of Parliament, Durham  
Jamie Schmale, Member of Parliament, Haliburton-Kawartha Lakes-Brock  
Lorne Coe, Member of provincial Parliament, Whitby  
Jennifer French, Member of provincial Parliament, Oshawa  
Lindsey Park, Member of provincial Parliament, Durham  
The Hon. Rod Phillips, Member of provincial Parliament, Ajax

The Hon. Laurie Scott, Member of provincial Parliament, Haliburton-Kawartha Lakes-Brock  
The Hon. Peter Bethlenfalvy, Member of provincial Parliament, Pickering-Uxbridge  
Ralph Walton, Regional Clerk, Regional Municipality of Durham  
Federation of Canadian Municipalities  
Association of Municipalities of Ontario  
Association of Local Public Health Agencies

Chief Administrative Officer

To:

Regional Clerk  
Regional Municipality of Durham  
605 Rossland Road East  
Whitby, ON  
L1N 6A3

May 19, 2020

Re: Proposed Amendments to Regional Development Charge Bylaw No. 28-2018

Dear Sir or Madam,

I am against the proposed amendments to Regional Development Charge Bylaw No. 28-2018. The indexing feature of the bylaw should be maintained as is for the following reasons:

1. The real estate development industry is one of the most profitable sectors of the Ontario economy.
2. All components of the real estate development industry, both big and small companies, as well as its respective workers can avail themselves of the very generous support programs being offered by the Government of Canada during the current corona virus pandemic. To list just a few of these programs: Canada Emergency Wage Subsidy (CEWS), Temporary Wage Subsidy for Employers (TWSFE), Canada's Emergency Response Benefit (CERB), Canada Emergency Business Account (CEBA), Large Employer Emergency Financing Facility (LEEFF), Business Credit Availability Program (BCAP). Workers can also make use of Employment Insurance benefits.
3. The Province of Ontario has also made generous support programs available to big and small companies, including interest and penalty relief for provincially administered taxes, Workplace Safety and Insurance Board payment deferrals, Employer Health Tax relief, Regional Opportunities Investment Tax Credit.
4. Most real estate development projects will continue to receive financing through the major banks.
5. Canada's fiscal and monetary policies, debt relief programs, debt monetization, and ultra-low interest rates going forward many years into the future will be highly stimulative of the economy, especially for the real-estate development and construction industries.
6. Even during the lockdown in Ontario, some real estate development and construction projects have been observed to be taking place throughout Durham Region. The Ontario government has announced that all construction can resume and essential workplace limits will be lifted on May 19, 2020. Thus, real estate development and construction companies can quickly ramp up activity to pre-lockdown levels, if they have not already done so.

7. The Ontario economy is starting to open back up. Customers are flocking to hardware stores and nurseries. There is a huge pent-up demand for goods and services, including a demand for residential housing, both new and resale. Real estate development and construction industries will benefit immensely from this demand.
8. The burden of the foregone revenue due to the elimination of the indexing feature of the bylaw will have to be unfairly shouldered by the taxpayers of the Regional Municipality of Durham. This is an abuse of the region's taxpayers.

I strongly recommend that the proposed amendments to Regional Development Charge Bylaw No. 28-2018 not be approved.

Submitted by:

Doug McLaughlin  
562 Cattail Court  
Pickering, Ontario  
L1V 6A3

To:

Regional Clerk  
Regional Municipality of Durham  
605 Rossland Road East  
Whitby, ON  
L1N 6A3

May 19, 2020

Re: Proposed Amendments to Regional Transit Development Charge Bylaw No. 81-2017

Dear Sir or Madam,

I am against the proposed amendments to Regional Transit Development Charge Bylaw No. 81-2017. The indexing feature of the bylaw should be maintained as is for the following reasons:

1. The real estate development industry is one of the most profitable sectors of the Ontario economy.
2. All components of the real estate development industry, both big and small companies, as well as its respective workers can avail themselves of the very generous support programs being offered by the Government of Canada during the current corona virus pandemic. To list just a few of these programs: Canada Emergency Wage Subsidy (CEWS), Temporary Wage Subsidy for Employers (TWSFE), Canada's Emergency Response Benefit (CERB), Canada Emergency Business Account (CEBA), Large Employer Emergency Financing Facility (LEEFF), Business Credit Availability Program (BCAP). Workers can also make use of Employment Insurance benefits.
3. The Province of Ontario has also made generous support programs available to big and small companies, including interest and penalty relief for provincially administered taxes, Workplace Safety and Insurance Board payment deferrals, Employer Health Tax relief, Regional Opportunities Investment Tax Credit.
4. Most real estate development projects will continue to receive financing through the major banks.
5. Canada's fiscal and monetary policies, debt relief programs, debt monetization, and ultra-low interest rates going forward many years into the future will be highly stimulative of the economy, especially for the real-estate development and construction industries.
6. Even during the lockdown in Ontario, some real estate development and construction projects have been observed to be taking place throughout Durham Region. The Ontario government has announced that all construction can resume and essential workplace limits will be lifted on May 19, 2020. Thus, real estate development and construction companies can quickly ramp up activity to pre-lockdown levels, if they have not already done so.



7. The Ontario economy is starting to open back up. Customers are flocking to hardware stores and nurseries. There is a huge pent-up demand for goods and services, including a demand for residential housing, both new and resale. Real estate development and construction industries will benefit immensely from this demand.
8. The burden of the foregone revenue due to elimination of the indexing feature of the bylaw will have to be unfairly shouldered by the taxpayers of the Regional Municipality of Durham. This is an abuse of the region's taxpayers.

I strongly recommend that the proposed amendments to Regional Transit Development Charge Bylaw No. 81-2017 not be approved.

Submitted by:

Doug McLaughlin  
562 Cattail Court  
Pickering, Ontario  
L1V 6A3



BUILDING A GREATER GTA  
Building Industry and Land  
Development Association

May 19, 2020

Regional Chair Henry and Members of Council  
Durham Region  
605 Rossland Rd E  
Whitby, ON  
L1N 6A3

Dear Region Chair Henry and Members of Council,

RE: COVID-19 Response and Recovery – Thank-you

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*In Durham region, the building and renovation industry provides over 4.4 billion in investment value and employs over 34,000 people<sup>1</sup>. As a simple rule of thumb one crane in the sky is equal to 500 jobs. With approximately 1,500 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area and Simcoe County. Residential Construction is a key economic driver to every community in Canada.*

We would like to take this opportunity to thank you and staff for the strong leadership and guidance that you have shown throughout this pandemic. We have a shared interest in keeping business moving by ensuring that development services continue to be carried out remotely – Durham Region has been a great example of this best practice. We applaud you for taking the steps you have to ensure safe services for the employees and the business of the Region.

We greatly respect your governance in keeping people safe, and this is our industry's first priority too. Construction sites have instituted various health and safety measures, such as splitting crews into staggered shifts, utilizing the extended start and closing times, only allowing one trade in an area at a time, limiting no more than 3 people in an open air hoists, and every construction site in Ontario that has 20 or more people has a joint health and safety committee – to ensure all employees have a voice.

BILD and its members want to be a part of the solutions during this difficult time. To assist our members and municipal partners, BILD has put together resources on all the latest information that directly affects the building, land development and professional renovation industry. This includes a [Status of Municipal Services Tracking List](#) and a [Municipal Meetings & Public Engagement Protocols](#). Both documents can be found on [BILD COVID-19](#) page on our website. This information sharing has been greatly valued by our membership and we hope it serves to be a resource to our municipal partners as well.

We hope that this situation will continue to subside and that we have all done our part to flatten the curve. Our industry is facing unprecedented times and many of our members are concerned about the viability of existing and future projects, as well as the overall health of our industry. We will now need to focus on our recovery efforts, both during the after the pandemic, and we are here to assist you in those conversations. That is why we greatly appreciate and are in support of the quick, proactive measures staff undertook to respond to the upcoming July 1<sup>st</sup> development charges indexing in recognition of disruptions and potentials delays COVID-19 has caused. When this is all behind us, we will need to focus on restarting the economic and recovery efforts. BILD and its members are here to assist you in those conversations when they are initiated.

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<sup>1</sup> Based on 2018 Canadian Mortgage and Housing Corporation and Statistics Canada data

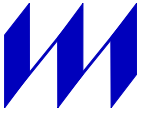
Again, thank you for your leadership during these trying times, we are your partner in prosperity and within this turmoil. If there is anything we can do at BILD or with our members to be of service to you – we welcome that and look forward to any opportunities to have these recovery discussions with Durham Region.

Stay safe and healthy,



Frank Filippa  
BILD Durham Chapter Chair

CC: BILD Durham Chapter Members  
Gary Muller, Durham Region



# WESTON CONSULTING

planning + urban design

The Regional Municipality of Durham  
Legislative Services-Council Services  
Corporate Services  
605 Rossland Road East  
Whitby, Ontario L1N 6A3

May 20, 2020  
File 9365

**Re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion  
Organics Processing Facility  
Comments regarding Evaluation of Site Selection Process and Identification of  
Preferred Site  
113 DOWN RD & PT LT 31 CON BROKEN FRONT DARLINGTON PT 1**

Weston Consulting is the authorized planning consultant for 1725596 Ontario Limited, the registered owner of the lands municipally known as 113 Down Road and legally described as PT LT 31 CON BROKEN FRONT DARLINGTON PT 1 in the Municipality of Clarington ("MOC"). The purpose of this correspondence is to provide comments on the Durham Region's investigation of a preferred site for a Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility ("AD Facility"). This correspondence is provided in addition to the preliminary comments that were submitted to Durham Region Staff on March 20, 2020, and a more detailed comment letter, dated April 27, 2020, which was submitted to MOC Planning and Development Committee and Durham Region Staff and articulated a number of concerns with the siting selection process undertaken by GHD. This previous correspondence is attached to this letter for review and consideration.

Our client's lands are located on the south side of Darlington Park Road, abutting the east and west sides of Down Road. The properties have a combined area of approximately 51.94 hectares (128.36 acres) and are currently being used for agricultural purposes and are accessed by Down Road. Our client's lands are situated along the waterfront within an area of land south of Highway 401, east of Darlington Provincial Park and west of the Clarington Energy Business Park. These lands form a significant portion of the Courtice Waterfront Study Area, which together with the Energy Park lands to the east constitute the expanded Courtice Waterfront and Energy Park Secondary Plan Update Area.

The Region's recommended preferred "South Clarington" site is located within the Clarington Energy Business Park and is comprised of three (3) adjacent land parcels with a total area of approximately 16 hectares (herein referred to as the "South Clarington Site"). The South Clarington Site is situated along the west boundary of the Clarington Energy Business Park and is adjacent to the east boundary of the Courtice Waterfront Study Area and east of our client's lands, and occupies a central location within the Courtice Waterfront and Energy Park Secondary Plan Update Area.

As explained in detail in our letter dated April 27, 2020, we concur with Clarington Staff's conclusions and recommendations as contained in their Staff Report PSD-013-20, including that a *"more fulsome assessment of land use compatibility, economic impact, and alternative siting options is needed, and the development of a comprehensive communication and engagement strategy"* and that the *"broader long-term vision and opportunities in the area of the recommended preferred Site should be taken into account."* Based on our participation in the public consultation process, and review of relevant technical background materials including the GHD's Siting Report for the AD Facility, dated March 6, 2020, as well as additional correspondence and materials provided by GHD to Weston Consulting on April 24, 2020 and May 4<sup>th</sup>, 2020, it is our opinion, that while the Region's siting selection process examined land use compatibility relating to existing development and existing land use permissions, it did not take into account ultimate planning objectives for this area, and the potential range of future uses that are currently envisioned for the Courtice Waterfront and Energy Park Secondary Plan Update Area.

In addition to the foregoing, we also note that the siting selection process did not consider other underutilized lands within and abutting the Clarington Energy Business Park including vacant Region-owned lands adjacent to the Courtice Water Pollution Control Plant ("WPCP") to the south and east of the South Clarington Site and the Durham York Energy Centre ("DYEC"), as well as other lands within the Energy Park identified as "underutilized" in the Region's Envision Durham Growth Management Urban System Discussion Paper (June 2019). As noted by Clarington Staff in their Report PSD-013-20, *"Underutilized property in the Energy Park may offer an opportunity for the Facility to achieve many of the same advantages as noted for the Site on another property and also achieve other economic development goals including employment targets."* Further to the foregoing, it is our opinion that the siting selection process would greatly benefit from consideration of other underutilized lands within and adjacent to the Clarington Energy Business Park.

We respectfully request that the comments contained in the above and attached correspondence, be appropriately considered by Durham Regional Council and Staff.

Furthermore, Weston Consulting and our client would like to reserve the right to provide further comments on the Region's Site Selection Process for the AD Facility, and any other related technical materials or correspondence, and respectfully request to be notified of any future Durham Region reports, public meetings and decisions in relation to this matter.

If you have any questions regarding the above comments, please contact the undersigned at extensions 241 or 253.

Yours truly,

**Weston Consulting**

Per:



Ryan Guetter, BES, MCIP, RPP  
Senior Vice President

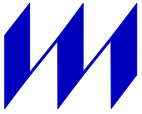
and



JASON DE LUCA, BUKPI, RPP  
Planner

- c. 1725596 Ontario Limited  
Carlos Salazar, Municipality of Clarington  
Paul Wirch, Municipality of Clarington  
Corporate Services Department, Legislative Services, Regional Municipality of Durham  
Gioseph Anello, Waste Planning & Technical Services, Regional Municipality of Durham

Attachment: Comment Submission to MOC Joint Committee and Council, dated, April 27, 2020  
and Preliminary Comment Submission to Durham Region Staff, dated March 25,  
2020



# WESTON CONSULTING

planning + urban design

Anne Greentree  
Municipal Clerk, Municipality of Clarington  
Clerk's Department  
Municipal Administrative Centre  
40 Temperance Street, 2<sup>nd</sup> Floor  
Bowmanville, ON L1C 3A6

April 27, 2020  
File 9365

**Re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion  
Organics Processing Facility  
Comments on Report PSD-013-20 & Evaluation of Site Selection Process and  
Identification of Preferred Site  
113 DOWN RD & PT LT 31 CON BROKEN FRONT DARLINGTON PT 1**

Weston Consulting is the authorized planning consultant for 1725596 Ontario Limited, the registered owner of the lands municipally known as 113 Down Road and legally described as PT LT 31 CON BROKEN FRONT DARLINGTON PT 1 in the Municipality of Clarington ("MOC"). The purpose of this correspondence is to provide comments on the MOC Staff Report PSD-013-20, dated April 27, 2020, ("MOC Report") and Durham Region's investigation of a preferred site for a Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility ("AD facility").

Our client's lands are located on the south side of Darlington Park Road, abutting the east and west sides of Down Road. The properties have a combined area of approximately 51.94 hectares (128.36 acres) and are currently being used for agricultural purposes and are accessed by Down Road. Our client's lands are situated along the waterfront within an area of land south of Highway 401, east of Darlington Provincial Park and west of the Clarington Energy Business Park. These lands form a significant portion of the Courtice Waterfront Study Area, which together with the Energy Park lands to the east constitute the expanded Courtice Waterfront and Energy Park Secondary Plan Update Area.

As noted in the MOC Report, the Region's recommended preferred "South Clarington" site is located within the Clarington Energy Business Park and is comprised of three (3) adjacent land parcels with a total area of approximately 16 hectares (herein referred to as the "South Clarington Site"). The South Clarington Site is situated along the west boundary of the Clarington Energy Business Park and adjacent to the east boundary of the Courtice Waterfront Study Area and east of our client's lands, and occupies a central location within the Courtice Waterfront and Energy Park Secondary Plan Update Area.

The MOC Staff Report reviews and evaluates Durham Region's site selection process and preferred site identification for the AD Facility, ultimately recommending additional study and siting considerations. Based on our review of relevant technical background materials and participation

in the public consultation process, and further to our preliminary comments contained in the attached email correspondence to Durham Region, dated March 20<sup>th</sup>, 2020, we concur with Clarington Staff's conclusions and recommendations, including that a *“more fulsome assessment of land use compatibility, economic impact, and alternative siting options is needed, and the development of a comprehensive communication and engagement strategy”* and that the *“broader long-term vision and opportunities in the area of the recommended preferred Site should be taken into account.”*

As described below, the Siting Report for the AD Facility, prepared by GHD, and dated March 6, 2020, examines land use compatibility relating to existing development and existing land use permissions, but does not take into account ultimate planning objectives for this area, and the potential range of future uses that are currently envisioned for the Courtice Waterfront and Energy Park Secondary Plan Update Area.

### **Employment Area Considerations**

The establishment of a gateway to the Energy Park at the Courtice Road and Highway 401 interchange, which is utilized by commuters coming from the west, constitutes a key objective of the Energy Park Secondary Plan. Also, Courtice Road provides a key connection to the Courtice Waterfront area. The intersection at Highway 401 and Courtice Road is important to cultivating the Clarington community image.

Furthermore, the South Clarington Site forms part of an area within South Clarington, inclusive of the Energy Park, adjacent South Courtice Employment Lands and proposed Courtice GO MTSA, to the north, that represents economic growth and investment that is regionally and locally significant. The economic significance of these lands is recognized and preserved by the *Provincially Significant Employment Zone (“PSEZ”)* designation which was applied by the province to the South Clarington Site and surrounding employment areas, to the north and south of Highway 401. The regional and local economic value of the AD Facility, including the Siting Report's projection that it will provide an estimated 30-40 full-time positions, needs to be evaluated within the context of the South Clarington Site's potential economic significance, which is provincially recognized.

Furthermore, it is recognized that the Siting Report's comparative analysis of short-listed sites includes a summary of GHD's consideration of social and cultural impacts of the future AD Facility on surrounding areas. However, it is our opinion that this analysis fails to fully consider the AD Facility's potential impacts on, and compatibility with, the Energy Business Park's current and emerging social/cultural dynamics, including but not limited to, consideration of OPG's plan to establish a new corporate headquarters within a community campus setting, amongst other multi-faceted opportunities for prestige employment development in the park. While the synergies offered by siting the AD Facility in proximity to the Durham York Energy Centre are noted, GHD's analysis of the social/cultural impacts remains incomplete as it lacks a comprehensive assessment of key community development considerations related to the ongoing cultivation of the Energy Business Park as a prestige employment area with a focus on creating an energy employment cluster in Clarington.



Further to the above, it is our opinion that the siting determination process for the AD Facility would benefit immensely from a robust comparative analysis of alternate employment use options on the South Clarington Site. These potential alternative economic uses would be evaluated based on their fulfillment of, and compatibility with, provincial, regional and municipal planning objectives for these lands and surrounding employment areas. These planning objectives include, and are not limited to, the establishment and promotion of a key gateway that cultivates Clarington's community image, as well as the ongoing development of a provincially, regionally and locally significant economic hub that will maintain and continue to cultivate its attractiveness to current and future prestige employment and related industrial and commercial interests.

### **Long-Term Planning Vision Considerations**

As noted in the MOC Report, in September 2019, MOC Staff presented to Council a strategy to plan for the development of the Courtice Waterfront which included the expansion of the Clarington Energy Park Secondary Plan Update study area to include the Courtice Waterfront. The inclusion of the Courtice Waterfront lands as part of the Secondary Plan Update Area has provided the opportunity for the development of a comprehensive planning vision that will integrate a range of uses that are complementary to the Energy Business Park. Clarington Council had identified the planning for development of the Courtice Waterfront in its Strategic Plan 2019-2022 as a Legacy Project.

Two of four planned public consultation sessions have been held for Courtice Waterfront Energy Park Secondary Plan Update. As noted in the MOC Report, based on the public consultations conducted thus far, key vision elements under consideration for the study area have emerged and include the following: i) mixed use waterfront with a potential range of housing types, ii) commercial amenities to support the waterfront as a tourist destination and to complement employment uses in the Energy Park, iii) a desire for an improved and fully connected multi-use path and trail network and iv) a naturalized design approach that protects the environmental integrity of the area.

Based on our review of GHD's Siting Report, and in concert with the conclusions contained in the MOC Report, it is apparent that GHD's analysis of land use compatibility is limited to existing development and does not take into account future uses that are envisioned for the Energy Park or the Courtice Waterfront. This deficiency in GHD's land use compatibility analysis extends not only to its assessment of sensitive receptors within 500 metres of the South Clarington Site, but also to its assessment of social/cultural implications in the context of surrounding areas. In our opinion, these assessments lack fulsome contemplation of future potential land uses in the Courtice Waterfront Area, particularly in the context of the Secondary Plan Study Update which has evolved, through public consultation, to initiate in-depth consideration of a wider range of uses, that would include sensitive uses within the Courtice Waterfront Area. In our opinion, the compatibility assessment as presented in the Siting Report is deficient as it does not contain a fulsome examination of the appropriateness of the AD Facility in the context of long-term land use visions that are currently being contemplated and developed as part of the Courtice Waterfront Energy Park Secondary Plan Update.

## Conclusion

Further to the above, it is our opinion that GHD's site selection analysis, as contained in the Siting Report, lacks an appropriately fulsome examination of current planning objectives including the establishment and promotion of a key gateway that cultivates Clarington's community image, as well as the ongoing development of a provincially, regionally and locally significant economic hub that fulfills its provincial mandate as enshrined in the PSEZ designation. Furthermore, the siting selection process lacks a fulsome examination of the appropriateness of the AD Facility in the context of long-term land use visions that are currently being contemplated and developed as part of the Courtice Waterfront Energy Park Secondary Plan Update. For these reasons, we support the recommendations contained in the MOC Report.

We respectfully request that the comments contained above be appropriately considered by MOC Joint Committees, Council and Staff.

Furthermore, Weston Consulting and our client would like to reserve the right to provide further comments on the Region's Site Selection Process for the AD Facility, the MOC Report and any other related technical materials or correspondences, and respectfully request to be notified of any future MOC reports, public meetings and decisions in relation to this matter.

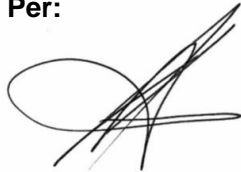
Please also note that a copy of this correspondence is being provided to the Region for their consideration as input to their process.

If you have any questions regarding the above comments, please contact the undersigned at extensions 241 or 253.

Yours truly,

**Weston Consulting**

**Per:**



Ryan Guetter, BES, MCIP, RPP  
Senior Vice President



Jason De Luca, BURPI, RPP  
Planner

- c. 1725596 Ontario Limited
- Carlos Salazar, Municipality of Clarington
- Paul Wirsch, Municipality of Clarington
- Corporate Services Department, Legislative Services, Regional Municipality of Durham
- Giuseppe Anello, Waste Planning & Technical Services, Regional Municipality of Durham

Attachment: Preliminary Comment Submission, Weston Consulting, March 20, 2020

**From:** Jason De Luca

**Sent:** Friday, March 20, 2020 4:46 PM

**To:** [ADProject@durham.ca](mailto:ADProject@durham.ca)

**Cc:** Ryan Guetter <[rguetter@westonconsulting.com](mailto:rguetter@westonconsulting.com)>; Hannu Halminen <[Hannu@halminenhomes.com](mailto:Hannu@halminenhomes.com)>; Kirk Kemp <[kirk@algomaorchards.com](mailto:kirk@algomaorchards.com)>; Wirch, Paul <[pwirch@clarington.net](mailto:pwirch@clarington.net)>; Salazar, Carlos <[csalazar@clarington.net](mailto:csalazar@clarington.net)>

**Subject:** RE: Courtice Waterfront & Energy Park - Online Survey

To whom it may concern at Durham Region,

As you are aware, Weston Consulting is the authorized planning consultant for 1725596 Ontario Limited, the owner of the lands municipally known as 113 Down Road and legally described as PT LT 31 CON BROKEN FRONT DARLINGTON PT 1, in the municipality of Clarington (the “subject lands”). In response to the request for input regarding the Region’s anaerobic digester, please find below our preliminary comments.

Given the current direction of the planned activities for the Courtice Waterfront and Energy Park Secondary Plan area, and the success of the visioning workshop and community consultation efforts for the Secondary Plan amongst other factors, we think it would be appropriate for the Region to consider alternate locations for the anaerobic digester. In addition to these concerns, we will be providing a more detailed outline of comments under separate cover in support of our request that the Region re-consider the current preferred location for this facility.

We look forward to further opportunities to discuss our concerns with the Region.

Regards,

**Jason De Luca, BURPI**  
Planner



**Vaughan** office: T. 905.738.8080 ext. 253 | 201 Millway Ave, Suite 19, Vaughan, ON. L4K 5K8

**Toronto** office: T. 416.640.9917 ext. 253 | 268 Berkeley Street, Toronto, ON. M5A 2X5

1-800.363.3558 | F: 905.738.6637 | [jdeluca@westonconsulting.com](mailto:jdeluca@westonconsulting.com) | [www.westonconsulting.com](http://www.westonconsulting.com)

## **Notice of Motions**

May 27, 2020

### **9.1 Motion to Permit Regional Standing Committees, Committee of the Whole and Council to meet in the Months of July and August 2020**

Councillors Collier and Foster gave Notice that the following motion will be presented at the May 27, 2020 meeting, or subsequent meeting of Regional Council:

Subject to a 2/3rds majority vote, that due to circumstances arising from the COVID-19 pandemic and the cancellation of the April and May Standing Committee meetings, the rules of procedure be suspended in order to permit Regional Standing Committees, Committee of the Whole, and Council to meet in the months of July and August 2020, if needed.

### **9.2 Request for a Public Inquiry into Long Term Care in Ontario**

Councillors McLean and Brenner gave Notice that the following motion will be presented at the May 27, 2020 meeting, or subsequent meeting of Regional Council:

Whereas there has been an unprecedented devastating impact of COVID-19 outbreaks and deaths in Long Term Care and Retirement Homes and other facilities across Ontario;

And whereas these facilities are regulated and licensed by the Province of Ontario;

And whereas as of May 14, 2020, in Durham Region there have been 153 reported deaths attributed to COVID-19, 131 of which have occurred in Long Term Care and Retirement Homes;

And whereas the Orchard Villa Long Term Care and Retirement Home has been one of the facilities that has been hardest hit impacting staff and residents resulting in 74 reported deaths as of May 14, 2020;

And whereas residents across Durham and across Ontario along with the Council of Durham Region, recognize and support the hard work and dedication by all Health Care professionals and support staff that continue to risk their lives during this pandemic crisis working at Orchard Villa and all facilities, as well as sending condolences to those who have passed, those who have tested positive, and to all the families whose lives have been impacted;

And whereas many of the impacted families who have lost loved ones at Orchard Villa have reached out and are demanding a public inquiry into what took place and what changes are necessary to ensure this will never happen again;

And whereas the Provincial Inquiries Act establishes that a Municipality may call for an independent public inquiry or establish an effective and accountable process for public inquiries where there is a public interest to:

- (a) Independently inquire into facts or matters
- (b) Make recommendations regarding those facts or matters

Now therefore be it resolved that the Council for the Regional Municipality of Durham calls upon the Lieutenant Governor in Council who is empowered under the Provincial Inquiries Act to establish a commission to conduct a public inquiry into the Orchard Villa Long Term Care Facility and Retirement Home and other congregate facilities to determine the causes for the particular devastating impacts and a recommended means to remedy and avoid such outbreaks and deaths in facilities across Ontario; and

That a copy of this motion be forwarded to The Honourable Elizabeth Dowdeswell, Lieutenant Governor of Ontario; Premier Doug Ford; Leaders of the Opposition Parties of Ontario; all Durham Region MPPs; all GTA Regional and Lower tier Councils; and, AMO.

### 9.3 Support for Immediate COVID-19 Autism Funding

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Councillors Lee and Crawford gave Notice that the following motion will be presented at the May 27, 2020 meeting, or subsequent meeting of Regional Council:

Whereas the COVID-19 pandemic has drastically disrupted the lives of parents, families and caregivers of children living with special needs including autism spectrum disorders; and

Whereas the routines that families relied upon were stopped suddenly and without immediate remedy – school, therapies, supports, sports, and social connections – leaving children on the spectrum anxious and stressed, and parents feeling stranded, unsupported and drained; and

Whereas parents across Ontario have been struggling to meet the complex care and educational needs of children with autism – leaving some parents to fill the role of speech language pathologists, occupational therapists, behavioural therapists, educators, physiotherapists, and others when the option of online services is not available (or not feasible to those most severely impacted), often leaving additional children in a household to suffer; and

Whereas the many families that do not qualify for the Canada Emergency Response Fund are desperately waiting for the government(s) to intervene and provide relief;

Therefore be it resolved that Durham Region Council calls on the Province of Ontario to:

1. Deem select autism supports (like IBI/ABA therapy) as essential services to allow in-person therapies for those who cannot access them online; and
2. Relax funding rules so more can be done to provide for children with special needs and their families; and
3. Extend the timing available to spend a child's allocated service funding (as many services are currently unavailable); and
4. Provide families regular and timely guidance regarding the government's programs, intentions and commitments; and

That this resolution be distributed to the Provincial Minister of Children, Community and Social Services; Associate Minister of Children and Women's Issues; Durham Region MPPs; and, Durham Region municipalities.

## Other Business

May 27, 2020

### 12.1 Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and Regional Residential and Non-residential Development Charge By-law No. 28-2018 (2020-F-9)

Recommendations to Council:

- A) That Report #2020-F-9 of the Commissioner of Finance be received for information; and
- B) That all submissions received by Regional Council and the written submissions received by the Regional Clerk by noon on June 1, 2020, including those opinions expressed verbally at the May 27, 2020 public meetings, be received and referred to Regional staff for consideration in the preparation of the final development charge recommendations and amending by-law scheduled to be presented to Regional Council for approval on June 24, 2020.

(See attached Report #2020-F-9 on pages 70-74)

### 12.2 Cancellation of Certain Unpaid Water/Sewer Accounts and Update of the Regional Policy Regarding Cancellation of Accounts (2020-F-10)

Recommendations to Council:

- A) That Regional Council ratify the cancellation of water and sewer accounts totalling \$67,551.64; and,
- B) That the policy regarding the cancellation of accounts be amended as follows:

The Commissioner of Finance be authorized to approve the cancellation of accounts and monies owed to the Region for amounts up to the prevailing limit for Small Claims Court Actions and, upon the recommendation of the Commissioner of Finance, the Finance and Administration Committee approve the cancellation of accounts and monies owed to the Region for amounts over this limit provided:

- That the Director of Legal Services is satisfied that the account is not legally enforceable; or,
- That all reasonable efforts have been made to collect the account and where the additional costs to collect the account would not be justified for the amount involved and the monies owing are determined to be uncollectible.

(See attached Report #2020-F-10 on pages 75-80)

12.3 Update on Financial Implications of Regional Programs and Services Impacted by the COVID-19 Pandemic (2020-F-11)

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Recommendations to Council:

- A) That Regional Council endorse the Federation of Canadian Municipalities (FCM) recommendations outlined in their submission entitled: 'Protecting Vital Municipal Services', and that FCM be so advised;
- B) That Regional Council endorse the Association of Municipalities of Ontario (AMO) measures described in their letter addressed to the Federal and Ontario Finance Ministers re: Municipal Government Services and Ontario and Canada's Economic Recovery, and that AMO be so advised; and,
- C) That Regional Council receive Report #2020-F-11 of the Commissioner of Finance as an update of the financial implications to the Region related to the ongoing responses to the COVID-19 pandemic.

(See attached Report #2020-F-11 on pages 81-118)

12.4 New Durham Tourism Brand (2020-EDT-3)

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Recommendations to Council:

- A) That the proposed new Durham Tourism brand be approved for use; and
- B) That Report #2020-EDT-3 of the Commissioner of Planning and Economic Development be circulated to Durham Region area municipalities.

(See attached Report #2020-EDT-3 on pages 119-133)

12.5 Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington (2020-WR-1)

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Recommendations to Council:

- A) That Report #2020-WR-1 of the Commissioner of Works be received for information; and
- B) That a copy of Report #2020-WR-1 of the Commissioner of Works be forwarded to the Municipality of Clarington.

(See attached Report #2020-WR-1 on pages 134-144)

12.6 Approval of Request to Release a Regional Easement (2020-W-26)

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Recommendations to Council:



- A) That the easement on the property identified as Lot 4 and 5, Block 17, Plan of Village of Newcastle Hanning's Plan Undated Newcastle, in the Municipality of Clarington, subject to an easement as in N108992 be released from title;
- B) That the Legal Department be authorized to register a Release of Easement on title to the subject property; and
- C) That the Regional Chair and Clerk be authorized to execute all documents associated with this agreement.

(See attached Report #2020-W-26 on pages 145-147)

12.7 Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process (2020-COW-20)

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Recommendations to Council:

- A) That Regional Municipality of Durham ("Region") staff be authorized to pursue a joint venture/co-ownership relationship with Epcor Utilities Inc. ("EPCOR") for the co-development of the Region's long-term organics waste management solution, including a mixed waste transfer facility, a pre-sort facility and an anaerobic digester with biomethane upgrading system (the "Project");
- B) That Regional staff be authorized to continue negotiations with EPCOR to establish a Co-Owners' Agreement and other ancillary agreements to the Co-Owners' Agreement;
- C) That 393 Courtice Road, Municipality of Clarington ("South Clarington Site") be approved as the recommended development site for the Project based on the siting evaluation enumerated herein;
- D) That Regional staff be authorized to issue the Request for Prequalification in or around June 2020; and
- E) That approval be granted for up to an additional \$1.25 million (to be funded from the approved Project Budget) in external consulting fees up to the Request for Proposal close and selection of a preferred Design, Build, Operate and Maintain ("DBOM") vendor team. These consulting fees include up to \$800,000 for Deloitte LLP, up to \$400,000 for WeirFoulds LLP, and \$50,000 for P1 Consulting.

(See attached Report #2020-COW-20 on pages 148-169)



## The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Finance  
Report: #2020-F-09  
Date: May 27, 2020

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### **Subject:**

Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and Regional Residential and Non-residential Development Charge By-law No. 28-2018

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### **Recommendations:**

- A) That Report #2020-F-09 be received for information; and
  - B) That all submissions received by Regional Council and the written submissions received by the Regional Clerk by noon on June 1, 2020, including those opinions expressed verbally at the May 27, 2020 public meetings, be received and referred to Regional staff for consideration in the preparation of the final development charge recommendations and amending by-laws scheduled to be presented to Regional Council for approval on June 24, 2020.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is to provide information regarding the public meetings of Council to be held in the Regional Council Chambers on May 27, 2020 with respect to the proposed amendments to Regional Transit Development Charge (DC) By-law No. 81-2017 and Regional Residential and Non-residential DC By-law No. 28-2018.
- 1.2 Regional Council is scheduled to make final decisions on the proposed by-law amendments at the June 24, 2020 regular Regional Council meeting, subsequent to prior public input. The Development Charges Act, 1997 (DCA) permits public representations relating to the proposed amending by-laws to be made to Council by any person speaking remotely during the May 27, 2020 public meeting.
- 1.3 The notices of the public meetings have been advertised in the Toronto Star on April 25 and May 2 (Attachment #1) and in the local Metroland newspapers throughout the Region on April 30 and May 7, 2020. In addition, the notice has been posted on

the Regional website. As indicated in the public notice, the proposed amending by-laws and background studies have been available to the public at no cost since April 24, 2020 from the Regional Clerk and were also posted on the Regional website. The public notices, public release of the proposed amending by-laws and background studies and the public meetings were authorized by Regional Council on April 29, 2020 (Report #2020-COW-11).

- 1.4 The purpose of the May 27, 2020 public meetings of Council is to fulfill the statutory requirement to solicit input from the public and provide the necessary background information on the proposed development charge amending by-laws. Normally, the public meeting permits public representations from any person who attends the meeting. However, in light of the COVID-19 pandemic and the Provincial Emergency Order prohibiting any public gatherings of five or more people, members of the public are invited to speak via teleconference or video during the meeting. In order to address Council during the meeting via teleconference or video, members of the public need to contact Legislative Services at [clerks@durham.ca](mailto:clerks@durham.ca), or 905-668-7711, ext. 2054 by noon on Monday, May 25, 2020. Interested parties can also submit written correspondence via email directly to the Regional Clerk or can mail comments to the Regional Clerk.
- 1.5 The final amending by-laws are scheduled for discussion in accordance with the Council approved timetable, which permits the public and stakeholders to provide input by noon on June 1, 2020. Thus, any decision by Regional Council regarding the proposed amending by-laws will be made during the June 24, 2020 Regional Council meeting.

## **2. Background**

- 2.1 Regional Council had directed staff to prepare amendments to the current Regional Residential and Non-Residential DC By-law No. 28-2018 and Regional Transit DC By-law No. 81-2017 to waive the scheduled July 1, 2020 indexing for a period of one year.
- 2.2 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.). Waiving the pending July 1, 2020 development charge indexing will provide some relief for the local development and building industry during these uncertain times.
- 2.3 The background studies supporting the amendments to Development Charges By-laws were made available to the public on April 24, 2020 at no charge and were also posted on the Region's website.

### **3. Impact of the Proposed Amendments**

- 3.1 Indexing of the applicable by-laws for July 1, 2020 is based on the Statistics Canada Non-residential Building Construction Price Index for the twelve-month period ending March 31, 2020. The annual indexing factor was released by Statistics Canada on April 29, 2020 and is 2.9 per cent.
- 3.2 Although the indexing factor is known, 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 as it is dependent on the level of residential and non-residential development activity during this time period, which is challenging to predict. Based on actual development activity in 2019, the revenue loss would be approximately \$3.3 million. Using staff's previous planning forecast for 2020, the estimated revenue loss would be approximately \$4.3 million.
- 3.3 Waiving the 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.
- 3.4 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 correspondingly delay future development.

### **4. Staff Consultation Process**

- 4.1 Staff have sent letters and copies of the amending by-laws and background studies to the development industry (local and GTA chapters of the Building and Land Development Associations) as well as the area municipalities.

### **5. Next Steps**

- 5.1 All comments received at the May 27, 2020 Public Meetings and any written submissions by the public received by the Regional Clerk by noon on June 1, 2020 will be considered in preparing the final recommendations and amending by-laws.
- 5.2 On June 24, 2020, Regional Council will consider the approval of the final recommendations regarding the amendments to Development Charge By-law No. 28-2018 and No. 81-2017.
- 5.3 If the proposed amending by-laws are changed following the May 27, 2020 public meeting, Regional Council must also formally consider whether a second public meeting is required. Council's decision in this regard should be reflected in an

appropriately worded resolution. Further, Council's decision will be final and not subject to review by a court or the Local Planning Appeal Tribunal (LPAT).

- 5.4 The recommendations to be presented by staff to Regional Council on June 24, 2020 will have given due consideration to the public input received.

## **6. Conclusion**

- 6.1 In accordance with the public consultation process previously approved by Regional Council, it is recommended that this report be received for information with final recommendations regarding the proposed amending by-laws to be presented to Regional Council on June 24, 2020.
- 6.2 Further, it is recommended that all submissions received by Regional Council and the written submissions received by the Regional Clerk by noon on June 1, 2020, including those opinions expressed verbally or in writing at the May 27, 2020 public meetings, be received and referred to Regional staff for consideration in the preparation of the final development charge recommendations and amending by-laws.
- 6.3 The Planning and Economic Development, Works and Corporate Services - Legal departments have assisted with the Development Charge Background Studies and reviewed this report.

## **7. Attachments**

Attachment #1: Development Charge Public Notice

Respectfully submitted,

Original Signed By

N. Taylor, BBA, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair  
Chief Administrative Officer

## Attachment #1 Development Charge By-law Public Notice



### REGIONAL MUNICIPALITY OF DURHAM NOTICE OF PUBLIC MEETINGS REGARDING REGIONAL DEVELOPMENT CHARGES

On May 27, 2020 the Council of the Region of Durham will hold two Public Meetings, pursuant to Section 12 of the Development Charges Act, 1997. The first public meeting will be held to present the proposed amendments to Regional Development Charge By-law No. 28-2018. The second public meeting will be held to present the proposed amendments to Regional Transit Development Charge By-law No. 81-2017. These meetings will cover the related underlying background studies and obtain public input on these proposed by-laws and studies. The purpose of the amendments are solely to waive the scheduled indexing of Regional development charges for a period of one year, imposed under By-law No. 28-2018 and No. 81-2017, which will be considered by Regional Council on June 24, 2020.

The public meetings are to be held on:

Wednesday, May 27, 2020  
9:30 a.m.

The Regional Municipality of Durham Headquarters  
Council Chambers  
605 Rossland Road East  
Whitby, Ontario

In order that sufficient information is made available to the public, copies of the proposed by-law amendments and the background studies will be made available as of April 24, 2020 upon request. The documents will also be posted on the Regional website at [durham.ca](http://durham.ca) on April 24, 2020.

Interested persons can submit written correspondence via email directly to the Regional Clerk at [clerks@durham.ca](mailto:clerks@durham.ca), or mail your comments to the Regional Clerk, Regional Municipality of Durham, 605 Rossland Road East, Whitby, ON L1N 6A3 by noon on Monday, June 1, 2020.

Any interested persons wanting to address Council at the public meetings on Wednesday, May 27, 2020, please note that 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. If you wish to address Council during the meeting, please contact Legislative Services at [clerks@durham.ca](mailto:clerks@durham.ca), or 905-668-7711, ext. 2054 by noon on Monday, May 25, 2020. Staff will provide you with the details on how to participate in the meeting. You can also view the livestream of the meeting at [www.calendar.durham.ca/meetings](http://www.calendar.durham.ca/meetings).

All submissions received in writing, and those opinions expressed at the Public Meetings, will be considered prior to Council's decision which is anticipated during the regular Regional Council meeting of June 24, 2020.

Further information may be obtained by contacting Mary Simpson, Director of Financial Planning and Purchasing, Regional Finance Department at 905-668-4113 (ext. 2301) or [mary.simpson@durham.ca](mailto:mary.simpson@durham.ca).

Ralph Walton  
Regional Clerk / Director of Legislative Services

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2304.



# The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Finance  
Report: #2020-F-10  
Date: May 27, 2020

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## **Subject:**

Cancellation of Certain Unpaid Water/Sewer Accounts and Update of the Regional Policy Regarding Cancellation of Accounts

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## **Recommendations:**

A) That Regional Council ratify the cancellation of water and sewer accounts totalling \$67,551.64; and,

B) That the policy regarding the cancellation of accounts be amended as follows:

The Commissioner of Finance be authorized to approve the cancellation of accounts and monies owed to the Region for amounts up to the prevailing limit for Small Claims Court Actions and, upon the recommendation of the Commissioner of Finance, the Finance and Administration Committee approve the cancellation of accounts and monies owed to the Region for amounts over this limit provided:

- That the Director of Legal Services is satisfied that the account is not legally enforceable, or;
  - That all reasonable efforts have been made to collect the account and where the additional costs to collect the account would not be justified for the amount involved and the monies owing are determined to be uncollectible.
- 

## **Report:**

### **1. Purpose**

1.1 The purpose of this report is to request the approval from Regional Council to write-off certain unpaid water and sewer accounts, to advise Regional Council of adjustments to customers' accounts approved by the Commissioner of Finance related to legitimate billing complaints, and to update the policy for the cancellation of accounts.

## 2. Background

2.1 The current Regional policy for cancellation of accounts states that:

“Cancellation of accounts will only be made upon the recommendation of the Commissioner of Finance and upon approval of the Finance and Administration committee for amounts up to \$10,000 and upon the approval of Regional Council for amounts over \$10,000 and provided:

- That the Regional Solicitor is satisfied that the account is not legally enforceable, or;
- That all reasonable efforts have been made to collect the account and where the additional costs to collect the account would not be justified for the amount involved.”

2.2 The Utility Finance section of the Finance Department currently bills over \$219 million annually for water and sewer services provided throughout Durham. Some of the water and sewer billings are uncollectible despite collection efforts as outlined in By-Laws 89-2003 and 90-2003, as amended.

2.3 Customers are offered a number of options for payments on their accounts, from payment in cash at the Public Front Counter to electronic services such as online banking, and most recently through MyDurhamWater, the new customer portal. Currently, over 96% of all payments for water and sewer billings are received through electronic services, which assists customers in managing their obligations and in keeping the uncollectible amounts low.

2.4 Consequently, the amounts recommended for write-off this year represent a very respectable 0.03% of revenues (see Attachment #1).

## 3. Request for Write-Off Approval

3.1 Miscellaneous – There are a number of closed accounts where the final amount is comprised of late payment charges only, penny differences on cash payments or account balances of \$3.00 or less.

Miscellaneous Write-Off Amount	\$159.60
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3.2 Billing Complaint Adjustments – The Regional Council approved policy authorizes the Commissioner of Finance to write off up to \$2,500 for each of water and sewer billings for residential customers and \$3,700 each for small business customers related to legitimate billing complaints, with the provision that the amounts of all such write-offs be subsequently reported to Committee. Under this policy in 2019, 94 residential accounts and one small business account received water and/or sanitary sewer billing adjustments. The majority of these adjustments were related to plumbing issues at the customers' premises.

Billing Complaint Adjustments Write-off Amount	\$67,392.04
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- 3.3 There are no account write-offs in excess of \$10,000 requiring Council approval at this time. Due to COVID-19 cancellation of the May Finance and Administration Committee, this report is direct to Council rather than to Committee only and it is recommended that Council ratify the decision of the Commissioner of Finance.

#### **4. Update of the Regional Policy Regarding Cancellation of Accounts**

- 4.1 The Regional policy regarding the cancellation of accounts was last updated in 2007. As a result, the limits set for the collection action and cancellation of accounts has not kept pace with inflation. Additionally, the limits in this policy had been set to correspond with the limits for Small Claims Court actions, which were raised earlier this year to \$35,000.
- 4.2 It is suggested that responsibility for write-off of accounts up to the limits for Small Claims Court actions is more effectively delegated to staff, with cancellation of accounts for amounts above this limit still recommended to the Finance and Administration Committee for approval.
- 4.3 Accordingly, it is recommended that the Regional policy for cancellation of accounts be amended as follows:

The Commissioner of Finance be authorized to approve the cancellation of accounts and monies owed to the Region for amounts up to the prevailing limit of Small Claims Court Actions and, upon the recommendation of the Commissioner of Finance, the Finance and Administration Committee approve the cancellation of accounts and monies owed to the Region for amounts over this limit with no requirement for subsequent Council approval provided:

- That the Director of Legal Services is satisfied that the account is not legally enforceable, or;
- That all reasonable efforts have been made to collect the account and where the additional costs to collect the account would not be justified for the amount involved and the monies owing are determined to be uncollectible.

#### **5. Summary**

- 5.1 It is respectfully requested that the cancellation of these water and sewer accounts totalling \$67,551.64 be ratified. An updated summary of the Water and Sewer Write-offs as a percentage of Revenues for the years 2010 to 2019 is attached for information purposes (see Attachment #2). In addition, an update to the policy for the cancellation of accounts is being recommended to modernize the policy.

#### **6. Attachments**

Attachment #1: Summary of Water and Sewer Write-Offs 2010-2019

Attachment #2: Graph of Summary of Write-Offs – Percent of Revenues 2010 – 2019

Respectfully submitted,

Original Signed By

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Nancy Taylor, BBA, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

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Elaine C. Baxter-Trahair  
Chief Administrative Officer

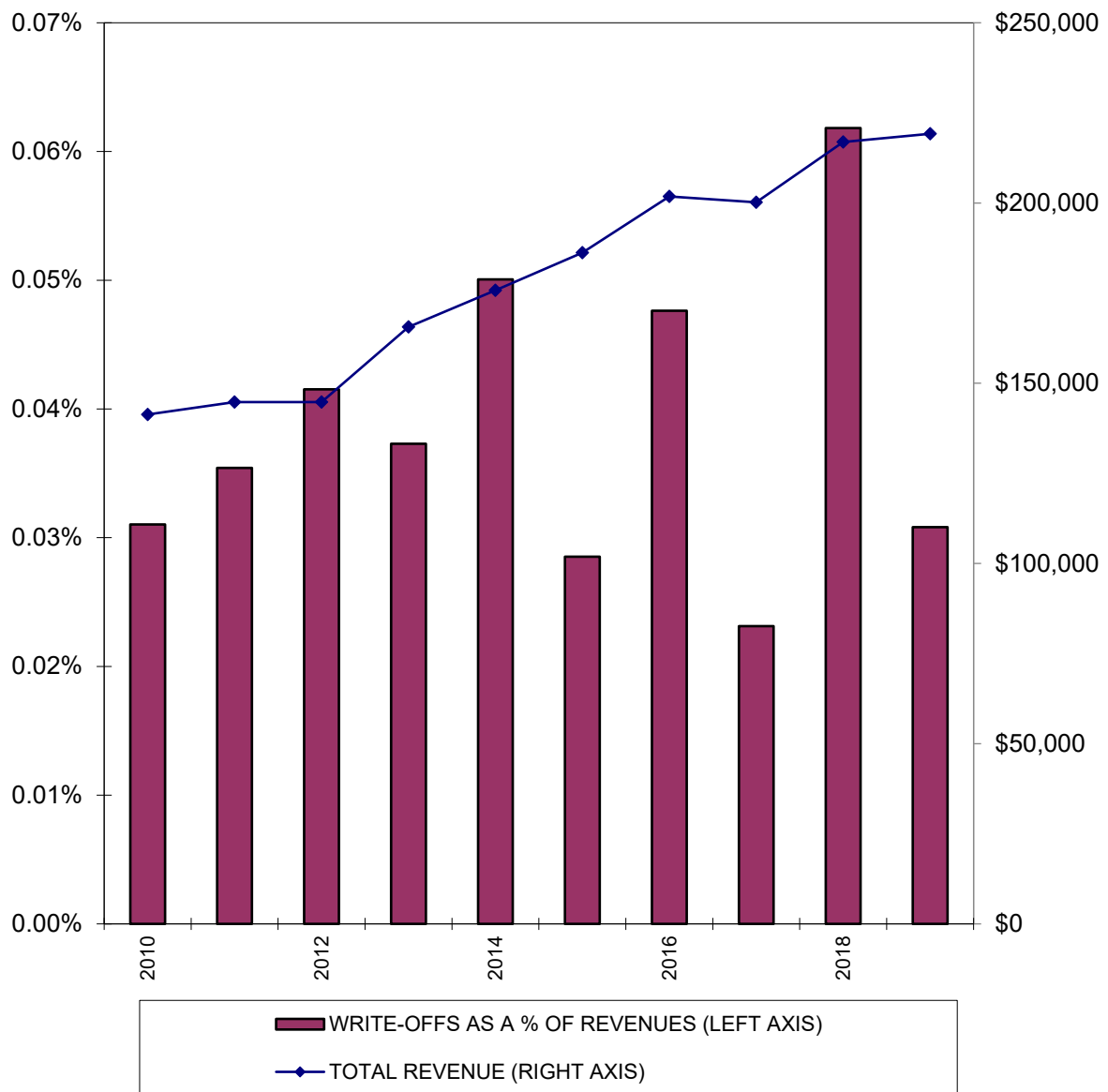
**THE REGIONAL MUNICIPALITY OF DURHAM  
FINANCE DEPARTMENT - UTILITY FINANCE**

**SUMMARY OF WATER AND SEWER WRITE-OFFS  
2010 - 2019**

<u>YEAR</u>	<u>ACCOUNTS PREVIOUSLY WRITTEN-OFF</u>	<u>ACCOUNTS RECOMMENDED FOR WRITE-OFF</u>	<u>LESS: COLLECTION AFTER WRITE-OFF</u>	<u>NET WRITE-OFFS</u>	<u>TOTAL WATER &amp; SEWER REVENUES (\$000'S)</u>	<u>NET WRITE-OFFS AS A % OF REVENUES</u>
2010	\$43,956	\$0	\$96	\$43,859	\$141,329	0.03%
2011	\$51,473	\$0	\$203	\$51,270	\$144,751	0.04%
2012	\$60,170	\$0	\$59	\$60,111	\$144,751	0.04%
2013	\$61,828	\$0	\$52	\$61,776	\$165,615	0.04%
2014	\$88,004	\$0	\$0	\$88,004	\$175,764	0.05%
2015	\$53,125	\$0	\$0	\$53,125	\$186,228	0.03%
2016	\$96,120	\$0	\$0	\$96,120	\$201,808	0.05%
2017	\$46,312	\$0	\$0	\$46,312	\$200,212	0.02%
2018	\$134,098	\$0	\$0	\$134,098	\$216,915	0.06%
2019	\$0	\$67,552	\$0	\$67,552	\$219,206	0.03%

**THE REGIONAL MUNICIPALITY OF DURHAM**  
**FINANCE DEPARTMENT - UTILITY FINANCE**  
**SUMMARY OF WRITE-OFFS - PERCENT OF REVENUES**  
**2010 - 2019**

**Total Revenues and Write-Offs as a Percentage of Total Revenues**





## The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Finance  
Report: #2020-F-11  
Date: May 27, 2020

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### **Subject:**

Update on Financial Implications of Regional Programs and Services Impacted by the COVID-19 Pandemic

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### **Recommendations:**

That Regional Council:

- A) endorse the Federation of Canadian Municipalities (FCM) recommendations outlined in their submission entitled 'Protecting Vital Municipal Services' and that FCM be so advised;
  - B) endorse the Association of Municipalities of Ontario (AMO) measures described in their letter addressed to the Federal and Ontario Finance Ministers re: Municipal Government Services and Ontario and Canada's Economic Recovery and AMO be so advised; and,
  - C) receive this report as an update of the financial implications to the Region related to the ongoing responses to the COVID-19 pandemic.
- 

### **Report:**

#### **1. Purpose**

- 1.1 The purpose of this report is twofold: to outline and provide updated estimates of the projected 2020 financial implications of Regional programs and services that have been impacted by the COVID-19 crisis; and to endorse the recommendations and measures outlined by the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) to stabilize municipal finances and advocate for senior government investment throughout the recovery phase of the pandemic.

## **2. Background**

- 2.1 Public health and safety is Durham Region's top priority. In order to slow the spread of COVID-19, various provincial directives and measures, including the practice of physical distancing, the prohibition of gatherings of various sizes and the closure of non-essential workplaces, have had both an immediate and ongoing impact on Regional programs and service delivery. Since the onset of the global COVID-19 pandemic, Durham Region Health Department has experienced an increase in call volumes, provided critical public health services and conducted numerous investigations to ensure the health and safety of priority populations, including residents in long-term care homes and retirement homes. As well, with more residents staying at home, ridership for Durham Region Transit is down significantly and fares have been suspended until modifications can be made to ensure physical distancing provisions can be maintained. Emergency child care centres have been opened across Durham to assist parents who are eligible as essential front-line workers. Social assistance caseload levels have increased, as has discretionary benefits and emergency assistance to help low-income households with increased costs related to the pandemic.
- 2.2 Regional staff have been actively monitoring and managing the known and anticipated financial impacts to Regional programs and services, as a result of the crisis. This includes exploring opportunities for cost savings – while not impacting essential service levels – as well as working with various municipal associations and the provincial and federal governments to secure funding for the incremental financial impacts to the Region. However, given the evolving situation with COVID-19, Regional staff have had to make a number of assumptions regarding additional costs, or lost revenues and the timing of the shut-down and recovery for the purposes of this report.
- 2.3 The response to the COVID-19 crisis from each level of government has been fluid and varies significantly based on governmental responsibilities. Attachment #1 highlights the roles and responsibilities of each level of government. The financial impacts will be different for local area and upper tier municipalities due to the programs and services they provide.

## **3. Recommended Actions from Municipal Associations**

- 3.1 Sector wide municipal associations recognize that the COVID-19 pandemic represents a financial crisis for municipalities, which continue to experience declining revenues and increasing costs. Assuming that physical distancing measures continue for up to six months, with municipal revenue impacts continuing through the end of 2020, the FCM estimates that Canadian municipalities will collectively face a near-term gap of \$10 to \$15 billion. FCM is advocating for federal government funding and legislative changes to support municipalities responding to COVID-19.
- 3.2 FCM recommendations include two components: immediate actions and medium-term actions (details provided in Attachment #2).

FCM Immediate action

- Deliver at least \$10 billion in targeted emergency operating funding to all local governments as direct allocations, with a new hybrid formula modelled on both the proven federal Gas Tax Fund (GTF) and a ridership-based allocation to deliver transit funding to those municipalities operating transit systems. The extent to which this will benefit the Region is being reviewed.
- Deliver additional emergency operating funding to individual local governments facing unique financial pressures related to COVID-19 that are not fully met by the hybrid formula above.

FCM Medium-term action

- Commit to revisit the need for additional operating funding within four months and prepare for possible additional operating funding assistance in both 2020 and 2021.
- Provide local governments with the ability to transfer unused allocations of the federal Gas Tax Program for capital expenditures as part of Canada's COVID-19 economic recovery plan.

3.3 In addition, AMO has conveyed its position to provide fiscal stimulus and investment to both the federal and provincial Finance Ministers (details provided in Attachment #3). AMO is advocating for specific municipal investments within the following areas: municipal fiscal stabilization; economic recovery; accelerating existing infrastructure funding; federal gas tax; connectivity; housing; child care; flooding and storm water management; and energy conversions in public and private buildings.

3.4 It is recommended that Regional Council endorse the FCM recommendations outlined in their submission entitled 'Protecting Vital Municipal Services' and the AMO measures outlined in their letter addressed to the Federal and Ontario Finance Ministers re: Municipal Government Services and Ontario and Canada's Economic Recovery.

#### **4. Corporate Financial Implications by Regional Department**

##### **4.1 Impacts to Services and Programs**

Financial impacts to Regional programs and services as a result of the COVID-19 pandemic are presented below and have been estimated over the course of a ten-month period, commencing March 1, 2020 through to December 31, 2020. Regional staff are continuing to develop the Regional Recovery Framework and action plan for presentation in June. The preliminary projected 2020 impacts by Department (Attachment #4) are approximately \$40.5 million and are based on information available as of May 19, 2020; include significant assumptions and do not include any additional costs that may be associated with the Region's recovery plan as well as expenditures to retrofit office space and ensure adequate vehicles for social distancing. The Region is operating in a very fluid environment and these estimates are continually updated as additional information becomes available.

### Preliminary Projected 2020 Fiscal Impact – Region of Durham

Department	\$ millions
Health	4.0
Social Services	13.0
Durham Region Transit	6.8
Durham Regional Police	2.5
Works (non-water/sewer)	1.1
Planning and Economic Development	(0.1)
Administration	0.6
Corporate Costs	10.2
Water and Sewer	2.4
<b>Total</b>	<b>\$40.5</b>

#### Public Health

- Significant increase in staffing costs, include additional temporary nursing staff hired to support case and contact management and increased overtime costs associated with surges in volume of work and shift premiums for weekends and statutory holidays.
- Additional immediate costs include medical supplies and equipment including cell phones, headsets, etc.
- Public Health is projecting minor cost savings for mileage.
- Minor projected revenue losses from the temporary suspension of food handler training.
- The province has announced funding of \$100 million for Ontario public health units and Public Health Ontario for COVID-19. Durham's share is unknown at this time and has not be included in the estimated 2020 net impact.

#### Paramedic Services

- Increased costs related to increased medical supplies and equipment (e.g., face shields, gloves, gowns, N95 masks, surgical masks, etc.), temporary pandemic pay and overtime costs for staff back-filling hours for staff off in isolation.
- Estimated loss of special event revenue due to the cancellation of events.
- Projected decrease in fuel costs.
- Staff have made submissions to the provincial government for incremental funding to mitigate the financial impact of COVID-19 on paramedic services.

#### Long Term Care (LTC)

- Increased Regional costs for temporary staffing, overtime, WSIB, Personal Protective Equipment (PPE), medical care supplies, laundry, cleaning materials, printing/signage.
- Projected decrease in resident revenue as long-term care homes have been closed to new admissions during the outbreak.
- Revenue decrease in Adult Day Program fees from clients, as program has been temporarily suspended.



- To date the Region of Durham has received \$0.3 million in initial provincial emergency funding.
- In addition, on May 7, 2020 the province announced the allocation of \$34.8 million of the total \$88.34 million COVID Prevention and Containment Funding envelope. Durham's share under this initial allocation was \$356,800.
- The province has also announced up to \$102 million in funding to improve quality of care across the province in 2020-21. To date, Durham has not received details on the allocations of this funding program.

#### Children's Services

- Additional costs are anticipated for staffing, cleaning, laundry, program costs and agency payments for the implementation of 24/7 emergency child care centres established to provide free child care for eligible essential workers' children as directed by the province.
- Also included in the projections are revenue losses from the temporary closure of the Region's Directly Operated Child Care Centres. The provincial Emergency Order prevents any child care operator from charging parent fees where care is not being provided

#### Housing Services

- Deeper subsidies may be required for some rent geared to income (RGI), rent supplement and Affordable Housing Program (AHP) clients (as a direct result of client employment loss, layoffs, reduced hours of employment, EI ineligibility, etc.). This impact is unknown at this time and has not been included in the fiscal impacts outlined in Attachment #4.
- Tenants are being advised that they need to apply to the applicable federal income replacement programs (EI, CERB) first before RGI changes will be considered.
- Revenue losses anticipated from rents normally received from tenants throughout the housing portfolio.
- Regional Treasurer advanced the Region's subsidy payments to immediately respond to local housing providers' cashflow needs (approximately \$3 million).
- The provincial and federal governments have announced \$2.83 million in incremental provincial Community Homelessness Prevention Initiative (CHPI) funding and \$1.86 million in incremental federal Reaching Home Program funding for Durham Region. This funding is being used for hygiene stations, an expanded Hotel Program, the temporary In/Out of The Crisis (IOTC) program at Camp Samac and other COVID agency costs.

#### Family Services

- The projections assume no client counselling fees or Partner Assault Response (PAR) program client fees until June with the revenue gradually returning to budgeted levels in September. These revenue impacts are partially offset by reduced professional services as sessions have been suspended.
- Family Services is projecting minor cost increases for PPE and labour costs.

### Social Assistance

- The province has confirmed Extended Emergency Benefit until the end of July and has temporarily lifted the cap on discretionary benefits until the end of April.
- An increase in Durham caseload and in discretionary benefits and emergency assistance issued to both clients and non-social assistance clients is projected.

### Durham Region Transit

- Additional costs related to cleaning and decontamination of vehicles.
- Transit fares were suspended as of March 19, 2020. Continuation of fare suspension through the end of 2020 would result in a net impact of up to \$20.4 million.
- DRT to reinstate fares by July 1, 2020 with 50 per cent ridership levels assumed over remainder of 2020 compared to budget (forecast to generate \$5.5 million in revenue).
- Failure to reinstate fare collection will impact U-Pass revenue, with the fiscal impact increasing up to \$0.8 million per month for September through December.
- Approximately \$8.3 million in cost savings identified within the 2020 budget to mitigate the fiscal impact, including savings from service adjustments, major repairs, fuel, discretionary spending, sub-contractor services, PRESTO commissions, and vacant positions.
- Initial service adjustments were implemented in mid-March. Additional service adjustments to take effect June 8, 2020 due to sustained ridership decline of 70 per cent since March 16, 2020. This includes the temporary layoff of 41 conventional bus operators and the cancellation of contracts with 13 temporary part time conventional bus operators.
- Potential long-term negative impacts on ridership and revenues, even after full service and fare collection is reinstated.
- Future years' Provincial Gas Tax allocations could be impacted as province-wide fuel consumption is reduced during the pandemic, reducing gas tax revenues. Durham's allocation could be further reduced if ridership losses are greater in Durham compared to other jurisdictions.

### Durham Regional Police Services

- Revenue losses from records revenues, pay duty and false alarms fees.
- Increased costs related to procurement of PPE, decontamination and medical services, and capital. These projected cost increases are partially offset by reduced staffing costs for pay duty, fuel savings and savings from training and conferences.

Works (Roads/Bridges, Facilities)

- Projected 70% revenue loss due to reduction in oversize/overweight permits.
- Projected increased costs for PPE, facility cleaning, and security costs.
- Projected increased costs for cleaning, disinfecting vehicles and vehicle rentals to ensure social distancing requirements are followed.
- Projected decrease in fleet fuel costs.

Works (Waste Management)

- Projected net increase in Durham York Energy Centre (DYEC) costs due to projected increase in tonnes processed.
- Projected cost increases for curbside garbage haulage, green bin processing and blue box processing.

Planning & Economic Development

- Estimated decline in planning application fees are projected to be more than offset by identified cost savings in both the Planning and Economic Development & Tourism divisions.

Administration

- Decline in Provincial Offenses Act (POA) revenue and fees which are partially mitigated by a decrease in Durham POA court costs.
- Projected cost increases for incremental information technology (IT) costs related to staffing and additional technology and licensing costs to allow for teleworking.
- Projected cost impacts for Human Resources included overtime costs for PPE FIT Testing for LTC and Health Department staff which have been partial offset by reduced corporate training costs. Where possible, staff have shifted to provide virtual corporate training.

Water Supply & Sanitary Sewer

- Suspension of invoicing for surcharge agreements during shut-down phase.
- Projected cost increases for IT costs; PPE and cleaning supplies and overtime.
- Projected decrease in Regional Environmental Lab revenue due to hold on non-essential sampling.
- Projected cost increases for chemicals, due to change in coagulant arising from demand issues.
- Loss of revenue due to the waiving of water and sewer late payment charges.

## 4.2 Financial Implications

### 4.2.1 Cashflow and Investments:

- Durham Region is not projecting any cashflow concerns in 2020. The Region has sufficient cash flow/liquidity to cover the partial deferral (60 days) of the April property tax remittance and the anticipated deferral (30 days) of the June and September property tax remittances from the local municipalities.
- Staff continue to monitor the Region's daily cash flow and model the projected COVID-19 fiscal impacts (deferred revenue, revenue decreases, expenditure increases) to ensure sufficient liquidity to continue to provide essential Regional programs and services.

### 4.2.2 Loss in Corporate Revenue and Fiscal Impacts:

- The corporate cost impact includes the estimated lost interest revenue due to the decline in the Bank of Canada interest rate and the partial deferral of the April property tax remittance (60 days) and anticipated deferral of the June and September property tax remittances (30 days) from the local municipalities. The majority of this lost revenue will be reflected in the Region's reserve and reserve funds which will impact the funding of future capital projects.
- The corporate cost impacts also include the recommended waiver of the July 1, 2020 Development Charge indexing. This will impact the amount of the development charges available for future growth-related capital projects in 2021 and beyond.

### 4.2.3 Cost Containment Measures, Federal/Provincial Funding and Advocacy:

- The Region is actively monitoring and managing, where possible, the financial impact of COVID-19. This includes exploring opportunities for cost savings, while not impacting critical programs and services.
- Regional staff continue to work with municipal associations and the provincial and federal governments to secure funding for Regional impacts of COVID-19.
- To date, the Region has received confirmation of \$2.83 million in incremental provincial funding under the Community Homelessness Prevention Initiative (CHPI) and \$1.86 million in incremental federal funding under the Reaching Home Program. This funding is being applied to the incremental costs that the Region is incurring in providing programs and supports for the Region's unsheltered and vulnerable populations.
- The Region has also secured incremental provincial funding for LTC including \$300,000 under the initial emergency funding program and \$356,800 under the initial allocation on the provincial COVID Prevention and Containment Funding program. Further allocations are anticipated.
- Regional staff are working with the province to understand the Region's allocation for additional provincial funding for both Public Health and Paramedic Services. Staff also continue to work with municipal associations and the

provincial and federal governments to request supports to assist with the fiscal impact of COVID-19 on the Region's transit service.

- Regional staff will continue to review opportunities to mitigate the fiscal impacts as well as refine and update the projected fiscal impacts including the estimated additional costs of the Region's Recovery Plan. An update on this work will be provided in future reports to Council.
- Regional staff are also awaiting information on pandemic pay for eligible front-line workers. It is unclear at this time if this will create cost pressures for the Region.

## **5. Energy related Implications for the Region**

### Fuels

- 5.1 Following the declaration of the current COVID-19 outbreak as a global pandemic and the resultant adverse impacts to consumer spending, investment, manufacturing, supply chains, industrial outputs and broad global economic activity, the associated decline in demand for fossil fuels and global oversupply has dropped benchmark crude oil prices to record lows. While product prices are also determined by more localized supply and demand factors, the drop in demand has impacted fuel prices which have experienced near multi-decade low levels in recent months.
- 5.2 In 2020, the Region budgeted close to \$12 million for fleet fuels across major corporate functions including police and paramedic services, public works fleet and transit, of which transit represents almost two-thirds of total budgeted fleet fuel costs. Given the materiality of fuel costs to Regional budgets, the overall decline in fleet fuel prices will have a material impact on program fuel costs. Savings in fuel costs will offset 2020 fiscal pressures. Staff will continue to monitor actual fuel costs to budget as well as volumetric impacts from service levels changes.

### Electricity: Adjustments to Regulated Price Plan (RPP)

- 5.3 On March 24, as a result of increased work-at-home arrangements due to the emergency orders, the province announced the temporary suspension of Time-of-Use (TOU) rates under the Regulated Price Plan (RPP) where all eligible customers would be subject to the off-peak rate of \$0.101/kWh for all hours of consumption, seven days a week. For RPP accounts still billed under tiered-pricing structures, the winter residential tiered pricing structure was maintained which allows for an additional 400kWh per month at lower rate. On May 6, 2020, the province announced an extension to the rate freeze until May 31, 2020. The Ontario Energy Board has noted that it will monitor the impact of the emergency orders on electricity demand and supply costs to determine whether any further pricing adjustments are required prior to November 1, 2020 (next date for setting RPP rates).
- 5.4 While the Region has numerous small accounts that qualify for RPP (either TOU or tiered), including but not limited to, small offices, traffic signals, child care facilities, smaller pumping stations and reservoirs, DRLHC buildings, while bulk metered, generally qualify for RPP pricing. The extent of any electricity cost relief as a result of the emergency orders would need to consider the effective price paid and any recent

changes to facility consumption as a result of the emergency orders. While these eligible RPP accounts generally represent less than 10% of total Regional billed consumption, staff continue to assess the potential net cost impacts as invoices over the affected billing periods are received and reviewed.

#### Global Adjustment Deferral

- 5.5 On May 1, 2020 the province announced electricity cost relief for industrial and commercial customers that do not participate in the RPP through the maintaining of Global Adjustment (GA) rates in line with the March 2020 value over the April to June billing periods (capped at \$0.115/kWh). Without these measures, due to the recent significant decline in electricity demand and the continued need to recover electricity generator contract costs, electricity costs recoverable through the GA could increase significantly for these affected customers.
- 5.6 In 2019, Regional accounts were billed for just over \$11.5 million in total GA costs for both “Class A and B” accounts, where GA costs represented around 50% of total billed costs (just over half attributed to the Region’s Class A accounts). While the emergency order is expected to provide temporary rate relief for mid-to-large size businesses and large industrial customers in the event the actual GA rates exceed the cap, planned future regulatory amendments would recoup these deferred costs over a 12-month period commencing January 2021. The full extent of GA cost deferral will not be known until the GA rates for the applicable months have been established, and any GA deferral could be expected to have budget implications to affected Class A and B accounts in 2021. Staff will continue to monitor utility billings and applicable rates to determine extent of any GA deferrals in the coming months.

### **6. Next Steps**

- 6.1 Regional staff will continue to monitor and assess the known and potential financial impacts to Regional programs and services throughout the COVID-19 pandemic and prepare periodic reports to Regional Council.
- 6.2 A report recommending the proposed actions to support the ‘recovery’ phase will be brought forward to the Regional Council meeting in June.

### **7. Conclusion**

- 7.1 The current situation surrounding the COVID-19 pandemic remains fluid, as new information is received from the provincial and federal governments daily. The Region’s corporate-wide fiscal analysis will continue to be a dynamic and iterative process. As new information, guidelines and requirements become available, cost and revenue assumptions reflected in the Region’s fiscal analysis will be revised and updated.

7.2 This report was prepared with the assistance of Regional staff from all Regional Departments and Durham Regional Police Service.

7.3 This report includes the following attachments:

Attachment #1	Roles and Responsibilities during the COVID-10 Pandemic
Attachment #2	The Federation of Canadian Municipalities submission to the Federal Government entitled 'Protecting Vital Municipal Services'
Attachment #3	AMO letter addressed to the Federal and Ontario Finance Ministers re: Municipal Government Services and Ontario and Canada's Economic Recovery.
Attachment #4	Preliminary Projected Fiscal Impacts of COVID-19 for the Year Ending December 31, 2020

Respectfully submitted,

Original Signed By




Nancy Taylor BBA, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair  
Chief Administrative Officer

## Roles and responsibilities during the COVID-10 pandemic

	Local area municipalities	Ontario 	Canada 
<ul style="list-style-type: none"> <li>• Economic Development</li> <li>• Emergency Child Care</li> <li>• Family Services</li> <li>• Housing Services</li> <li>• Operation of four LTC homes</li> <li>• Paramedic Services</li> <li>• Police Services</li> <li>• Public Health</li> <li>• Regional Roads</li> <li>• Social Assistance</li> <li>• Transit</li> <li>• Waste Management</li> <li>• Water</li> </ul> <p>1-800-372-1102   <a href="http://durham.ca">durham.ca</a></p> <p><a href="http://DurhamHealthConnectionLine.ca">Durham Health Connection Line</a> 1-800-841-2729</p> <p><a href="http://DurhamRegionalPoliceService.ca">Durham Regional Police Service</a> 1-888-579-1520   <a href="http://drps.ca">drps.ca</a></p> <p><a href="http://BusinessInformationInvestDurham.ca">Business Information</a> <a href="http://InvestDurham.ca">InvestDurham.ca</a></p> <p><a href="http://ServiceChangesFacilityClosures.durham.ca">Service Changes &amp; Facility Closures</a> <a href="http://durham.ca/ServiceChanges">durham.ca/ServiceChanges</a></p> <p><a href="http://ResourcesintheCommunity.durham.ca">Resources in the Community</a> <a href="http://durham.ca/CommunityResources">durham.ca/CommunityResources</a></p>	<ul style="list-style-type: none"> <li>• Animal Services</li> <li>• Building Permits</li> <li>• Burial Permits</li> <li>• Development Applications</li> <li>• Economic Development</li> <li>• Fire Services</li> <li>• Organic, Garbage and Yard Waste Collection (Whitby and Oshawa)</li> <li>• Park and Amenity Closures</li> <li>• Parking Enforcement</li> <li>• Property Tax</li> <li>• Local Roads</li> </ul> <p>Visit your local area municipality's website for details:</p> <p><a href="http://ajax.ca">ajax.ca</a> <a href="http://TownshipOfBrock.ca">TownshipOfBrock.ca</a> <a href="http://clarington.net">clarington.net</a> <a href="http://oshawa.ca">oshawa.ca</a> <a href="http://pickering.ca">pickering.ca</a> <a href="http://scugog.ca">scugog.ca</a> <a href="http://uxbridge.ca">uxbridge.ca</a> <a href="http://whitby.ca">whitby.ca</a></p>	<ul style="list-style-type: none"> <li>• Business Support and Closures</li> <li>• Colleges and Universities</li> <li>• COVID-19 Testing</li> <li>• Health Care</li> <li>• Hospitals</li> <li>• LCBO</li> <li>• List of Non-essential Businesses</li> <li>• Schools</li> </ul> <p><a href="http://TelehealthOntario.ca">Telehealth Ontario</a> 1-866-797-0000</p> <p><a href="http://BusinessInformationOntario.ca">Business Information</a> <a href="http://ontario.ca/business">ontario.ca/business</a> 1-888-444-3659</p> <p><a href="http://LocalRepresentativeola.org">Local Representative</a> <a href="http://ola.org">ola.org</a></p> <p><a href="http://DonationofMedicalSupplies.ca">Donation of Medical Supplies</a> 1-888-777-0554 <a href="http://ontario.ca/how-our-organization-can-help-fight-coronavirus">ontario.ca/how-our-organization-can-help-fight-coronavirus</a></p>	<ul style="list-style-type: none"> <li>• Access to Credit</li> <li>• Business Support</li> <li>• Canada Child Benefit</li> <li>• Canada Emergency Response Benefit</li> <li>• Canada Student Loans</li> <li>• Employee Support</li> <li>• Employment Insurance (EI)</li> <li>• Foreign Travel and Support for Canadians Abroad</li> <li>• Income Tax</li> </ul> <p><a href="http://SupportforIndividualsCanada.ca">Support for Individuals</a> <a href="http://canada.ca/en/departments/finance/economic-response-plan.html">canada.ca/en/departments/finance/economic-response-plan.html</a></p> <p><a href="http://BusinessandEmployeeSupportCanada.ca">Business and Employee Support</a> <a href="http://canada.ca/business">canada.ca/business</a></p> <p><a href="http://SupportforCanadiansAbroad.ca">Support for Canadians Abroad</a> 1-800-387-3124 <a href="http://travel.gc.ca">travel.gc.ca</a></p> <p><a href="http://Localrepresentativeparl.gc.ca">Local representative</a> <a href="http://parl.gc.ca">parl.gc.ca</a></p>
<a href="http://durham.ca/NovelCoronavirus">durham.ca/NovelCoronavirus</a>	<a href="http://durham.ca/municipalities">durham.ca/municipalities</a>	<a href="http://ontario.ca/covid19">ontario.ca/covid19</a>	<a href="http://canada.ca/covid19">canada.ca/covid19</a>





FEDERATION  
OF CANADIAN  
MUNICIPALITIES

FÉDÉRATION  
CANADIENNE DES  
MUNICIPALITÉS

# Protecting vital municipal services

Urgent federal recommendations to  
address the financial crisis in our cities  
and communities due to COVID-19

**April 23, 2020**

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# This is a crisis

## A message from FCM's president

In a matter of weeks, the COVID-19 pandemic has turned life upside down. We now face a public health and economic challenge unlike anything we've seen in our lifetime. As municipalities across the country work to support frontline action and ready essential response services, the financial impact to our operations has created a crisis—and threatens to put the Canadians we serve at further risk.

Across Canada, cities and communities are seeing their finances drift toward collapse. This crisis exposes the cracks in an outdated model that is fundamentally misaligned with the modern reality of the role of local governments. Revenues are plummeting. Unanticipated costs are rising. With few fiscal tools available—and no legal ability to run operating deficits—local leaders face stark choices. Protecting essential services now requires support from other orders of government.

**Today, FCM is making that urgent request on behalf of cities and communities across the country. We are calling for emergency operating funding for municipalities—to keep essential services running and Canadians safe and protected.**

Canadians are depending on the vital services their local leaders provide, from ensuring tap water is clean to sending paramedics to help the sick to safely sheltering our most vulnerable residents. Cutting back services in the middle of a pandemic would put Canadians at further risk. Instead, municipal leaders must continue to help lead the way, supporting people and businesses through this public health and economic storm. To ensure this work continues with the urgency required—on the ground, where Canadians live—direct emergency federal funding is the only option.

Our federal-municipal partnership has delivered remarkable results. Deepening that partnership now will protect Canadians through this pandemic. And when the time comes, local leaders will be ready to help lead Canada's recovery, so this country can prosper and thrive once again.

**Bill Karsten**  
FCM President

# Local leaders on the front lines

Our cities and communities are the front lines of the COVID-19 pandemic. These are the places where Canadians go to work, buy homes, start families, launch businesses, and build the future of this country. As the governments closest to daily life, municipal leaders are mobilizing urgently to keep Canadians safe, and to help people and businesses weather the economic storm.

**Municipalities of all sizes are taking extraordinary measures to support Canadians—including our most vulnerable—through this unprecedented public health and economic challenge.** They're turning arenas into shelters for the homeless. They're setting up portable hygiene stations. They're deferring property taxes and utility bills for struggling families.

Municipalities are also working day and night to keep essential services running. Bus drivers, paramedics, firefighters, social workers and countless other frontline staff are putting themselves at risk every day to keep Canadians safe and to provide the services people rely on.

In the face of this challenge, essential workers and local leaders are stepping up together as champions for their communities, and this country.

**As the national voice for local governments, FCM is fully engaged in this nationwide crisis.** We're bringing together communities across the country to help protect people and businesses. Through regular touchpoints with our members—from FCM's Big City Mayors' Caucus and Rural Forum to our provincial-territorial municipal association partners and others—we're convening local expertise, sharing resources and coordinating frontline response efforts.

We're also working directly with federal departments, agencies and decision-makers to help inform Canada's pandemic response. That includes regular scheduled calls with the deputy prime minister and key ministers. This unprecedented engagement is bringing local realities to new federal initiatives—from the Canada Emergency Response Benefit to the Canada Emergency Wage Subsidy—to ensure they meet the needs of Canadians on the ground.

## Municipalities in action

The **City of Edmonton, AB** has waved transit fares on all routes and has deployed larger buses to encourage physical distancing, while ensuring essential workers have a safe and reliable way to get to work.

The public library in the **Town of Halton Hills, ON** is using 3D printers to make face shield parts for frontline health care workers. It's also left its Wi-Fi on—despite being closed—so residents without Internet access can apply for provincial and federal resources.

The municipality of **Canton De Gore, QC** has set up a home delivery service for seniors and vulnerable residents—staffed by volunteers—to bring groceries and prescriptions to people confined to their homes.

For more examples of municipal action during the pandemic, go to [fcm.ca/COVID19](https://fcm.ca/COVID19).

## Vital municipal services at a glance

COVID-19 is shining a spotlight on the vital role municipalities play in daily life. Now more than ever, Canadians are depending on their local leaders to keep essential services running—to keep people safe and secure through this pandemic. That includes:

- ▶ Local police, ambulance and fire services
- ▶ Maintenance of roads, bridges and other essential infrastructure
- ▶ Safe public transit for essential workers
- ▶ Clean water and wastewater services
- ▶ Garbage collection and recycling
- ▶ Local social services and housing for vulnerable residents
- ▶ Local public health agencies
- ▶ Sustainability and environmental initiatives



Paramedics are on the frontlines providing life-saving services including emergency and non-emergency pre-hospital care to residents. *Photo: City of Toronto*

When the time comes, municipalities will also be ready to lead Canada's recovery, along with our federal partners. Local leaders are already delivering frontline results for Canadians. And they are exceptionally well-placed to deliver stimulus funding quickly—to create jobs and get the economy going. Deepening the federal-municipal partnership even further will help Canada thrive and prosper once again.

# Anatomy of our financial crisis

At the best of times, Canada's municipal governments manage a razor-thin fiscal balance to deliver for residents. On the revenue side, they have scant ground to till beyond property taxes and user fees. On the expense side, operating and capital, they must be tremendously cost-efficient with every dollar available. With no legal standing to carry operating deficits, they diligently maintain reserves to carry our communities through cyclical shifts and disruptions.

But these are *historically challenging times*. Municipalities are incurring deep losses due to COVID-19—a combination of foregone revenues (from property taxes and user/utility fees) and unanticipated costs (including public safety measures and support for vulnerable populations). This is not limited to a cash flow challenge; this is a crisis of non-recoverable losses. To continue delivering essential services, many are drawing down limited reserves that were not designed for a crisis of this scale or duration.

Today's crisis exposes cracks in the fundamentally outdated fiscal framework in which municipalities are still forced to operate. And as we now approach a tipping point, our next steps will reverberate

through the lives of Canadians. Insolvency is not an option. Bridge loans cannot address this crisis of permanent losses. Cutting essential services is not an acceptable option, not when Canadians need us most. This is why we are turning to our federal partners for emergency operating funding—to sustain municipal operations and essential services through these extraordinary times.



Municipal waste collection operators are keeping municipalities clean and green, while delivering essential services so residents can stay at home.

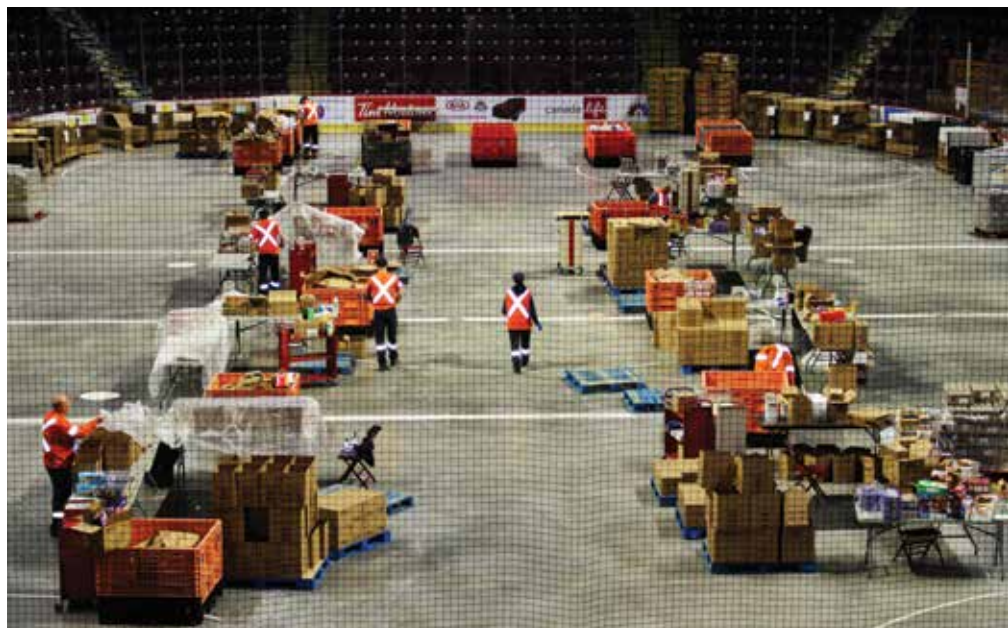
*Photo: City of Toronto*

***This action will protect essential services Canadians rely on.*** No one should have to worry if their tap water is clean, whether their garbage will stay on the curb, or when a fire truck or ambulance will arrive.





To keep drivers and riders safe, the City of Selkirk, MB, installed Plexiglas shields and closed off alternating rows inside the buses to encourage physical distancing. *Photo: City of Selkirk*



The City of Windsor's WFCU Centre, home of the Windsor Spitfires Junior-A hockey club, has been transformed into a make-shift foodbank to help those in need during the pandemic. *Photo: City of Windsor*

***This action will protect the most vulnerable among us.*** We must continue deploying extraordinary measures to protect people who face enormous challenges staying safe—in our shelters, on our streets.

***This action will support Canada's economic recovery.*** Municipalities will need to hit the ground running to turn stimulus funds into outcomes—and not be cancelling even *existing* capital projects.

Like never before, our municipal-federal partnership has been building better lives for Canadians. Our partnership is grounded in our respective strengths—local leaders are delivery experts closest to people's real needs, the federal government has the fiscal heft to drive nationwide progress. Today, right now, this partnership is the key to carrying Canadians through this pandemic into better days ahead.

## Protecting property taxpayers

Covering municipal losses through a one-time property tax levy is not a viable alternative to federal emergency funding given the significant impact it would have on households trying to weather the economic downturn. Bridging municipalities' 2020 fiscal shortfalls without cutting services—assuming six months of physical distancing—would require dramatic residential property tax levies:

Toronto	56%
Calgary	23%
Vancouver	22%
Montreal	18%
Mississauga	17%

# Fiscal impacts of COVID-19

The fiscal impacts of COVID-19 have been swift and dramatic. Non-recoverable municipal losses driven by falling revenues and rising costs have led to an unprecedented financial crisis. To absorb this staggering hit in the near term, we are calling for a federal operating infusion of \$10–15 billion over the next six months. This crisis may compound as physical distancing measures continue, and depending on the timing and pace of future economic recovery.

FCM continues to develop insight on the scale of losses that municipalities may face on the road ahead. The extent and nature of losses vary widely by community, depending on multiple factors:

- ▶ Municipalities with **public transit systems** face significant revenue losses at the fare box—estimated at \$400 million per month nationwide. This accounts for 30–50 percent of monthly net losses for these municipalities. In Metro Vancouver, Translink is losing \$75 million monthly. The Toronto Transit Commission reports a \$23.5 million weekly burn rate—with an 85 percent revenue drop in April alone. Critically, transit is an essential service for frontline workers in this pandemic, but with limited ability to reduce operating expenditures, many transit systems are already scaling back service to ensure solvency.
- ▶ Municipalities are deferring **property taxes, utility and other fees** to support struggling residents in the near-term—another major revenue hit. Even after these deferral programs end, there remains a significant risk of property tax delinquency. With even a 10 percent increase in property tax and utility bill delinquencies, the cities of Vancouver and Toronto estimate revenue losses in 2020 of \$130 million and \$684 million, respectively.
- ▶ Municipalities reliant on **hard-hit industries** face compounding pressures. In tourism-driven Banff, Alberta, 85 percent of workers have been laid off. Tourism Calgary has temporarily laid off more than half of its staff, and the city could lose the \$540 million economic impact of the Calgary Stampede. Agriculture: meat plants in High River, Alberta, and in Montreal have closed temporarily, impacting a third of Canada's beef processing capacity and most pork exports. Natural resources: Western Canadian Select is trading at negative prices, and sawmill closures have put thousands out of work, jeopardizing pulp mill jobs in northern and remote communities.





Like many municipalities, the City of Yorkton has converted one of their public rinks into a temporary site run by public health to help alleviate the impact on local hospitals and emergency rooms. *Photo: City of Yorkton*

- ▶ The loss of **user fees from parking and community, culture, and recreation facilities** is another source of foregone revenue. Many municipalities have already temporarily laid off staff at these facilities to reduce costs. The City of Mississauga estimates lost revenue from recreation facilities to reach \$23.3 million by the end of June. The City of Toronto is losing almost \$17 million monthly from foregone parking fees alone. Smaller communities, at relative scale, stand to take a significant hit as well. Prince George, B.C., estimates a monthly loss of \$15–20 per capita.
- ▶ Without emergency operating funding, municipalities will need to reduce planned **capital expenditures** in 2020 to make up for lost revenues. This will further slow economic activity across the country and increase future repair costs. And this scaling-back is enormously counter-productive to the coming need to drive Canada's economic recovery through new capital investment in municipal assets, including core infrastructure and housing.



The Gatineau Police Department controls movement at the entrance to the territory. *Photo: City of Gatineau*

- ▶ **Rural and small communities** face their own unique economic challenges. The agriculture sector has been hit hard. Some municipalities have begun laying off staff—despite having so few to begin with. With limited access to broadband Internet, many rural Canadians are unable to work from home. New Brunswick's Francophone municipalities are facing a total monthly loss of \$10.5 million. Even before the pandemic hit, eight percent of Atlantic Canada's workforce was already depending on Employment Insurance benefits.

# Summary of recommendations

With plummeting revenues, rising expenses and a legal proscription against running operating deficits, municipalities are at imminent risk of having to cut essential services to Canadians to remain solvent. The acceptable alternative is emergency operating funding for municipalities, provided by our stable, trusted, national partner: the Government of Canada.

This section summarizes FCM's urgent recommendation. This is based on the best available data on the projected financial impact of COVID-19—amounting to a near-term gap of \$10–15 billion for municipalities nationwide. It assumes that physical distancing directives substantially persist for six months, with direct municipal revenue impacts continuing through the end of 2020 and possibly into 2021 depending on the pace of economic recovery.

The core of our recommendation is an allocation-based formula to deliver a base level of support to all local governments. This is supplemented by targeted measures to meet distinct needs of municipalities as they continue to keep Canadians fully served and protected.

## Immediate action

1. **Deliver at least \$10 billion in targeted emergency operating funding to all local governments as direct allocations—with a new hybrid formula modelled on both the proven federal Gas Tax Fund (GTF) and a ridership-based allocation for municipalities that operate transit systems.**
  - ▶ Specifically, allocate at least \$7.6 billion of the fund using a GTF-style allocation formula for all local governments, and \$2.4 billion based 100% on transit ridership.
  - ▶ For municipalities that operate transit systems, provide a single blended transfer.
  - ▶ Immediately provide advance payments to municipalities facing urgent liquidity issues.
  - ▶ Leverage the administrative infrastructure of the federal Gas Tax Fund, where possible, to expedite the rollout of dedicated emergency operating grants.



Municipal road maintenance staff are working around the clock to keep roads safe and accessible for those delivering essential services. *Photo: City of Toronto*

2. **Deliver additional emergency operating funding to individual local governments facing unique financial pressures related to COVID-19 that are not fully met by the hybrid formula above.** Our largest urban centres face distinct challenges supporting self-isolation, sanitation and good health among populations struggling with homelessness and mental health challenges. Smaller communities face unique challenges, starting with access to health care services that can support isolation requirements and urgent care. These and other unique cost drivers will continue to require targeted supports for the full duration of this crisis.



Selkirk, MB Mayor Larry Johansson stopped at a resident's window to admire children's drawings showing their appreciation for essential workers. *Photo: City of Selkirk*

## Medium-term action

3. **Commit to revisit the need for additional operating funding within 4 months.**
  - ▶ Monitor trends in property tax delinquencies and consider additional supports for individuals and businesses that may not be able to pay property taxes after the expiry of short-term municipal deferral programs.
  - ▶ Depending on the duration and severity of the COVID-19 crisis, prepare for possible additional operating funding assistance in both 2020 and 2021.
4. **Provide local governments with the ability to transfer unused allocations** to the federal Gas Tax Program for capital expenditures as part of Canada's COVID-19 economic recovery plan.

# Proposed funding model

This section presents additional guidance for the emergency operating funding outlined in recommendation #1. Our proposed model features two components: a base allocation for all municipalities, and a supplementary allocation for municipalities that own and operate transit systems. To function—efficiently and nationwide—its design must be straightforward, direct and flexible.

## **Base allocation** *(for all municipalities)*

- ▶ At least \$7.6 billion based on the federal Gas Tax Fund formula.
- ▶ Assumes average of \$35 per capita per month, six months of physical distancing (starting March 2020).

## **Supplementary allocation** *(for municipalities that own and operate transit systems)*

- ▶ \$2.4 billion based entirely on 2019 transit ridership (population not included in formula).
- ▶ Based on Canadian Urban Transit Association needs assessment (\$400M/month for six months) and validated through individual city estimates.

## **Design considerations**

- ▶ Municipalities should receive a single transfer that combines the base and supplementary allocation (except in the case of provincially-owned transit systems, such as BC Transit and Metrolinx).
- ▶ This single transfer should provide maximum flexibility to local governments to apply funds towards all operating impacts (foregone revenue and/or unanticipated costs) related to the COVID-19 pandemic.

- ▶ No provincial or municipal matching funds should be required.
- ▶ Requiring provincial matching could cause delays given the varied fiscal capacities of provincial/territorial governments. However, provinces and territories continue to have an important role to play in providing targeted supports for local governments including, but not limited to:
  - ▷ direct support for COVID-19 emergency response and support for vulnerable populations;
  - ▷ expansion or backstop of property tax deferral programs (especially long-term deferment programs that will delay taxes beyond a single fiscal year);
  - ▷ block operating grants for local governments.
- ▶ Given significant downside risks—including the likelihood of future pandemic waves that require physical distancing, and the potential for property tax delinquencies—it is likely that the full allocation under an emergency operating grant will be fully utilized by local governments.



The Vulnerable Person's Registry is a critical program where the elderly and people with special needs are contacted daily, making sure that they are safe and their needs are being met. *Photo: Regional Municipality of Wood Buffalo*

- ▶ Any limited unused funding could be reserved for additional COVID-19-related operating shortfalls in 2020 or 2021, or transferred to the federal Gas Tax Fund to be used for incremental capital expenditures as part of Canada's COVID-19 recovery plan.

### Potential impact *(all numbers rounded and approximate):*

Municipality	Preliminary net losses*	Base allocation (GTF formula)	Supplementary allocation (transit)	Total allocation
City of Toronto	\$1.690B	\$575M	\$575M	\$1.150B
Metro Vancouver**	\$900M	\$510M	\$290M	\$795M
City of Calgary	\$400M	\$255M	\$115M	\$370M

\* preliminary estimates assuming full year impact of 6 months of physical distancing

\*\* extrapolation of data provided by City of Vancouver (local government not including transit) and TransLink (transit)



# Eyes on the future

Right now our focus is on tackling the public health and economic crisis in our cities and communities—and ensuring local leaders can continue to deliver the essential services Canadians rely on. But we're also keeping an eye on the future—for when Canada is ready to move from response to recovery.

Across the country, municipalities have already begun taking steps to help drive the massive nation-building effort that will be required when the pandemic ends—from getting local businesses back on their feet to implementing job-creating stimulus projects. FCM is supporting this work by collecting and analyzing on-the-ground data that will inform recommendations for Canada's recovery. From housing, to infrastructure, to green, sustainable and resilient projects, cities and communities have a long track-record of delivering results efficiently and effectively. Municipalities will be essential partners in rebuilding the economy we want for the future.

But as with any crisis, it will be just as important to learn lessons from this pandemic. We will honour and celebrate how Canadians and their governments came together in common cause. We will also need to take a critical look at the foundational cracks that have been more harshly exposed in how we approach the role of local governments. In clear view is the outdated tools and authorities granted to municipal leaders, and how they simply do not match the modern role cities and communities play in supporting Canadians and driving our economy. When the time is right, FCM and local leaders will be ready to have that conversation.

In the immediate, we will continue working flat-out, as partners on the front lines, to keep Canadians as safe as possible, and ready our economy for the comeback we're confident we can collectively drive. We're all in this together.





**FCM**

FCM.ca



Sent by email to: [Bill.Morneau@canada.ca](mailto:Bill.Morneau@canada.ca)  
[Minister.fin@ontario.ca](mailto:Minister.fin@ontario.ca)

April 27, 2020

The Honourable Bill Morneau  
Minister of Finance  
Department of Finance Canada  
90 Elgin Street  
Ottawa, Ontario  
K1A 0G5

The Honourable Rod Phillips  
Ontario Minister of Finance  
Frost Building South, 7th Floor,  
7 Queen's Park Cres  
Toronto, Ontario  
M7A 1Y7

## **Re: Municipal Government Services and Ontario and Canada's Economic Recovery**

Dear Minister Morneau and Minister Phillips:

The current COVID-19 pandemic has offered Canada and the world an unprecedented challenge. In managing this emergency, the Association of Municipalities of Ontario (AMO) commends the Prime Minister, Premier and all ministers and officials for their leadership and dedication to the health, safety and well-being of the people of Ontario. However, the steps we have collectively taken to limit the spread of the virus and manage the disease have taken a steep toll on our economies, businesses, workers and communities that is likely to continue for the foreseeable future without urgent and dedicated attention. Municipal governments are also impacted.

As your partners providing services on the front lines, municipal governments have welcomed the supports Ontario and Canada have put in place to date. AMO also appreciates that attention is turning to efforts to guide the economic and social recovery of our society as the rate of infection slows and we return to a more normal footing. Collectively our citizens will turn to their national, provincial and local governments for the leadership and investments needed to safely return to regular life and chart our path to lasting prosperity.

### **Municipal Fiscal Stabilization:**

Stabilizing local governments must be a priority. The pandemic has had a major impact on the finances of municipal governments across Ontario and Canada. AMO strongly supports the requests of the Federation of Canadian Municipalities and the Canadian Urban Transit Association for stabilization funding that will help municipal governments recover from these impacts and prepare them for the long-term recovery. We appreciate greatly Premier Ford's support for these requests.

In addition, AMO believes that it may be necessary for the Ontario government to create a short-term grant which helps to keep municipalities whole during the pandemic and beyond.

Municipalities have continued transit services, often foregoing fares, to keep frontline workers and others able to work and access services during the emergency. The costs of delivering key human services have continued to mount. Many have deferred property taxes and other fees with impacts to their solvency, and increased needs for personal protective equipment and cleaning costs have challenged municipal operations. Property tax deferrals are an important support to the population while the economy contracts and unemployment increases. They cannot be a long-term solution. While there are proposals to permit municipal operating deficits, these proposals only delay costs and create structural financial pressures.

A partnership among all three orders of government working together to stabilize and put our economy on the path to recovery is required.

### **Economic Recovery:**

Turning to recovery and efforts to return our economy to growth, AMO believes that stimulus measures to accelerate and enhance both provincial and federal infrastructure programs would help to get our economy moving again. Capital investments will get people and businesses to work, creating jobs in the short term and creating multiplier effects through local firms and communities. They will also make it more efficient for businesses and people to create and access goods and services in the long term, benefiting overall prosperity and competitiveness.

Investments in public infrastructure stimulate economic progress. In 2015, in a paper for the Broadbent Institute, the Institute for Spatial Analysis estimated that every dollar of public sector investment in infrastructure in Canada increased GDP by \$1.43 in the short term, created 9.4 short-term jobs and returned \$0.44 in taxes. In the long term, that same investment increased GDP by \$2.46 - \$3.83 for each dollar spent.

The timing of infrastructure investments is also key. While steady long-term investment in infrastructure is important to ensure that it contributes to gains in long term productivity, investments in infrastructure during times of reduced economic output have an even greater impact on economic advancement. One International Monetary Fund (IMF) study suggested that increasing infrastructure spending by 1 per cent of GDP through deficit spending can increase GDP 0.9 per cent in the first year and up to 2.9 per cent by year four in economic downturns.

The case for public infrastructure investment for economic benefit is clear but there are other policy benefits as well. Sound investments in social, cultural and environmental infrastructure can increase equity, well being and quality of life as well as improve the natural environment, all with ultimate benefits for prosperity. Municipal governments offer services in all of these areas in which investments can increase our collective economic, environmental and social bottom lines.

With this in mind, we recommend the following proposals to help restart the economy and put Ontario on track for long term growth and prosperity:

### **Accelerate Existing Infrastructure Funding:**

The Investing in Canada Plan (ICIP) partnership funding offers Ontario and municipal governments significant and appreciated resources to invest in needed service improvements. As a first step, AMO believes the governments of Canada and Ontario should accelerate the funding allocations under the various streams of the ICIP. This would include expediting project approvals as well as changing the transfer of funding from the completion of projects to the start of projects to allow municipalities to manage cash flow better and faster. This would effectively re-profile ICIP funding into stimulus.

However, in re-profiling this funding, the need for long term infrastructure funding and certainty in its allocation cannot be forgotten.

This long-term funding should include transit service expansion, which, while challenged by the current pandemic and lockdown, will need to be increased and improved for long term prosperity, social and environmental needs. Stabilizing public transit and adapting it safely to our needs post-pandemic will be critical to meeting our goals.

Ontario's Gas Tax for Transit Fund, given its flexibility and stability, is an important source for capital and operating funds for transit. The province should consider how to address diminished revenue collected for the fund anticipated in 2020 – such as discounting the year altogether in favour of a multi-year average - as maintaining the envelope is likely to be critical to helping transit services recover.

### **Federal Gas Tax:**

In the previous year's federal Budget, the Government of Canada doubled the investment in the federal Gas Tax Fund in that year. The federal Gas Tax Fund is a major stable source of flexible infrastructure funding offering permanent, formula-allocated funding to local infrastructure that is bankable and leverages significant local investment from municipalities because it is matched to municipal government priorities.

In Ontario, in 2019 the increased allocation provided \$1.64 billion to municipal governments for priority projects. Additional increases in funding have the ability to be quickly contributed to municipal local priorities in priority areas, flexibly across Ontario. As a result, the federal Gas Tax Fund remains a preferred and reliable choice to quickly move funding for infrastructure from the federal government to municipal governments in Ontario.

However, much can also be achieved on our shared infrastructure priorities through targeted funding to important services and areas. The remainder of this letter focuses

on the potential for us to make real progress for our communities economically, socially and environmentally through investments in local services.

### **Connectivity:**

Access to internet and cellular technologies has never been more important, and the current pandemic has laid bare disparities Ontario communities are faced with as people do as they are asked and isolate at home. Connectivity in this time is a lifeline. It is access to food, medicine and medical services, family, school and work. Yet, the Ontario Ministry of Infrastructure estimates that 12 per cent of Ontarians, 1.7 million people, live in unserved and underserved communities. Both Ontario and Canada have ambitious goals to connect these people and improve this now essential service. This funding is set to launch this year and it should be accelerated to improve services to these areas to bring them to the 50/10 MB standard, a helpful improvement.

While these programs will help to narrow the gaps in connectivity rural and remote communities are experiencing now, the auctioning of new spectrum frequencies later this year, and the introduction of new next generation technologies, could exacerbate these disparities if not properly managed. The federal government's proposals to ensure competitiveness and set aside spectrum for regional and smaller carriers should help. Ideally this will ensure that small local carriers have the opportunity to invest in spectrum in underserved rural areas, including those close to urban agglomerations. That said, it may be necessary for the Government of Canada to also consider rules that require providers to forfeit the license if actual connections to under and unserved residents are not made within a specified period at specified speeds, as many rural communities are concerned that projects do not always result in the outcomes proposed.

Additionally, Ontario should explore ways to ensure access to Hydro One to hydro pole infrastructure to expedite installation of necessary wireless technologies in rural areas. Local municipal electricity distribution corporations in Ontario will be able to work with their shareholders where connectivity issues exist to ensure hydro poles are available to service providers per local priorities.

To ensure these services are implemented, and communities are able to take advantage in new and improved technologies, AMO encourages the Governments of Canada and Ontario to continue to work with municipalities, and service providers, to help all Ontarians take advantage of the new technologies and applications this new spectrum will bring. Additional stimulus funding to incentivize partnerships and investments in wireless, fixed and satellite connection expansion also should be considered as a sound economic, social and environmental investment in our future prosperity.

### **Housing:**

Infrastructure includes social infrastructure that develops human capital. The need for more affordable housing is clear, and the current pandemic has shown in even starker

relief why housing provision to inadequately housed people is in the public interest. Acting now to resolve this will help make managing the spread of future diseases easier.

In 2018, the Ontario Non-Profit Housing Corporation and the Canadian Co-operative Housing Federation – Ontario Region produced a proposal to all orders of government in a document called [An Affordable Housing Plan for Ontario](#). According to these provincial housing associations, construction of at least 16,600 rental homes each year is required to address population growth and the backlog of those in need of affordable housing. This would amount to building up to 69,000 rental homes over ten years. In addition, up to 30,000 new supportive housing units are required for vulnerable, low-income people including seniors and those with mental health and addictions challenges. Much of the existing municipally funded community housing stock is also in need of capital repair given the age of the buildings.

Building and repairing these rental homes is projected to contribute \$2.6 billion annually in construction multipliers and inject \$1.1 billion in increased consumer spending. As well, it can save money to the health and justice systems, estimated at \$1.1 billion annually. Permanent housing is more cost effective than putting people in shelters, jails or psychiatric beds, and is essential to reducing chronic homelessness. An adequate supply of housing for a range of incomes, including the middle class, assists communities to attract and retain workers needed to grow local economies.

Investing in housing also helps to secure a critical social safety net for people with low to moderate incomes or requiring special supports, such as help with mental health and addictions. There are many construction ready projects that could be built quickly, or capital repairs quickly undertaken. The National Housing Strategy framework provides a ready mechanism to move investments forward expeditiously.

There are other options other than direct investments that are worth exploring. For example, [HPC Housing Investments Corporation \(HIC\)](#) is a new national lender dedicated to the affordable housing sector. It was co-founded by Housing Services Corporation (Ontario), BC Housing and Manitoba Housing with support from CMHC. HIC offers housing providers direct access to the capital markets and delivers low-cost, long-term mortgages to build affordable housing across Canada.

While HIC has a proven model for generating and maximizing funds for affordable housing projects, a provincial guarantee of HIC mortgages will make the offering more attractive to the capital markets and also drive down financing costs to Ontario providers. For example, HIC estimates that a provincial guarantee will result in interest savings of up to \$120 million for the Ontario sector for a \$500 million guaranteed program with 40-year mortgage terms. An Ontario guarantee will not require any upfront funding from the Province and can be quickly and easily implemented for Ontario providers through HIC's established lending platform.

**Child Care:**

Child care will play an important part in the economic recovery if adequate funding is available. No one wants to see child care centres closed permanently as a result of the current situation. Sustaining existing child care capacity is critical to facilitate continued labour market participation of parents in the workplace.

Maintaining employment in the sector will also contribute to recovery. For every five children in child care, it is estimated to generate one full-time employee equivalent, typically women in these sector professions. This includes Early Childhood Educators, cooks and cleaners. Investments in child care make good economic social sense in a number of ways. In addition to facilitating participation in the labour force, it plays a role to help reduce poverty and is essential for early childhood development which leads to improved educational outcomes resulting in a stronger labour force in the future.

**Flooding and Storm Water Management:**

AMO has long called for funding to improve and expand flood protection and storm water management infrastructure.

A changing climate is changing the parameters for storm water management infrastructure, necessitating additional capacity. This is costly to communities and intensifies the need for investments that are already challenging municipal governments. Better storm water management infrastructure has a direct benefit to our lakes and rivers, to flora and fauna and, if green infrastructure is integrated, to wetlands and resident's quality of life.

The ICIP Green Fund is a helpful start and these investments should be accelerated. However, more will be needed to truly increase the protection to our communities and our environment. AMO suggests that Ontario and Canada provide additional funding to improve municipal storm water management and for flooding control infrastructure including green infrastructure and wetlands as part of the recovery efforts. Policy which prioritizes lot level water management through low impact development will help to manage future demand (LID) for expansion and provide benefits to water quality long term. Some municipal governments have implemented dedicated storm water charges, and many will have a need to consider them as they manage future needs.

**Energy Conversions, Public and Private Buildings:**

Upgrading and enhancing energy conservation and green energy such as solar, district energy, combined heat and power and others for public and even private buildings should be considered. For public buildings, green energy upgrades to municipal offices, public housing and recreation centres would help to reduce our sector's greenhouse gas footprint and better manage future expansion of generating capacity



needs. It would also make a meaningful contribution to Canada's Paris Agreement commitments.

Furthermore, municipal services such as organic waste management and wastewater treatment facilities offer the opportunity to capture heat and gas as major energy recovery projects. Doing so closes the loop on greenhouse gas production and more efficiently stewards renewable resources. If these sources were combined with agricultural waste in one facility, the potential for regional energy conversion could be realized. Funding for such projects under stimulus and long-term infrastructure plans should be included.

In addition, we urge the provincial and federal governments to consider the potential for supporting energy conservation and renewable energy for homeowners, commercial and institutional buildings. This should be done through a combination of incentives and other mechanisms. AMO believes that the support of your governments and the potential for Local Improvement Charges (LICs) that can finance these changes on property tax bills could be an effective way to support residents and businesses, create short-term jobs and improve our environment for the long term.

Your governments should also consider investments in charging capacity for electric vehicles. While municipalities will continue to invest in transit operations and active transportation initiatives, AMO believes that an expansion in Ontario's charging capacity for electric vehicles could help consumers to increasingly adopt such vehicles by reducing anxiety about ranges and providing an alternative to petrol.

Greater adoption will have immediate impacts on our GHG emissions and air quality as the current emergency has shown – the World Meteorological Organization recently reported that measures to manage the spread of COVID-19 will result in a 6 per cent decline in GHG emissions globally in 2020, the first decline since World War 2. Closer to home, analysis by scientists at the University of Toronto suggest that lockdowns in Canada's major cities such as Toronto, have reduced nitrous oxide and ultrafine particulate pollution by almost 50 per cent and other analyses suggest that the world's major cities may have seen reductions of up to 60 per cent in other particulates such as PM 2.5, with implications for human health.

As economic activity picks up and returns to some form of normalcy, switching our main transportation options to transit, active transportation and electric vehicles will help to ensure we can continue to enjoy better environmental health while increasing income and prosperity. Also, if accompanied by connectivity enhancement and expansion, the potential for green, autonomous vehicles grows with attendant benefits for transport on demand and built form.

## **Conclusion:**

The prosperity Canada and other western nations and, indeed much of the world experienced in the wake of the Second World War was not a mistake or happy coincidence. It resulted from determined planning and dedicated short- and long-term

investments in prosperity. The current health crisis, accompanied by the sharp drop in economic activity as we manage it has given us a stark choice: we can continue our current path with the substantial funds we have committed to date; or we can invest strategically, significantly and smartly in areas that affect our prosperity and quality of life broadly defined and reap the attendant benefits in the short and long term by changing our foundational rules.

AMO believes the project categories included will do just that. Quantified and delivered transparently, such investment will provide our residents, businesses and investors with clarity and certainty allowing stability to guide private sector growth as the recovery takes hold.

To be clear, AMO is not suggesting that the federal and provincial governments embark on this alone. Municipal governments will do their part as your local partners to invest in these services and aid the recovery as much as they are able now and in the long term. The pandemic has put the importance of governments in very clear relief.

The mechanisms for investment in the recovery are already in place or can be established quickly.

We welcome the opportunity to discuss these important matters with you soon.

Sincerely,



Jamie McGarvey  
AMO President  
Mayor of Parry Sound

cc: Bill Karsten, President, Federation of Canadian Municipalities  
Rocco Rossi, President and CEO, Ontario Chamber of Commerce  
The Right Honourable Justin Trudeau, Prime Minister of Canada  
The Honourable Chrystia Freeland, Deputy Prime Minister of Canada  
The Honourable Catherine McKenna, Minister of Infrastructure and Communities  
The Honourable Ahmed Hussein, Minister of Minister of Families, Children and Social Development  
The Honourable Jean-Yves Duclos, President, Treasury Board of Canada  
The Honourable Jonathan Wilkinson, Minister of Environment and Climate Change  
The Honourable Navdeep Bains, Minister of Innovation, Science and Industry



The Honourable Maryam Monsef, Minister for Women and Gender Equality and Rural Economic Development  
The Honourable Mélanie Joly, Minister of Economic Development and Official Languages  
The Honourable Doug Ford, Premier of Ontario  
The Honourable Steve Clark, Ontario Minister of Municipal Affairs and Housing  
The Honourable Vic Fedeli, Ontario Minister of Economic Development, Job Creation and Trade  
The Honourable Peter Bethlenfalvy, President of the Ontario Treasury Board  
The Honourable Caroline Mulroney, Ontario Minister of Transportation  
The Honourable Christine Elliott, Ontario Deputy Premier and Minister of Health  
The Honourable Ernie Hardeman, Ontario Minister of Agriculture, Food and Rural Affairs  
The Honourable Greg Rickford, Ontario Minister of Energy, Northern Development and Mines and Minister of Indigenous Affairs  
The Honourable John Yakabuski, Ontario Minister of Natural Resources and Forestry  
The Honourable Laurie Scott, Ontario Minister of Infrastructure  
The Honourable Lisa MacLeod, Ontario Minister of Heritage, Sport, Tourism and Culture Industries  
The Honourable Lisa Thompson, Ontario Minister of Government and Consumer Services  
The Honourable Monte McNaughton, Ontario Minister of Labour, Training and Skills Development  
The Honourable Prabmeet Sarkaria, Ontario Associate Minister of Small Business and Red Tape Reduction

**Preliminary Projected Fiscal Impact of COVID-19 - as of May 19, 2020  
For the Year Ending December 31, 2020**

	Health	Social Services	Durham Region Transit	Durham Regional Police	Works (non- Water/Sewer)	Planning and Economic Development	Administration	Corporate	Water and Sewer	Total
Revenue Decrease	82,000	1,212,000	12,735,000	2,112,000	(98,000)	70,000	281,000	10,161,000	2,127,000	28,682,000
Net Subsidy Increase	-	(5,210,000)		-						(5,210,000)
Expenditure Increase	4,045,000	17,345,000	2,394,000	1,417,000	1,322,000	4,000	363,000	-	324,000	27,214,000
Expenditure Savings	(131,000)	(332,000)	(8,320,000)	(1,072,000)	(120,000)	(116,000)	(89,000)	-	-	(10,180,000)
<b>Net Impact</b>	<b>3,996,000</b>	<b>13,015,000</b>	<b>6,809,000</b>	<b>2,457,000</b>	<b>1,104,000</b>	<b>(42,000)</b>	<b>555,000</b>	<b>10,161,000</b>	<b>2,451,000</b>	<b>40,506,000</b>

**Notes:**

- These estimates should be considered preliminary as the Region is operating in a very fluid environment and caution should be exercised in relying on these estimates.
- The above estimates are based on information known as of May 19, 2020.
- The above estimates do not include any costs associated with the Region's Recovery Plan.
- Corporate impacts include estimated decrease in development charges due to not indexing and lost interest revenue from decreased interest rates and property tax deferrals.
- Water and Sewer impacts include estimated decrease in development charges due to not indexing.



# The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Planning and Economic Development  
Report: #2020-EDT-3  
Date: May 27, 2020

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**Subject:**

New Durham Tourism Brand

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**Recommendation:**

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the proposed new Durham Tourism brand be approved for use; and
  - B) That this report be circulated to Durham Region Area Municipalities.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to present the new Durham Tourism brand and to recommend that it be approved for immediate use. A presentation of the new branding will be provided by staff at the May 27<sup>th</sup> Regional Council meeting.

**2. Background**

- 2.1 Industry best practice suggests that branding should be reviewed every five years. The current Durham Tourism branding program was first deployed in 2006 and therefore is due for review.
- 2.2 In 2017, Economic Development and Tourism commenced a rebranding process for Durham Tourism by conducting research, stakeholder consultation, and a review of

the current landscape of tourism brands. For various reasons, the rebranding exercise was not ultimately completed.

- 2.3 In 2019, a new staff member joined the Durham Economic Development and Tourism Division that has a strong background in brand development and design within. Given this new in-house expertise, it was determined that staff should develop the new branding internally.
- 2.4 In 2019, staff reviewed stakeholder feedback obtained in 2017 and reviewed specific comments about the Region's tourism value proposition to attempt to find common themes. A consistent theme of "urban excitement and country charm" emerged. This theme was determined to be a very strong value proposition that would differentiate the Region and reflect a broad group of stakeholders. It was also determined to be an ideal theme on which to build a branding program, which would consider the brand identity (logo and visual components) along with the brand message (key statements and themes).
- 2.5 During the 2019 staff review, fundamental issues were identified with the existing "Good Natured Good Times" branding and logo. These issues include accessibility, modernization, and use guidelines that were incompatible with modern tools such as social media. In addition, it was required that the branding should work well alongside other Regional brands such as the new Invest Durham and Durham Region (corporate) brands.
- 2.6 The 2019 branding project also considered the key audience for the Durham Tourism brand. These key indicators demonstrate that the core audience is largely women who are acting as household decision-makers on domestic tourism opportunities for their families.
  - a. 70% of the Durham Tourism audience is female.
  - b. The core demographic of this audience is aged 25-44 years old.
  - c. Google trends indicates "Fun things to do in Durham Region" is a top ten key search term for the past 5 years, growing 180% in relevance, with nearly 100% of searchers residing within Ontario.
- 2.7 In early 2020, as the COVID-19 crisis has unfolded, the tourism and hospitality industries, as well as the small businesses that depend on tourism, have been severely impacted.
- 2.8 The focus of The Economic Development and Tourism Division is currently focused on providing these businesses the support, information, and resources needed to

overcome this crisis and recover. The Division is also advocating to all levels of government on behalf of these tourism stakeholders.

- 2.9 The recovery efforts to support tourism, hospitality, small and downtown businesses will be a primary focus for the Economic Development and Tourism Division. This new brand, with its flexibility to represent many Durham Region communities, market segments, tourism categories and organizations, will well-position Durham Tourism to effectively communicate Durham Region's unique value proposition and support business recovery.
- 2.10 In summary, during 2019 Durham Region Economic Development and Tourism staff reviewed all previously completed research and stakeholder consultation documents, researched the Durham Tourism key audience, evaluated the competitive landscape of tourism brands, and considered design best practices. Staff then used this information to develop a comprehensive new brand for Durham Tourism.

### **3. Durham Tourism Rebranding Overview**

- 3.1 Attached as Appendix #1 is the new Durham Tourism logo and branding. The branding is designed to be playful, exciting, and versatile.
- 3.2 This new brand also considers the value proposition and core messaging: Durham Region is a dynamic destination to discover, offering urban excitement alongside country charm.
- 3.3 The colours are updated to reflect the urban excitement of the Region through the vibrant hues of coral, chartreuse and teal, while the country charm and heritage of Durham Region is reflected through denim blue and warm beige.
- 3.4 The bold logo mark for the new Durham Tourism brand now works in small sizes and in a single colour.
- 3.5 The brand has been designed to be versatile and includes icons and graphic applications that are brand-aligned for various uses. These uses include marketing materials such as advertisements, merchandise, promotional materials, or tourism guides. In addition, they offer an ability for the brand to be adopted by the various vibrant communities in Durham Region. These graphical applications will be developed to capitalize on pride of place and to enhance the ability of communities within Durham Region to be ambassadors for the Durham Tourism brand.

3.6 A variety of benefits are achieved through this rebrand:

- a. Accessibility: Guidelines from both the Region of Durham as well as the Registered Graphic Designers Association of Ontario (RGD) have been incorporated. The previous multi-colour, script logo was not accessible or readable in small format or through digital media. The new colour palette was selected so that colour combinations would have a contrast level that meets current standards.
- b. Scalability: Practical applications of the rebrand consider uses as small as 1.3cm (½inch) in size with maintained readability, and effectiveness on social media.
- c. Updated Use Guidelines: In promotional material, such as advertisements for international audiences, text that clarifies “Durham Region, Ontario, Canada” and a Canadian flag, can be used in addition to the logo.

The Durham Region corporate logo (the Durham “D”) will also be used in conjunction when appropriate, particularly in recognition of sponsorships and partnerships within Durham or at events that attract Durham residents.

- d. Versatility: Applications of this branding include a set of icons to reflect seasons and tourism sectors (ie: fishing, culinary, urban nightlife, trails), the various types of small businesses in tourism destinations (ie: restaurant, personal services) and an application of the design to represent various locations in the Region.

#### 4. Financial Implications and Next Steps

- 4.1 As this new brand was developed by Regional staff, it was completed without any material third-party cost to the Economic Development and Tourism Division’s 2019 and 2020 budgets.
- 4.2 Once approved by Council, a coordinated roll-out of the new branding will be planned for the Durham Tourism website [DurhamTourism.ca](https://DurhamTourism.ca), social media channels, and all other digital platforms.
- 4.3 Staff will implement the brand across all new print and promotional materials in 2020.

## **5. Conclusion**

- 5.1 With a strong brand message and brand redesign, Durham Tourism will be able to clearly communicate the value proposition of Durham Region, and support post-COVID-19 business recovery. A modern, exciting and vibrant new brand will enhance the ability of Durham Tourism to market the Region's tourism assets in an eye-catching and dynamic way.
- 5.2 The new brand is designed to reflect the excitement of Durham Region's urban centres and the charm of its countryside, with an inclusive program that nods to all eight Area Municipalities.

## **6. Attachments**

Attachment #1: Tourism Rebrand redesign

Respectfully submitted,

Original signed by

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

Recommended for Presentation to Committee

Original signed by

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Elaine C. Baxter-Trahair  
Chief Administrative Officer









**Trees (Country)**



**Buildings (Urban)**



**Winter**



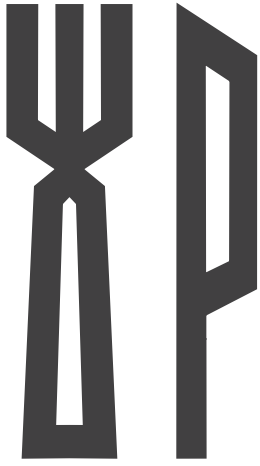
**Spring**



**Summer**



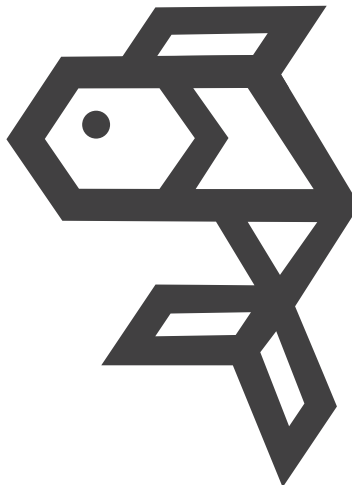
**Fall**



**Culinary**



**Cycling**



**Fishing**



**Teal**



**Coral**



**Chartreuse**

Modern, Playful, Exciting, Fun, Friendly for kids and families

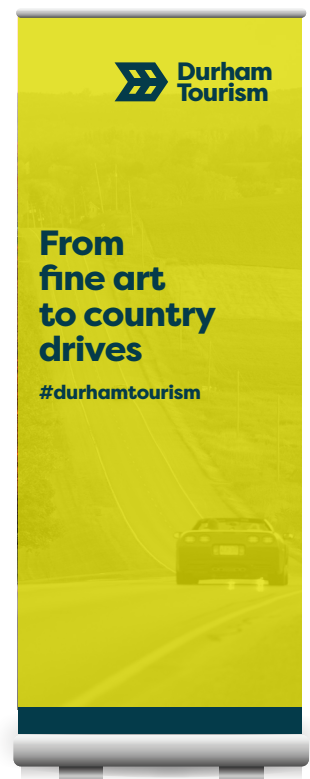
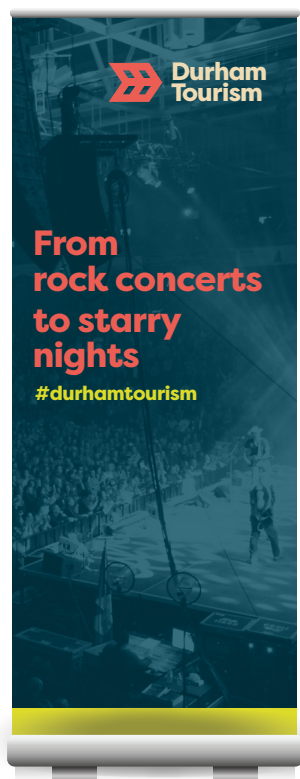


**Denim**



**Warm  
Beige**

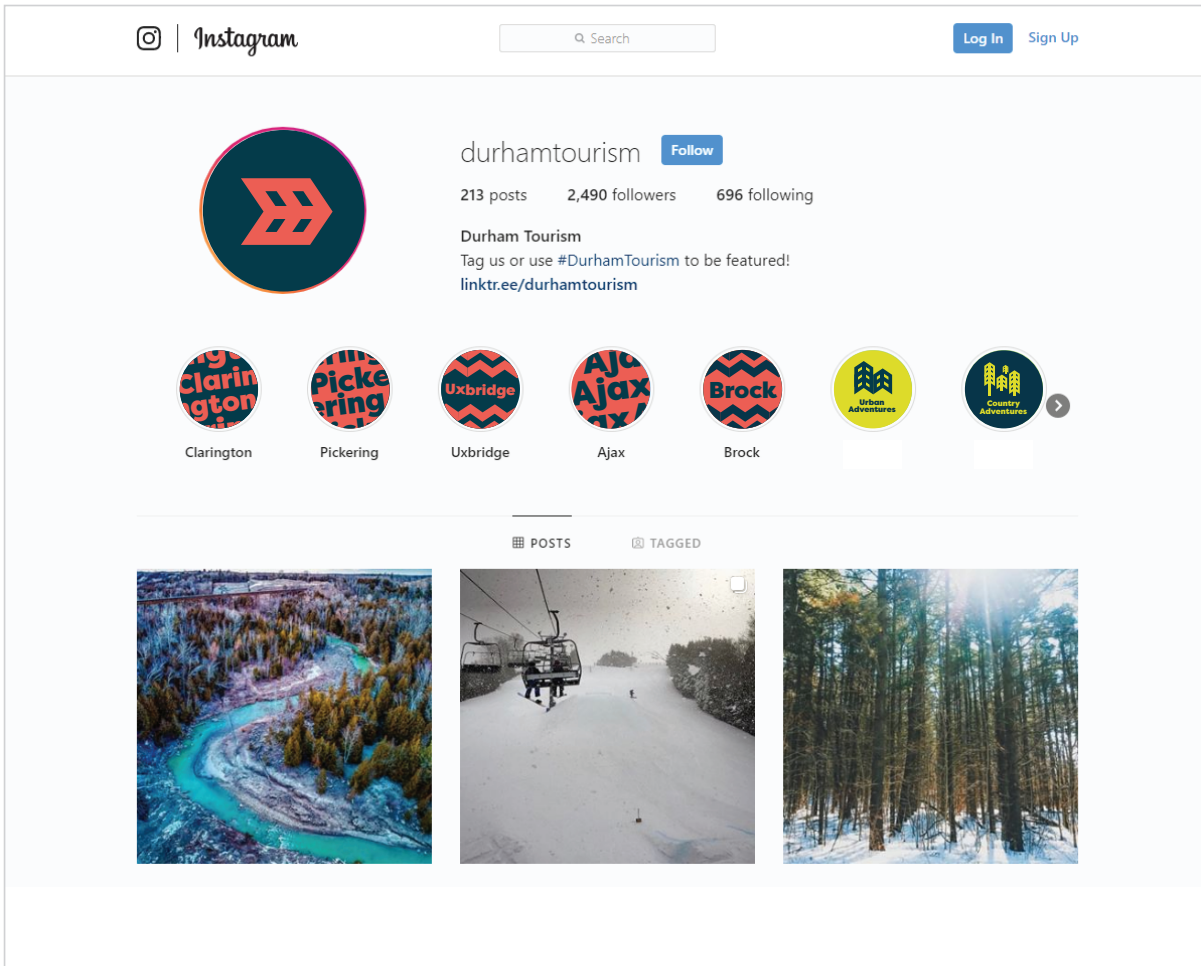
Classic, Country, Heritage











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



# The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Works  
Report: #2020-WR-1  
Date: May 27, 2020

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## **Subject:**

Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report -  
Response to Comments from the Municipality of Clarington

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## **Recommendations:**

That it be recommended to Regional Council:

- A) That this report be received for information, and
  - B) That a copy of this report be forwarded to the Municipality of Clarington.
- 

## **Report:**

### **1. Purpose**

- 1.1 On March 6, 2020, Regional Municipality of Durham (Region) report entitled "Mixed Waste Transfer/Pre-Sort and Anaerobic Digestion Organics Processing Facility Siting Report" (the "Siting Report") was issued. The Siting Report outlines the criteria, methodology, and recommends a preferred site for the facility within the Clarington Energy Business Park.
- 1.2 On April 27, 2020, the Municipality of Clarington (Clarington) released a Staff Report (PSD-013-20) which provides comments on the Siting Report. On May 4, 2020, Regional staff made a presentation to Clarington Council, which addressed various comments in Report PSD-013-20 and responded to questions from Members of Clarington Council.
- 1.3 The purpose of this report is to present Regional staff's response to comments in Report PSD-013-20.

- 1.4 Upon review and due consideration of the Clarington staff concerns, Regional staff continue to be of the view that the preferred site within the Clarington Energy Park is best suited for the proposed Anaerobic Digestion (AD) facility.

## **2. Background**

- 2.1 In 2011, Regional Council directed staff to complete a preliminary investigation of AD technologies. The investigation concluded that AD is a proven technology that could be considered once the Region generated sufficient organic waste to support developing its own facility.
- 2.2 In 2014, the first Request for Information (RFI #677-2014) for organics technologies was completed and reported in the 2015 Annual Solid Waste Management Servicing and Financing Study (Report #2015-J-8).
- 2.3 In 2017, RFI-1158-2017 (Report #2018-COW-146) was issued to gather market information related to available types of technology and services. In June 2018, Regional Council approved Report #2018-COW-146, which directed that AD with a mixed-waste transfer and pre-sort facility be approved as the preferred technologies for the Region's long-term organics management strategy intended to process only Durham waste in the facility.
- 2.4 On March 6, 2020, the Region issued the Siting Report. The siting process, although not subject to an individual Environmental Assessment, was modelled following the same approach as the Ministry of the Environment, Conservation and Parks' (MECP's) Statement of Environmental Values, which is considered whenever decisions that might significantly affect the environment are made. A comparative analysis was undertaken which examined technical, social, environmental and cultural siting criteria.
- 2.5 On April 27, 2020, Report PSD-013-20 was presented to the Municipality of Clarington to its Joint Committee, which provided information and comments on the Siting Report and the site selection process. The Report was considered at the May 4, 2020 meeting of Clarington Council, where a resolution was passed to declare Clarington to be an unwilling host community for the facility, and that the Region be requested to address the comments in Report PSD-013-20. This report responds to Clarington Council's request.
- 2.6 On May 27, 2020, Report #2020-COW-20 will be provided to Regional Council, which provides further information, makes recommendations with respect to partnership considerations, identifies the preferred siting location in south

Clarington, and recommends the initiation of the Request For Pre-Qualifications (RFPQ) procurement process for the facility on the preferred site.

### **3. Responses to Clarington Report PSD-013-20**

- 3.1 Clarington Report PSD-013-20 provides a summary of the Region's investigation of AD technology, the Siting Report, details of the South Clarington Site, the surrounding land use context, planning policy framework, and current planning initiatives including a potential long term planning vision for a Courtice Waterfront Park, and planning effort for the south Courtice Employment Lands and Transit Hub. Report PSD-013-20 also suggests other alternative sites for consideration.
- 3.2 Although Report PSD-013-20 recognizes that there may be potential capital and transportation cost advantages and synergies offered by siting the facility in proximity to the Durham York Energy Centre (DYEC), it identifies concerns related to matters including land use compatibility; compatibility with Provincial, Regional and local planning policy objectives; economic opportunity; potential limitations to development; and public consultation. These concerns and Regional staff's responses are provided below.

### **4. Land Use Compatibility**

- 4.1 Concerns have been raised regarding land use compatibility of the proposed facility, and that it should take into account future uses envisioned for the Energy Park and the Courtice Waterfront.

### **5. Regional Response**

- 5.1 The subject lands are currently designated "Employment Areas" in the Durham Regional Official Plan. Lands designated Employment Areas are set aside for uses which by their nature require separation from sensitive uses. Clarington is currently undertaking a secondary plan exercise for the Energy Park and is considering introducing residential and other sensitive land uses to the west of the preferred site.
- 5.2 Consistent with Regional staff's May 4, 2020 presentation to Clarington Council, the Region will ensure that as part of the design, procurement, and operational specifications for the facility, the following specifications will be included to ensure that matters of compatibility are effectively addressed:

- a. Air within the facility will be treated through biofilters and cleaned prior to being released. The facility will be fully enclosed and will operate under negative pressure to ensure that no odours escape from the facility.
  - b. Noise from truck traffic will be controlled by managing truck routing and facility operations, subject to the MECP's requirements. Trucks will utilize the haul road south of the facility. Two additional trucks per day is the estimated increase in truck traffic beyond what is currently going to the DYEC site.
  - c. Ambient light will be controlled using zero cut-off lighting, which will ensure that no light pollution occurs off the property.
  - d. Dust suppression and nuisance management practices will be implemented during the construction and through operational controls at the facility to ensure that no adverse effects to humans or the environment are experienced.
  - e. There are no sensitive receptors within 500 metres.
- 5.3 With the appropriate controls and specifications in place including the above, the facility would not represent a compatibility concern.

## **6. Compatibility with Provincial, Regional and Local Planning Objectives**

- 6.1 Municipalities have a responsibility to handle waste in an environmentally responsible manner. The Provincial Policy Statement (PPS) directs municipalities to develop and implement official plan policies and other strategies that support integrated waste management, enhanced waste reduction, composting, recycling, energy from waste, reuse and diversion. The PPS also directs municipalities to support energy conservation and efficiency, improve air quality, and reduce greenhouse gas emissions.
- 6.2 The Regional Official Plan (ROP) includes a policy that states that Regional Council will pursue measures related to reduction, re-use and recycling of waste. The preferred site in the Clarington Energy Business Park is within the "Employment Areas" designation of the ROP. This designation is set aside for uses that by their nature require access to highway, rail and/or shipping facilities, separation from sensitive uses, or benefit from locating close to similar uses.

- 6.3 The preferred site in the Clarington Energy Business Park would be located next to the DYEC, which is an established waste processing facility. By locating the proposed facility on the neighbouring property, transportation emissions would be reduced as waste would be shipped to one location, instead of multiple locations to be processed. The AD facility would increase the efficiency of the adjacent DYEC, as the organic waste would be removed from the DYEC and sent to the AD for decomposition, allowing the DYEC incinerator to operate efficiently. Lastly, by removing the recyclables at the pre-sort facility, the collected waste material would enable energy savings and environmental benefits through reuse.
- 6.4 The Clarington Energy Business Park Secondary Plan includes a goal to distinguish the Business Park as a unique and innovative employment area within the Greater Toronto Area. The AD facility provides an opportunity to support and showcase renewable energy practices and Regional climate change initiatives.
- 6.5 The AD could also advance municipal objectives toward integration through the promotion of linkages and synergies among related businesses.

## **7. Employment Generation**

- 7.1 Report PSD-013-20 identifies a concern that the significance of the recent designation of the area as part of a Provincially Significant Employment Zone (PSEZ) should also be addressed in a fulsome manner. It also indicates that with an estimated contribution of 40 jobs, the preferred site would not align with the minimum employment density target in the Clarington Official Plan of 30 jobs per gross hectare.

## **8. Regional Response**

- 8.1 The Clarington Energy Business Park was included as a PSEZ by the Province, consistent with its designation as an Employment Area in the ROP, and as a Business Park in the Municipality of Clarington Official Plan.
- 8.2 Policy 11.3.2 of the Clarington Official Plan indicates that the minimum Employment Density Target shall be 30 jobs per gross hectare, especially on lands designated Prestige Employment, Business Park, or Light Industrial lands adjacent to the Highway 401 and 418 corridors.
- 8.3 The facility would provide approximately 40 jobs, including skilled jobs and technicians on a five-hectare site. In addition, the northerly 7.9-hectare site, also owned by the Region, has been identified as a “Gateway” within the Clarington

Energy Business Park Secondary Plan. The northerly site would accommodate more employment intensive uses and with its high visibility from Highway 401, will be able to respond to the growing needs of existing and future employers and employees of the Business Park.

- 8.4 The density targets apply across a broad geographical area. While the facility in itself may not be able to achieve the employment density target, the Region-owned site to the north, together with other facilities in the Energy Park, including the new Ontario Power Generation (OPG) Campus (proposed to bring over 2,000 employees), will contribute to the Business Park's ability to provide jobs well in excess of the Clarington's employment density target.

## **9. Urban Design**

- 9.1 Report PSD-013-20 notes that the site and facility design should adhere to Clarington's Streetscape and Sustainable Development Design Guidelines, through the site plan process in a similar manner to the DYEC and other Regional facilities.

## **10. Regional Response**

- 10.1 The Region is committed to adhering to Clarington's Streetscape and Sustainable Development Design Guidelines, to ensure that the new building complements the character of the Business Park.
- 10.2 By using high-quality materials, sympathetic design and through architectural variety and articulation, the facility will make a positive contribution to Energy Drive as a unique and interesting street. There is an opportunity through landscape design to further enhance its image. The Region is also mindful that views of the facility from all sides will be a factor, and through careful siting, landscape design, and by ensuring truck access and servicing functions are appropriately sited to the rear, this future building has the potential to make a positive contribution to the character of the street. The Request For Proposal will specify that Clarington's Design Guidelines are to be met in cooperation and consultation with Clarington staff.

## **11. Energy Opportunities**

- 11.1 Report PSD-013-20 seeks a commitment on the energy opportunities that will be pursued, to demonstrate alignment with the Energy Park objectives and support for the Energy Cluster concept should be clearly articulated and implemented.

## **12. Regional Response**

- 12.1 The facility will produce biogas from the decomposition of organic materials. Once captured, the biogas will be converted to a natural gas equivalent which gas can be injected into the pipeline network and utilized as natural gas. End uses can include electrical generation, home or other heating, or as a transportation fuel in appropriately equipped vehicles.
- 12.2 The facility will allow the Region to reduce the quantity of material sent to the DYEC for disposal thereby deferring the need to expand the DYEC while maximizing the recovery and reuse of the Region's waste materials in the production of renewable natural gas. By clustering the DYEC and AD infrastructure facilities, the Region is seeking to foster synergies and cooperation between multiple facilities, including generating revenue from biogas that is currently being flared at the Courtice Water Pollution Control Plant (WPCP). The Region's facilities currently serve as a support to Ontario Tech University and other institutions through hosting tours, students, as well as working to establish broader research-based projects. These facilities could become a core aspect of the Clarington Energy Park in assisting the development of new opportunities to produce energy, and minimize wastes being sent for disposal by utilizing waste as a resource and participating in the circular economy.
- 12.3 Clarington staff had also identified that the concept of District Energy should be advanced in the Business Park. In this regard, the appropriate equipment is in place at the DYEC. When a positive business case is possible and interested users are identified, the appropriate distribution system could be installed.

## **13. Economic Opportunity Potential**

- 13.1 Report PSD-013-20 notes that consideration and comparison of future development potential of the site for other purposes were not addressed. A more robust assessment of the potential economic value of the site should be taken into consideration.

## **14. Regional Response**

- 14.1 As indicated above, there is an opportunity for the northerly Region-owned site to provide for more employment intensive uses that would provide services to employees within the recently approved East Penn project, OPG's Darlington Energy Complex, the planned OPG Headquarters Corporate Campus and the other existing and future employment uses in the Park. It is anticipated that there



would be strong demand from the private sector for this parcel as the OPG Headquarters project moves forward. For example, opportunities may exist for commercial uses and office development for companies that may wish to locate in proximity to the OPG Headquarters. The development of potential complementary uses on the northerly parcel would also advance Clarington's design objectives for this parcel as a "Gateway", given its visibility from the highway and its proximity to a planned waterfront area to the west.

## **15. Public Engagement and Consultation**

- 15.1 Report PSD-013-20 notes that the siting process and six short-listed sites were introduced to the public at a Public Information Centre (PIC) hosted at Regional Headquarters on February 27, 2020. The Siting Report and results of the comparative analysis were made available for a two-week public comment period on March 6, with comments due on March 20, 2020. Report PSD-013-20 indicates that the tight procurement timeline has not allowed the Region's public consultation process to fully engage with the public, which has been amplified due to the impacts of the COVID-19 pandemic.
- 15.2 Report PSD-013-20 notes that to allow for a more fulsome public consultation process, the Region may wish to consider delaying their decision or separating the procurement aspects from the siting selection decision.
- 15.3 Report PSD-013-20 also indicates that there has been little opportunity for the general public to become familiar with the technology. The Region has an AD at the Courtice WPCP and could provide tours to build community knowledge and support for AD.

## **16. Regional Response**

- 16.1 The Region established siting criteria in keeping with an individual Environmental Assessment (EA) process. The consultation undertaken as part of that process has been reviewed as part of the reporting process and documented as part of the project Record of Consultation. Comments received both during the PIC session, and in the following weeks, have affirmed broad support for the project, and identified individual priorities which will be considered by the Region as the project is developed. While COVID-19 has proven challenging to many sectors, the sharp increase in demand for municipal waste services has highlighted the need within the Region for additional waste management capacity and infrastructure.

16.2 Regional consultation and engagement opportunities to date included the following:

- a. Since 2011, the Region has been investigating AD technologies with reports and presentations to various Committees and Council.
- b. In November 2019, a dedicated webpage, [durham.ca/ADProject](http://durham.ca/ADProject) was created as well as a project email address, [ADProject@durham.ca](mailto:ADProject@durham.ca). To date, there have been 16,000 unique views of this project webpage with 23 subscribers for webpage updates, 200 clicks or downloads of the draft siting report and over 30 emails received.
- c. Between November 1 and December 15, 2019, Regional Waste Management Services staff issued an online survey to gather information on residents' knowledge and opinions of waste management programs. Over 3,000 responses were received from across the Region, and nearly 600 responses were received from Clarington. In terms of waste management, 92 per cent of respondents responded that the Region should manage waste as a resource, and 85 per cent of respondents reported utilizing their Green Bins.
- d. A Waste Management Services Initiatives session was hosted on February 19, 2020 with Local Area Municipalities, who were asked to provide comments on the short list of potential sites.
- e. An in-person PIC was hosted on February 27, 2020, from 5 p.m. to 8 p.m. at Regional Headquarters. In total, 48 members of the public were in attendance. This turnout is comparable to the attendance for the recent EA process undertaken for the DYEC.
- f. The proposed facility will use proven technology that is already used in other parts of the world. The procurement process will ensure that market appropriate technology is provided.

16.3 Separating the procurement aspects of this facility from the siting selection decision will introduce a significant level of risk including increased project costs, ability to meet the provincial organics policy framework and associated timelines and will have direct implications to the DYEC including permit expansion and existing capacity constraints.

- 16.4 The Region continues to meet with interested stakeholders and staff continue to receive comments from the public that will be considered throughout the process. All consultation is being included in a Record of Consultation.
- 16.5 At the May 27, 2020 Regional Council meeting, there will be an opportunity for public input. This information will also be included considered throughout the process and included in the Record of Consultation.

## **17. Site Selection**

- 17.1 Report PSD-013-20 notes Clarington staff's opinion that in order to evaluate all sites equitably, alternative sites in close proximity to the DYEC warrant consideration, and comparative evaluation as well.
- 17.2 Report PSD-013-20 indicates that the Region's Envision Durham Growth Management Urban System Discussion Paper (June 2019) identifies privately-owned land area within the Energy Park as "underutilized". The Report notes that this underutilized property in the Energy Park may offer an opportunity for the Facility to achieve many of the same advantages as noted for the site on another property and achieves other economic development goals including employment targets.

## **18. Regional Response**

- 18.1 Regional Council approved siting criteria was used to initially screen, and then ultimately compare alternate sites. The other site being proposed by Clarington staff is required for long-term expansion of wastewater treatment infrastructure to accommodate future growth in Clarington, Oshawa and Whitby. The property next to the Courtice WPCP is therefore not considered available for the project. In addition, that site would require crossings of the Canadian National Railway (CNR) line and would be located next to Lake Ontario, which would have greater visibility when viewed from the waterfront trail and recreational areas in the vicinity.
- 18.2 The "underutilized" site referenced in Report PSD-013-20 is a privately-owned auto compound with extensive outdoor storage, directly to the south of the OPG offices. To be cost effective, the site selection process was confined to Regionally-owned properties. Acquisition of private property for the facility would represent a substantial and unnecessary cost, given an ideal site in the immediate vicinity.

**19. Conclusion**

- 19.1 Regional staff have reviewed Municipality of Clarington Report PSD-013-20 and have provided comments and information in response to identified concerns. Further information on this project can be found in Report #2020-COW-20.
- 19.2 The preferred site is ideally suited for the proposed use, and unnecessary costs would be incurred by providing the facility on another site further removed from the DYEC. The site builds upon the significant Regional investment already made in the Business Park, improves operational efficiencies and reduces the overall cost of the project. The preferred site offers the potential for operational synergies with the Courtice Water Pollution Control Plant, and the Durham York Energy Centre as a Regional resource recovery system and campus.
- 19.3 This report has been reviewed by the Planning and Economic Development Department.
- 19.4 For additional information, contact: Gioseph Anello, Acting Director of Waste Management Services, at 905-668-7711 extension 3445.

**20. Attachments**

Attachment #1: [Link to Municipality of Clarington Report #PSD-013-20](https://weblink.clarington.net/WebLink/0/edoc/311146/PSD-013-20)  
(<https://weblink.clarington.net/WebLink/0/edoc/311146/PSD-013-20.pdf>)

Respectfully submitted,

**Original signed by:**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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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

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To: Regional Council  
From: Commissioner of Works  
Report: #2020-W-26  
Date: May 27, 2020

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**Subject:**

Approval of Request to Release a Regional Easement

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**Recommendations:**

- A) That the easement on the property identified as Lot 4 and 5, Block 17, Plan of Village of Newcastle Hanning's Plan Undated Newcastle, in the Municipality of Clarington, subject to an easement as in N108992 be released from title;
  - B) That the Legal Department be authorized to register a Release of Easement on title to the subject property; and
  - C) That the Regional Chair and Clerk be authorized to execute all documents associated with this agreement.
- 

**Report:**

**1. Purpose**

- 1.1 The owner of the subject property has submitted a building permit to the Municipality of Clarington (Clarington) for an addition which is in conflict with the Regional Municipality of Durham's (Region) easement. The owner of the subject property has requested the Region remove the permanent easement from title since the easement is no longer required.

**2. Background**

- 2.1 Instrument Number N108992 is a conveyance of an easement registered on the

property legally described as Part Lot 4 and 5, Block 17, Plan Village of Newcastle Hanning's Plan Undated Newcastle, Subject to N108992, in Clarington reserving a permanent easement for sanitary sewer service in favour of the Region.

- 2.2 The subject property is privately owned. The registered owners of the subject property have requested that the Region release easement N108992 so they may proceed to obtain a building permit from Clarington to construct an addition to their home. There is no infrastructure owned by the Region within the easement as described by Instrument Number N108992. The Region does not have any future plans to construct sanitary sewer infrastructure within the easement.

### **3. Conclusion**

- 3.1 Regional Municipality of Durham staff have advised there are no requirements for the permanent easement to be kept in place and recommend that the easement be released from title.
- 3.2 For additional information, please contact Jenni Demanuele, Director, Business Services, at 905-668-7711 extension 3456.

### **4. Attachments**

Attachment #1: Location map – 32 Robert Street West, in the Town of Newcastle, Municipality of Clarington

Respectfully submitted,

#### **Original signed by:**

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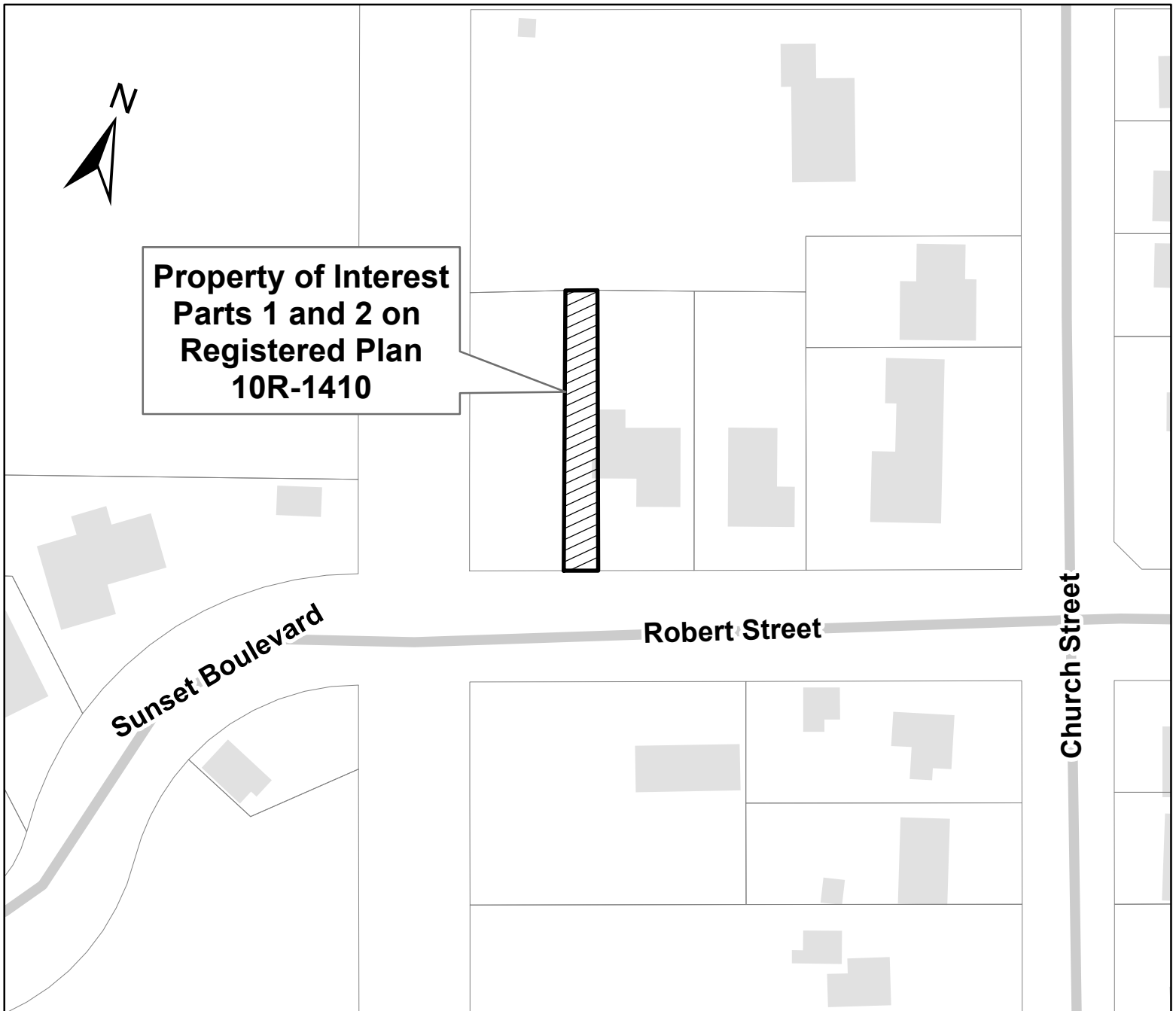
Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

#### **Original signed by:**

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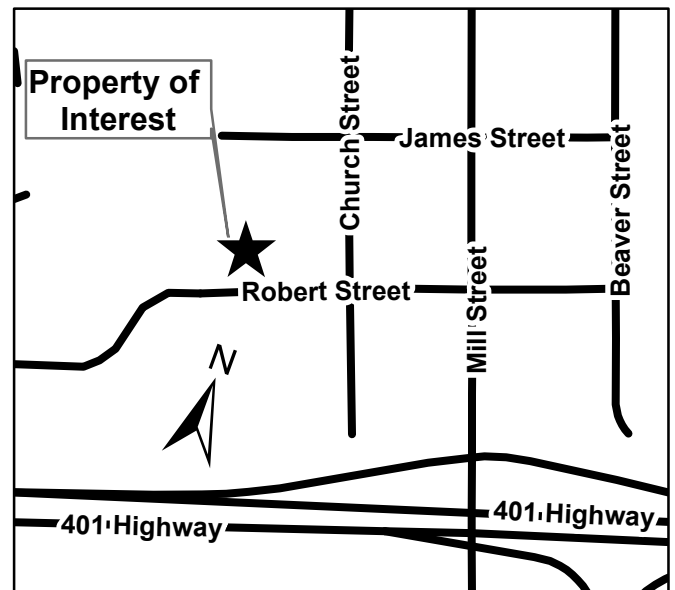
Elaine Baxter-Trahair  
Chief Administrative Officer



# **Attachment #1: Location Map** **Property of Interest** **32 Robert Street West,** **in the Town of Newcastle,** **Municipality of Clarington**



GIS Data: Produced by Durham Region, 2019.  
 2017 Contours/2017 Drainage/2017 Orthophotography provided by © First Base Solutions Inc.  
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Date: 5/8/2020



## The Regional Municipality of Durham Report

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To: Regional Council  
From: Commissioner of Works, Commissioner of Finance, and Commissioner of Corporate Services  
Report: #2020-COW-20  
Date: May 27, 2020

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**Subject:**

Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process

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**Recommendations:**

That it be recommended to Regional Council:

- A) That Regional Municipality of Durham (“Region”) staff be authorized to pursue a joint venture/co-ownership relationship with Epcor Utilities Inc. (“EPCOR”) for the co-development of the Region’s long-term organics waste management solution, including a mixed waste transfer facility, a pre-sort facility and an anaerobic digester with biomethane upgrading system (the “Project”);
- B) That Regional staff be authorized to continue negotiations with EPCOR to establish a Co-Owners’ Agreement and other ancillary agreements to the Co-Owners’ Agreement;
- C) That 393 Courtice Road, Municipality of Clarington (“South Clarington Site”) be approved as the recommended development site for the Project based on the siting evaluation enumerated herein;
- D) That Regional staff be authorized to issue the Request for Prequalification in or around June 2020; and



- E) That approval be granted for up to an additional \$1.25 million (to be funded from the approved Project Budget) in external consulting fees up to the Request for Proposal close and selection of a preferred Design, Build, Operate and Maintain (“DBOM”) vendor team. These consulting fees include up to \$800,000 for Deloitte LLP, up to \$400,000 for WeirFoulds LLP, and \$50,000 for P1 Consulting.
- 

**Report:****1. Purpose**

- 1.1 The purpose of this report is to provide an update to Regional Council on all aspects of the Project and to obtain authorization and approval from Regional Council on the items set out in the recommendations of this report.

**2. Evaluation of Joint Venture Relationship with EPCOR**

- 2.1 Pursuant to Report #2019-COW-22, Council authorized Regional staff to commence negotiations with EPCOR to explore the possibility for a joint venture relationship with the Region on the Project.
- 2.2 In October 2019, senior management commenced negotiations with EPCOR. Through negotiations, the parties have principally agreed to the following that will govern the joint venture relationship and underlie the terms of a resulting Co-Owners’ Agreement:
- a. The parties will each contribute 50 per cent of the initial capital for the Project and both parties will own a 50 per cent interest in the Project. The Region will own a 100 per cent interest in the lands upon which the Project is built, and the Region will enter into a land lease agreement with the joint venture;
  - b. The parties will share, unless otherwise negotiated, revenues, capital contributions, risks and liabilities of the Project;
  - c. The Region will be the feedstock supplier;
  - d. The Project will be governed by an Owners’ Steering Committee and a Management Committee with appointees from each party; and,
  - e. The Region retains ownership/self determination at year 20 to continue partnership (i.e. the Region retains ownership with no “buy back costs”).

- 2.3 The evaluation of a potential joint venture with EPCOR was based on discussions and mutually agreed upon data with EPCOR, Regional staff, and the Region's technical and financial consultants (GHD and Deloitte).
- 2.4 Deloitte assessed the costs, risks and benefits to the Region in both a joint venture scenario and in a scenario where the Region was the sole Project owner. In both scenarios, the Region was assumed to be the solid waste feedstock provider.
- 2.5 Based on this assessment to date, the joint venture will result in a net present benefit to the Region of up to \$40 million over the life of the Project if the following two conditions are satisfied: 1) EPCOR agrees to share key Project owner risks with the Region; and 2) the revenues arising from the joint venture are not subject to corporate taxation. If these two conditions are not satisfied, the joint venture will result in a net present cost to the Region of \$30 million over the life of the Project.

**Figure 1: Net Present Value Cost of Sole Ownership vs Joint Venture Over Life Span of Project**

	Scenario 1 Joint Venture Tax Exempt	Scenario 3 Sole Ownership	Scenario 2 Joint Venture Fully Taxable
DBOM and Site Project Costs less Revenues	\$352	\$352	\$352
Capital Financing	\$126	\$162	\$126
JV Specific Components	\$58		\$101
Region Retained Risk	\$69	\$131	\$96
<b>Total</b>	<b>\$605</b>	<b>\$645</b>	<b>\$675</b>

- 2.6 This benefit/cost range is illustrated in **Figure 1** above which demonstrates that if the Region carries out the Project as a sole owner (**Scenario 3**), the net present cost of the Project to the Region would be \$645 million. This is compared to the two joint venture scenarios:
- Joint Venture Scenario 1:** The Region shares key Project risks with EPCOR and Project revenues are not taxed. In this scenario, the net

present cost of the Project to the Region is \$605 million, which represents a \$40 million net present benefit to the Region; or

- b. **Joint Venture Scenario 2:** The Region retains change in law Project Owner risk and Project revenues are taxed. In this scenario, the net present cost of the Project to the Region is \$675 million, which represents a \$30 million net present cost to the Region.

2.7 In addition to this quantitative evaluation, Regional staff and its consultants assessed the qualitative benefits of pursuing the joint venture relationship with EPCOR. EPCOR has extensive experience as an owner and proponent in large infrastructure projects and EPCOR has a firm understanding of working with a government body given its unique municipal roots. As such, EPCOR can provide insight into many aspects of the Project including:

- a. Risk Mitigation:
- Sharing and managing risk expenditures and steering the Project away from unnecessary risks;
  - Sharing Project obligations including residual risks;
  - Maximizing potential renewable natural gas revenue;
- b. Project Efficiencies and Expertise:
- Procurement and contract experience in a market which EPCOR is familiar
  - Review proposed designs and ways to improve them; and,
  - Provide expertise regarding project management during the construction and operation phases.

2.8 EPCOR can bring internal financial, engineering, legal, procurement, and project management services to the Project. Further, EPCOR is experienced in the North American renewable natural gas market and can use its industry position to access favourable pricing and contract terms in the renewable natural gas markets. EPCOR has indicated it can secure a contract for the sale of renewable natural gas on behalf of the Project to maximize energy revenues.

2.9 The Co-Owners' Agreement will contemplate Owners' Steering and Management Committees with equal representatives from the Region and EPCOR. The Region's participation on these committees will ensure that EPCOR's business objectives are consistent with the Region's public service delivery.

- 2.10 Based on the foregoing, Regional staff have concluded that pursuing a Co-Owners' Agreement with EPCOR is in the best interest of the Region to deliver the Project. However, should the Co-Owners' Agreement negotiations not result in net benefits to the Region, a Co-Owners' Agreement will not be executed, and the Region will proceed with the Project as a sole owner. Further, if the joint venture becomes untenable during the life of the Co-Owners' Agreement, reasonable contractual off-ramp provisions will be included in the Co-Owners' Agreement and ancillary agreements.
- 2.11 Some of the anticipated ancillary agreements include a feedstock agreement which will govern the supply of waste being provided to the Project for processing; a ground lease agreement which will govern the lease of the Project lands from the Region to the joint venture, and a renewable natural gas agreement which will govern the sale of renewable natural gas to an end user.

### 3. Siting

- 3.1 As outlined in Report #2019-COW-22, Regional staff developed siting criteria set out in the Siting Report (which is publicly available on the Region's website). The evaluation criteria, results and conclusions are summarized in **Attachment #1** to this report.
- 3.2 The evaluation results demonstrated that the South Clarington Site is the best location for the Project based on environmental impacts, transportation considerations, site infrastructure, synergies with the Durham York Energy Centre ("DYEC") and the Courtice Water Pollution Control Plant. The preferred site does not have any demolition or remediation requirements to prepare for Project construction.
- 3.3 The South Clarington Site is within the Energy Park that includes the DYEC. As part of the DYEC project, the Region purchased the property, which includes the recommended Project site, for net \$4.7 million. The following investments were made by the Region within the Energy Park:
- a. The Region invested \$4.9 million to upgrade the road network to the site to accommodate volumes of traffic that would be generated, including a dedicated road for waste delivery trucks along the Canadian National Railway track. There will be a minimal increase in traffic due to the Project (i.e. two trucks per 12 hours) and there will be no queuing of trucks on the public roads;

- b. The Region invested \$5.4 million to install the utilities and servicing on-site along with upgrade of natural gas line to the Energy Park; and
  - c. The Region invested \$1.8 million to provide a stormwater management system for the Energy Park.
- 3.4 In addition to the significant climate change benefits of the renewable natural gas produced, the South Clarington Site will reduce the impacts of transportation, allow for the utilization of heat/energy between the DYEC, the Courtice Water Pollution Control Plant and the anerobic digester, and create an opportunity to generate additional renewable natural gas from the methane currently flared at the Courtice Water Pollution Control Plant. These benefits will help the Region address the climate change emergency.
- 3.5 The Municipality of Clarington declared itself an “unwilling host” for the Project based on perceived incompatible land use. Report #2020-WR-1, included in this meeting’s agenda (May 27, 2020), addresses the specific comments from the Municipality of Clarington. The Project will be designed to ensure there are zero odours, and as a biological process there will be no air emissions based on design of the facility with negative pressure and an air treatment system. The truck traffic will be restricted to roads outside of the Energy Park.
- 3.6 The Municipality of Clarington recently expanded the review of the Energy Park Secondary Plan to consider the development of a waterfront that will include residential and recreational uses. The Project and its activities will not preclude the waterfront development given its localized impact zone and given the location is north of the railway corridor, it will provide a visual barrier to the Project. The Region has supported the waterfront development through a land transfer to the Municipality of Clarington and a further investment of \$190,000 for the construction of the waterfront trail.
- 3.7 In the comparative site analysis, the remaining sites would require significant investment in road structures, utilities, environmental mitigation and demolition or remediation costs. An assessment of the potential upgrades/remediation at the other sites considered as potential locations for the Project indicated that additional cost could range from \$13 million to \$117 million. This range of costs does not include any potential costs to mitigate currently unknown site-specific impacts.

#### **4. Procurement Process**

- 4.1 As outlined in Report #2019-COW-17, Council approved a two-step Request for Prequalification and Request for Proposal procurement strategy. Since then, Regional staff have been working with the Region's consultants and EPCOR to develop the Request for Prequalification documentation. The Request for Prequalification will be adaptable based on the final ownership model.
- 4.2 The Request for Prequalification identifies the service delivery model for the Project as a Design Build Operate and Maintain. The Request for Prequalification will evaluate the proponent's submissions on the following:
- a. Technical: proposed conceptual process and example of facility of similar scale and scope, as evidence of experience;
  - b. Team: experience, composition and leadership; and,
  - c. Financial: track record and experience, financial approach, and financial capacity and condition.
- 4.3 It is anticipated that the Request for Prequalification will be posted publicly in or around June 2020 and will be available for vendors/consortia to respond and submit proposals over six weeks. The results of the Request for Prequalification will form the basis for the subsequent Request for Proposal.

#### **5. Consulting Fees**

- 5.1 In Report #2019-COW-8, Council approved up to \$300,000 in legal, financial and fairness monitor consulting fees. To date, the Region has utilized these consulting fees to pursue and assess the value of a Co-Owners' Agreement with EPCOR, to develop the Project's procurement process, business case, and risk assessment.
- 5.2 While the Region mitigated external costs by relying on the Region and EPCOR's internal resources/expertise, additional consulting fees up to the amount of \$1.25 million, plus applicable taxes, are required for Project up to the close of the Request for Proposal process and selection of a preferred DBOM vendor team.
- 5.3 It is expected that any external costs associated with development activities on the Project will ultimately be shared with EPCOR if a Co-Owners' Agreement is executed between the parties. As such, Regional staff will report back on the status of these consulting dollars once the Co-Owners' Agreement is ratified.

- 5.4 **Financial Consulting Services:** It is anticipated the additional fees for Deloitte LLP's services will be up to \$800,000 to provide financial and business advisory services for the procurement phases (Request for Prequalification and Request for Proposal), commercial negotiations (with the Design Build Operate and Maintain vendor and EPCOR), business case updates and Co-Owners' Agreement negotiations.
- 5.5 **Legal Services:** It is anticipated that the additional fees for WeirFoulds LLP's services will be up to \$400,000 to provide legal services related to the drafting and negotiating of the Co-Owners' Agreement and its ancillary agreements, the DBOM Agreement and the procurement process.
- 5.6 **Fairness Monitor:** It is anticipated that the additional fees for P1 Consulting services will be up to \$50,000 to oversee the Project's procurement process.
- 5.7 **Technical Support:** It is anticipated that the current contract with GHD will provide the services necessary to complete the Request for Proposal to the award stage.
- 5.8 These consulting estimates are currently below industry practices of between 7 per cent to 12 per cent of capital costs for consulting fees for large comparable infrastructure projects.
6. **Overview of Current Business Case, Risk Analysis and Financial Implications**
- 6.1 Previous business case analyses and risk assessments for the Project were presented to Council in June 2017 (Report #2017-COW-180), June 2018 (Report #2018-COW-146) and June 2019 (Report #2019-COW-17).
- 6.2 An overview of the updated business case and projected financials are attached hereto as **Attachments #2 and #3**. The updated risk assessment is attached hereto as **Attachment #4**. These analyses are based on updated and new information currently known to staff. As more information becomes available through the procurement process and joint venture negotiations, the business case and financials will be further refined.
- 6.3 Finally, the Region's Finance Department continues to monitor and explore potential funding sources and options for Project financing, including maximizing any development charges opportunities. The Region's share of the Project's financing will be developed and brought forward to Regional Council for approval after the DBOM vendor is selected.

## **7. Conclusion**

- 7.1 The Project will resolve several current and emerging issues including:
- a. Meeting the anticipated provincial organic and Regional Council-directed diversion requirements;
  - b. Accommodating the processing demands of a growing population and creating capacity at the DYEC resulting in the ability to delay expansion of the DYEC beyond 2030;
  - c. Meeting diversion targets with the addition of a pre-sort facility which is estimated to double the volume of household organics for diversion; and
  - d. Addressing very limited options given the current status of both landfill and composting capacity.
- 7.2 The Project will also contribute to the Region's objectives of addressing the climate change emergency and supporting the Region's strategic sustainability initiatives.
- 7.3 The implementation of this Project includes a mixed waste transfer station, pre-sort facility and anaerobic digestion facility. The recommended site, located in the Energy Park, will allow for synergies with the DYEC thereby establishing a fully integrated campus for Durham's waste management.
- 7.4 Based the need for this Project and the established direction and approval for Project implementation, Regional staff request that Council authorize and approve the recommendations in this report.

## **8. Attachments**

Attachment #1: Site Evaluation of South Clarington Site

Attachment #2: Updated Current Business Case

Attachment #3: Summary List of Current Business Case Inputs and Assumptions



Attachment #4: Updated Risk Assessment

Respectfully submitted,

**Original signed by:**

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Susan Siopis, P.Eng.  
Commissioner of Works

**Original signed by:**

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Nancy Taylor, BBA, CPA, CA  
Commissioner of Finance

**Original signed by:**

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Don Beaton, B.Com., MPA  
Commissioner of Corporate Services

Recommended for Presentation to Committee

**Original signed by:**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer

## Site Evaluation of South Clarington Site

As outlined in Report #2019-COW-22, Regional staff, in consultation with GHD, developed siting criteria for identifying a co-location for the mixed waste transfer, pre-sort and anaerobic digester facilities, including:

- a. Prevention, reduction, and elimination of impacts to the environment;
- b. Protection and conservation of natural resources and ecologically sensitive areas; and
- c. Integration of social and economic considerations.

The siting criteria was used to narrow the long list of 16 Regionally owned site to the short list of the following six sites:

**Table 1: Siting Short-List**

ID	Municipality	Site Name	Address	PIN	Utilization	Remaining Site Size (ha)
1	Clarington	South Clarington	339 Courtice Road, Clarington	266050113	Vacant	27.95
	Clarington		1797 South Service Road, Clarington	266050114		
	Clarington		1797 South Service Road, Clarington	266050116		
2	Township of Scugog	West Scugog	#10 Regional Road No. 21	268190095	Scugog Depot Site	41.35
3	Clarington	North Clarington	9293 Woodley Rd, Municipality of Clarington, ON.	267430092	Darlington Closed Landfill - Located within CLOCA conservation area. Currently being used by Flyers Club	8.49
4	Oshawa	Oshawa	1640 Ritson Road North, City of Oshawa, ON	162700206	Former City of Oshawa Landfill - current location of WMF	29.32
5	Township of Scugog	East Scugog	1623 Reach Street, Port Perry, ON	268040072	Closed Landfill - houses WMF - Parent property includes Water Pollution Control Plant (WPCP).	90.31
6	Whitby	Whitby	4600 Garrard Road, Whitby	162650054	MRF	12

The short list was presented to Regional staff, area municipality staff and the public on the following dates:

- a. February 19, 2020 – presented to staff from the local area municipalities;
- b. February 25, 2020 – presented to the Energy from Waste-Waste Management Advisory Committee; and,
- c. February 27, 2020 – presented to the public at a Public Information Centre; prior to the Public Information Centre, letters were sent out to the surrounding communities for each of the potential locations.

The short list of sites underwent a comparative evaluation which included the following criteria:

- a. Environmental (air quality, odour, noise, terrestrial, surface water and groundwater, species of concern and agricultural);
- b. Social (sensitive receptors, land use/zoning, transportation and visual);
- c. Cultural (archeological and heritage);
- d. Technical (permitting/approvals, safety, suitability, utilities and services); and
- e. Economic (capital costs, transportation and waste transfer costs).

On March 6, 2020, GHD released the Draft Siting Report – Mixed Waste Transfer/Pre-Sort and Anaerobic Digestion Organics Processing Facility. A copy of the Draft Siting Report is published on the Regional website (durham.ca/ADProject) for public viewing (<https://www.durham.ca/en/living-here/anaerobic-digestion.aspx#Waste-Pre-Sorting-and-Anaerobic-Digestion-Facility-Draft-Siting-Report>).

The Draft Siting Report identifies the South Clarington Site as the recommended site for the Project after a fulsome review of potential sites. Based on the comparative evaluation of the short list, the South Clarington Site is the recommend site based on the following:

- a. There are no off-site sensitive receptors within 500 metres of the site;
- b. There are no policy conflicts from a provincial policy/plan perspective (i.e. Oak Ridges Moraine, Greenbelt, etc.);

- c. There are no wetlands on-site and limited areas of Source Water Protection Plan designations (small portion of site);
- d. The Project is consistent with the existing, proposed and surrounding land uses and land use designations. The site is within the Municipal Official Plan designation of Business Park and the Regional Official Plan designation of Employment Area. With respect to Employment designation, this facility will provide employment in the range of 30 to 40 full time positions (estimated). The zoning designation is Industrial (M);
- e. The Project fits into the Energy Park's sustainable development and design standards, and future opportunities in the renewable and alternative energy sector. This would also meet the Provincial objectives of ensuring facilities are well-planned and suitably sited to ensure long-term effectiveness of the resource recovery system and campus;
- f. The road network to the site has been upgraded to accommodate volumes of traffic that would be generated for the proposed use, including a dedicated road for waste delivery trucks along the Canadian National Railway track;
- g. The site has no archaeological significance based on past studies;
- h. The utilities and servicing are available on-site with the natural gas line in close proximity;
- i. The site provides the lowest capital costs (remediation, demolition and utilities);
- j. The site provides the lowest transportation costs and reduced transportation emissions as waste material outputs from the Project could enter the DYEC in close proximity; and
- k. There are synergies with the existing solid waste management infrastructure i.e. DYEC and Courtice Water Pollution Control Plant. By removing the organic waste material (source separate organics and facility separated organics) through the pre-sorting process, the DYEC will be able to produce additional electricity per tonne of waste. Further, the Courtice Water Pollution Control Plant may be able to treat effluent from the Project and provide additional biogas for upgrading.

**2020 Current Business Case Update and Project Financial**

The updated current Project financials are compared to the current (status quo) integrated waste management system and are presented over a 24-year period based on a 20-year operating period commencing in 2024. Deloitte peer reviewed the Regional business case and updates thereto.

**The Project Business Case Update – New and Updated Information**

Since the 2019 business case report (Report #2019-COW-17), Regional staff, working with the Region's Project team and EPCOR, have updated and refined expenditures and revenues based on new data:

- a. Base-year data was updated to reflect actual household and tonnage values for 2019 mixed wastes and Green Bin organics (previous base was 2018 actuals) with revised household growth projections and tonnage forecast to 2043;
- b. Updated Project costs and contract rates and escalation benchmarks for waste transfer and haulage, organics processing, disposal costs and recoverable materials' revenue;
- c. Continued assumption of processing facilities' capacities totaling 160,000 tonnes for mixed garbage waste pre-sort and 110,000 tonnes for Green Bin organics and facility separated organics at the anaerobic digester;
- d. Recommended injecting of upgraded renewable natural gas into the distribution system for sale to available end markets to maximize revenues
- e. Estimated costs related to the establishment of the joint venture with EPCOR; and,
- f. Costs were reset based on an updated planned construction schedule with discounted cash streams brought to a 2020 net present value.

Based on the above noted data, both capital and operational nominal cost estimates were updated and have increased.

## Current Capital Estimates

**Table 2** summarizes the current capital estimates as nominal costs.

**Table 2: Updated 2022-2023 Capital Cost Estimate (Nominal Costs)**

<b>Capital Project Costing Update</b>	<b>2020-COW-20 (\$ million)</b>
Pre-sort/Transfer Facility	46.5
Anaerobic Digestion Facility	128.1
Biogas Upgrading and Injection	12.2
Additional Construction Related Expenditures	5.8
<b>Total Capital Costs</b>	<b>192.5</b>

Notes:

- 1) EPCOR will contribute half of the initial capital costs.
- 2) For the sole purpose of the business case, \$10.4 million was used as land value estimate. The Region wholly owns the land on which the Project is proposed to be built.

## Updated Operating Costs Estimates

The updated operating costs estimates for the first year of operations (anticipated in 2024) and over the 20-year period are outlined in Table 3 below. New to this year's updated analysis are the joint venture costs, energy by-product costs and revenues, and positive impacts to the DYEC operating and haulage costs.

It is important to note that continuing discussions with EPCOR and subsequent agreements may impact the business case, allocation of risk and financial results presented here, both positive and negative. Regional staff will continue to provide updates to the business case and risk assessment at key Project milestones. Business case results could still change as the Project moves forward including, without limitation:

- a. Design Build Operate and Maintain contract development including development of performance specifications, project guarantees, securities and refinements based on short-listed vendor technologies;
- b. Actual Design Build Operate and Maintain vendor team competitive pricing for design, construction and operations and maintenance fees;

- c. Changes in construction and operations costs due to commodity price changes, availability of skilled labour requirements, and/or potential project delay;
- d. Obtaining necessary permits and approvals for siting;
- e. Changes to regulatory requirements or by-product markets and pricing; and,
- f. Actual costs related to site servicing and renewable natural gas injection, transportation and sales.

**Table 3: Operating and Maintenance Cost-Nominal Incremental Costs for Life of Project**

<b>20-Year Operating Cost Estimates</b>	<b><u>2024</u> (\$ millions)</b>	<b><u>2025-43</u> (\$ millions)</b>	<b><u>Total</u> (\$ millions)</b>
<b><u>Operating Costs</u></b>			
Pre-Sort/Transfer Operations	\$ 10.5	\$ 313.5	\$ 324.0
Organics Processing through AD (SSO and FSO)	\$ 9.4	\$ 269.5	\$ 278.9
Status Quo SSO Compost Processing Savings	\$ (8.2)	\$ (254.7)	\$ (262.9)
Digestate Management	\$ 1.5	\$ 45.8	\$ 47.3
Transfer, Haulage, DYEC/Bypass Disposal Costs	\$ (1.2)	\$ (49.5)	\$ (50.7)
Other Site/Project Operating Costs	\$ 1.8	\$ 44.0	\$ 45.7
Biogas Upgrading and Injection Operating	\$ 0.7	\$ 21.8	\$ 22.5
<b>Operating Costs Before Revenues Sub-Total</b>	<b>\$ 14.4</b>	<b>\$ 390.5</b>	<b>\$ 404.9</b>
<b><u>Revenues</u></b>			
Enhanced Materials Recovery and RNG Revenues	\$ (3.4)	\$ (92.1)	\$ (95.5)
<b>Revenues Sub-Total</b>	<b>\$ (3.4)</b>	<b>\$ (92.1)</b>	<b>\$ (95.5)</b>
<b>Total Nominal Net Operating Costs</b>	<b>\$ 11.1</b>	<b>\$ 298.3</b>	<b>\$ 309.4</b>

The Region will also incur costs as part of the joint venture with EPCOR. These estimated costs are based on discussions and negotiations with EPCOR to date. They include payments to cover the returns on, and of, the equity investment by the Co-Owners, potential corporate income tax on the joint venture's revenues, and changes in the joint venture's annual net working capital to cover expenditures.

As a Co-Owner, the Region will receive half of the share of annual dividend payments to the Co-Owners. Currently, the estimated joint venture costs for the Region range between \$118 million and \$208 million depending on how the joint venture and the Project revenues are taxed. This assessment will be an important driver in determining the benefit/cost of the joint venture to the Region.

## Sensitivity Analysis

Given the current stage of the Project, a sensitivity analysis was undertaken to identify potential impacts from changing Project variables, which can affect the updated business case results presented here within.

The sensitivity analysis has led to the identification of key factors that impact the total Project net cost, as seen in **Table 4**.

**Table 4: Project Sensitivity Analysis  
Nominal over 20 years of the Project**

<b>Sensitivity</b>	<b>Project Nominal Cost/ (Savings)</b>
Capital costs increased/decreased +/-10% from base costs	+/- \$46 million
Operating costs increased/decreased +/-10% from base costs	+/- \$53 million
Digestate disposal costs reduced by 100% from base costs	(\$48 million)
Renewable natural gas contract revenues increased to \$22/GJ + annual indexing	(\$45 million)

Any changes to the Project expenditures and revenues, as highlighted in the table above, can have a significant impact on the overall Project costs. As the Project progresses and these capital, operating and revenue inputs change, there are consequential impacts to the overall Project costs including: financing costs, joint venture costs, revenue recovery, and Design Build Operate and Maintain related costs for construction, operations and maintenance.

Please note that these sensitivities are contemplated over the life of the Project and will be refined as the Project develops through to the conclusion of the RFP.



**Summary List of Current Business Case Inputs and Assumptions**

Description	Assumption
Base waste tonnage	<ul style="list-style-type: none"> <li>Region of Durham actual waste values for Source Separated Organics (Green Bin), mixed waste for single family and multi-residential and Regional waste management facilities for 2019</li> </ul>
Household and tonnage growth projections	<ul style="list-style-type: none"> <li>Planning Report #2019-INFO-90 and converging to Regional Official Plan values to 2031. Projections for 2032 and beyond based on Hemson Consulting Ltd. Greater Golden Horseshoe Growth Forecasts to 2043. Tonnage per household per year based on 2019 values.</li> </ul>
Waste composition for mixed waste	<ul style="list-style-type: none"> <li>2019 Region of Durham Waste Composition Study Results</li> <li>Organic fraction of municipal waste for single family: 41.5 per cent plus recoverable fibres</li> <li>Organic fraction of municipal waste for multi-residential: 42.6 per cent plus recoverable fibres</li> <li>80 per cent recovery of organics at pre-sort</li> <li>Organic fraction of municipal waste includes pet and sanitary waste</li> </ul>
Contamination rates of organics	<ul style="list-style-type: none"> <li>3 per cent for Source Separate Organics (Green Bin)</li> <li>20 per cent for organic fraction of municipal waste in base case</li> </ul>
Capital costs for pre-sort/transfer facility	<ul style="list-style-type: none"> <li>Sizing of 160,000 tonnes of mixed waste processing capacity</li> <li>\$250 per design tonne in base case</li> <li>Sensitivity of +/-10 per cent of base unit cost</li> </ul>
Capital costs for AD processing facility	<ul style="list-style-type: none"> <li>Assumed sizing of 110,000 tonnes of processing capacity in base case</li> <li>\$1000 per design tonne in base case</li> <li>Sensitivity of +/-10 per cent of base unit cost</li> </ul>
Debenture assumptions	<ul style="list-style-type: none"> <li>3.46% interest rate over 20 years</li> </ul>

Description	Assumption
Operating costs for pre-sort/transfer	<ul style="list-style-type: none"> <li>• \$80 per processed tonne in base case</li> <li>• Sensitivity of +/-10 per cent of base unit cost</li> </ul>
Operating costs for AD processing facility	<ul style="list-style-type: none"> <li>• \$90 per processed tonne in base case</li> <li>• Sensitivity of +/-10 per cent of base unit cost</li> </ul>
Transfer/haulage, disposal, DYEC operating and organics composting costs	<ul style="list-style-type: none"> <li>• Per contracted rates and escalated annually per CPI and/or diesel fuel pricing escalators</li> </ul>
Digestate disposal cost	<ul style="list-style-type: none"> <li>• \$88 per tonne of output (unchanged from 2019 update). Sensitivity assumes marketable digestate by-product where revenue neutrality is achieved</li> </ul>
Land acquisition cost	<ul style="list-style-type: none"> <li>• \$865,000/ha of assumed-serviced land. Assumed approximately 12 ha for pre-sort/transfer, anaerobic digester processing and biogas upgrading facility based on GHD siting evaluation</li> </ul>
Life cycle costing	<ul style="list-style-type: none"> <li>• 2 per cent of initial capital outlay annually over 20 years for pre-sort/transfer and AD facilities</li> </ul>
Biogas upgrading and injection facility	<ul style="list-style-type: none"> <li>• Biomethane upgrading and injection capital system upgrade at a total of \$10.4 million (current costs) where \$3 million assumed as gas distribution upgrades. Operating costs per m<sup>3</sup> based on gross biogas produced at \$0.085/m<sup>3</sup></li> <li>• Provision for life cycle costs based on 0.5 per cent of initial capital outlay plus mid-life membrane replacement</li> </ul>
Contracted renewable natural gas sales rates	<ul style="list-style-type: none"> <li>• \$15/GJ non-indexed for base case and \$22/GJ + annual indexing (per CPI at 2%/year) for sensitivity</li> </ul>
Materials recovery revenues	<ul style="list-style-type: none"> <li>• Base costs (escalated annually) assumed as net of cost to end-market:</li> <li>• Ferrous materials: \$150/tonne, non-ferrous materials: \$1,000/tonne</li> <li>• PET plastics: \$425/tonne, HDPE plastics: \$445/tonne</li> </ul>

Description	Assumption
Additional project and site operating expenses	<ul style="list-style-type: none"> <li>• Annual insurance, property taxes, site maintenance and weigh scale staffing at total \$1 million per year (current dollars)</li> <li>• Parental guarantees at \$100,000 total per year (nominal)</li> <li>• Renewable natural gas transportation at \$2.50/GJ for all renewable natural gas sold</li> </ul>
Joint venture corporate structure	<ul style="list-style-type: none"> <li>• Debt-Equity Structure for Joint Venture: 60% debt, 40% equity</li> <li>• Return on Equity: 9.52%</li> <li>• Weighted Cost of Capital: 5.88%</li> <li>• Corporate Tax Rate: 26.5%</li> </ul>
Escalators and discount factors	<ul style="list-style-type: none"> <li>• 2% per year for general inflation</li> <li>• 2.5% per year for diesel price escalation</li> <li>• 3.5% per year for general construction escalation</li> <li>• 5% discount rate</li> </ul>

## Risk Assessment Update

The assessment and allocation of potential risks and risk mitigation strategies are important because:

- They provide potential respondents to the Request for Prequalification/Request for Proposal information on the potential joint venture and risk transfer from the Owner to the Design Build Operate and Maintain vendor to advise their bid submissions; and,
- They provide key input into the joint venture evaluation.

The risk assessment process, led by Deloitte, included the Project team comprised of Regional staff, consultants and EPCOR, identified and quantified up to 150 Project risks and allocated the risk transfer set out in **Table 5**.

It is important to note that change in law risks, which can impact operations, digestate management, waste feedstock and/or other waste management requirements is currently being negotiated between the Region and EPCOR. Further, the Region retains all risks as feedstock (waste) provider, and any further risks related to the Region's integrated waste management system that are beyond the scope of the Project.

**Table 5: Broad Risk Categories and Allocations**

Risks Transferred to DBOM Proponent	Residual Risks Retained by Co-owners	Risks Shared between DBOM Proponent and Co-owners
Design and technology risks	Project planning and scope change risks	Force majeure
Construction risks	Environmental assessment risks	Certain site approval risks
Operating risks	Procurement risks	
Maintenance risks	Siting risks	
Concession risks	General labour risks	
External market risks	Strategic partnership risks	

**Table 6** summarizes the allocation/degree of quantified risks to the Co-Owners and the Design Build Operate and Maintain. Risk allocations are estimated both if the Region were to undertake the Project as sole owner or in a joint venture with EPCOR.

**Table 6: Quantified Stakeholder Risk Allocations (Net Present Value)  
(With and Without the Recommended EPCOR Joint Venture)**

<b>Risks</b>	<b>Region Sole Ownership (\$ million)</b>	<b>Joint Venture with EPCOR (\$ million)</b>
<b>Total Preliminary Quantification of Risks</b>	<b>300</b>	<b>289 - 294</b>
Risks Transferred to Design Build Operate and Maintain Vendor	168	163 - 164
Risks retained by Owner:		
Region (As Owner & Feedstock provider)	132	69 - 96
EPCOR	Not applicable	33 - 57

Notes:

- 1) The cost range in the table is based on change-in-law risk which is still subject to ongoing joint venture negotiations.
- 2) The allocation and quantification of risks are subject to change, as cost components change and/or risk mitigation measures are designed, refined and included within contractual agreements to reduce exposure.