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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, June 24, 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 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 Leahy attended the meeting at 9:57 AM

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 #7 of the Works Report to Council, Report #2020-W-33: Approval of Unbudgeted Capital Works to be Incorporated into a Servicing Agreement with Kedron East Landowners Group Inc. (Kedron East), Including Cost Sharing in Accordance with the Region Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer and Watermains on Harmony Road (Regional Road 33), in the City of Oshawa. She indicated that her son is employed in the Works Department.

4. Announcements

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

Councillor Foster announced that the Region of Durham's project to replace the legacy waterbilling system, led by project managers Don Siciliano and Teresa Ormand, has won the 2020 CS Week Award for Best Customer Information System Implementation for Mid-Sized Projects. The Best CIS award salutes major implementations of customer information systems based on budget and schedule adherence, operational efficiency after go-live, innovative solutions and improved service levels. Congratulations were extended to the team on their stellar achievements to modernize the Region's waterbilling systems and processes.

Regional Chair Henry announced that across the communities that make up the Region of Durham, we have been clear in our need to fight racism and discrimination. We work hard to build a region that is welcoming, but we know that

embracing diversity and inclusion is not enough. We need to educate ourselves on the realities of anti-Black racism, and acknowledge how we have failed in the past to ensure equity for Black residents. Internally, our staff are developing a corporate Anti-Black Racism Strategy and updating the Equity, Diversity and Inclusion Strategy with engagement of staff directly impacted by racism. Through the Durham Local Immigration Partnership, our Community Partners in Diversity have spoken about anti-Black racism, bias and discrimination in our communities and in service delivery. He stated it is his intent to convene a virtual community town hall discussion this summer to better understand the scope of the problem here in Durham. There will be an open invitation to residents to share their personal experiences, and to learn how Regional policies and programs can help address systemic anti-Black racism in our community. Racism, discrimination and marginalization have no place in Durham Region. In the coming weeks additional details will be provided through all of the Region's communications channels. Members of Council, senior staff, and DRPS leadership are welcome to join him. We will ask our area municipalities and community partners to share the information with their networks. Residents who are unable to participate in this virtual session will be invited to provide input in a way that suits them. We want to hear your voice. This is just the beginning of a much-needed dialogue.

5. Presentations

5.1 Chief Paul Martin, Durham Regional Police Services, re: Durham Regional Police Services Quarterly Update on Community Safety

Councillor Ashe as the Chair of the Police Services Board provided introductory remarks. He noted that Council had previously requested updates on a quarterly basis and today is the first such update. He stated that this exchange of communication is necessary and important. He offered gratitude to all frontline workers who have been working tirelessly since the pandemic began. He noted that the DRPS is committed to supporting change, diversity and inclusion in all their practices and cited the importance of engaging the community. He added that a copy of the 2020 - 2022 Equity and Inclusion Plan was shared with Council prior to the meeting.

Chief Paul Martin provided a PowerPoint Presentation regarding the Durham Regional Police Services quarterly update on Community Safety. He recognized the death of George Floyd and the issues raised with respect to police conduct; anti-Black racism; training; and funding around the world. Highlights of his presentation included:

- DRPS Plan of Action
 - Collection of race-based data
 - Demographic Census of the DRPS
 - New Training re: Bystander & Duty to Intervene
 - Inclusion of community members in our interview processes

- Coping with COVID-19
 - Citizen complaints are now declining, more economic activity is taking place in the community and we continue to focus on the safety and wellness of our members
- Reported Crime – Since State of Emergency Chart
 - Crime is down
- Significant Concern
 - Guns – we are now finding them with regularity
 - Shooting incidents are up

Chief Martin responded to questions from the members of Regional Council.

Moved by Councillor Marimpietri, Seconded by Councillor McLean,
(178) That Council recess for 15 minutes.

Council recessed at 11:26 AM and reconvened at 11:45 AM.

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Bath-Hadden.

6. Adoption of Minutes

Moved by Councillor Lee, Seconded by Councillor Leahy,
(179) That the minutes of the Regional Council meeting held on May 27, 2020 be adopted.

CARRIED

Moved by Councillor Brenner, Seconded by Councillor Smith,
(180) That the minutes of the Committee of the Whole meeting held on June 10, 2020 be adopted.

CARRIED

7. Communications

CC 24 Correspondence from the Town of Oakville re: Request Urgent Action to Ensure the Safe Re-introduction of Patio Service for Restaurants in Ontario

Moved by Councillor Chapman, Seconded by Councillor Barton,
(181) That Council Correspondence CC 24 from the Town of Oakville regarding a Request for Urgent Action to Ensure the Safe Re-introduction of Patio Service for Restaurants in Ontario be received for information.

CARRIED

8. Delegations

There were no delegations.

9. Notice of Motions

9.1 Electronic Participation at Meetings

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Chapman, Seconded by Regional Chair Henry,
(182) Whereas the Municipal Act in Section 238 (3.1) allows for electronic participation in a meeting which is open to the public provided that any such member shall not be counted in determining whether a quorum of members is present at any point in time;

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

Whereas on March 25, 2020 in light of the declared emergency for COVID-19, Regional Council amended the Procedural By-law #44-2018 to allow for members of Regional Council and local boards to participate electronically in Standing Committee, Board and Council meetings during a declared state of emergency;

Whereas electronic participation for Members of Regional Council, staff and public delegations has proven to be effective and it may be preferable to allow electronic participation to continue, to accommodate a variety of scenarios;

Now therefore be it resolved that Procedural By-law #44-2018 be further amended to allow for members of Regional Council and local boards to participate electronically in Advisory Committee, Standing Committee, Board and Council meetings, in cases where it is not ideal to attend the meeting in-person, and that public delegations and staff attendance also be permitted via electronic participation;

That members of local boards, Committees and Council use the following principles to guide their decision to participate electronically:

1. Severe weather
2. Illness or threat of exposure to illness
3. Mobility challenges

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

That Members must advise the Clerk in advance if they will be participating electronically in a meeting so that quorum may be ensured; and

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

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
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 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 Bath-Hadden
Councillor McLean

Declarations of Interest: None

Moved by Councillor Collier, Seconded by Councillor Anderson,
(183) That the rules of procedure be suspended in order to introduce a new motion with respect to the Durham Regional Police Services Board ('Board') reconvening the Body-Worn Camera (BWC) team.

CARRIED ON THE FOLLOWING

RECORDED VOTE

(A 2/3rds Vote was Attained):

Yes

Councillor Anderson
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Highet
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Ashe
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Kerr
Councillor Smith

Members Absent: Councillor Bath-Hadden
Councillor Marimpietri
Councillor McLean

Declarations of Interest: None

9.2 Reconvening the Body-Worn Camera (BWC) Team

[CARRIED AS AMENDED ON A RECORDED VOTE] [SEE MOTIONS (185), (187), (188), (189), (190) AND (191) ON PAGES 9 TO 14]

Moved by Councillor Crawford, Seconded by Councillor Roy,
(184) Whereas Body-Worn Cameras (BWC) have been adopted by a growing number of police services across the country and the world; widely seen as a real benefit to public trust, transparency, accountability and accuracy, and have been useful in determining what exactly has taken

place during confrontations between officers and civilians, aiding in building positive relations with the communities they serve; and

Whereas recent hate-filled and brutal displays of anti-Black racism have resulted in preventable deaths and revived community outcry for more oversight and accountability for officers and police services; and

Whereas on June 17, 2020 the Parliamentary Black Caucus urged all levels of government to act immediately to eliminate the barriers to access to justice and public security for Black Canadians and Indigenous people, including requiring all on-duty police officers in contact with the public to wear BWCs; and

Whereas Toronto Police Chief Mark Saunders has said he will fast-track body cameras for all front-line officers within the Toronto Police Service (TPS) due to recent events; and

Whereas Durham Regional Police Service (DRPS) conducted a year-long BWC pilot from June 2018 to June of 2019, using officers from two units in West Division, Regional Traffic Enforcement and members from the Festive R.I.D.E team; and

Whereas approximately 80 officers were outfitted with cameras during the pilot, resulting in 26,600 videos being collected - of which 52 per cent were categorized as evidence and about 30 per cent have been or will be used in criminal and provincial offences trials - and the project manager has said that "I don't think we've seen very much resistance at all - and the officers fairly quickly got comfortable with the technology", yet no formal recommendations or go-forward plans have been presented to Regional Council; and

Whereas on April 21, 2020, DRPS informed their Board that the BWC study was on hold due to the pandemic, and all officers were sent back to their original deployments, further delaying a decision;

Therefore be it resolved that to be responsive to the needs of our community, the Durham Regional Police Services Board ('Board') be requested to reconvene the Body-Worn Camera (BWC) team effective immediately as a concrete, tangible action and sign of good faith to the public that DRPS serves; and

That Regional Council request the DRPS Police Services Board, at the earliest possible opportunity, have the BWC team present the Police Services Board with a plan of action for BWC implementation, which shall include allocation of funding required to start phasing in the procurement and outfitting of front-line officers with cameras to eliminate subjectivity in civilian and police interactions; and

That Regional Council requests the Board and BWC group present a delegation to Regional Council by September 2020, or as soon thereafter as is reasonably possible, including a timeline and budget to address this need at the earliest opportunity; and

That the presentation include an update by the Board regarding the DRPS officer training plan, addressing how officers are trained to handle mental health distress and de-escalation techniques, specifically within the Black and Indigenous community; and

That this motion be circulated to the DRPS Board, and all Durham municipalities.

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

Moved by Councillor Kerr, Seconded by Councillor Drew,
(185) That the main motion (184) of Councillors Crawford and Roy be divided in order to consider each of the five operative clauses separately.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

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

Members Absent: Councillor Bath-Hadden
Councillor Marimpietri
Councillor McLean

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor Marimpietri,
(186) That Council recess for 45 minutes for lunch.

CARRIED

Council recessed at 1:01 PM and reconvened at 1:49 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillors Bath-Hadden and Marimpietri.

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(187) That the main motion (184) of Councillors Crawford and Roy be amended in the sixth recital clause to delete the words, "Regional Council" and replace them with the words, "DRPS Board".

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Barton
Councillor Nicholson

Members Absent: Councillor Bath-Hadden
Councillor Foster
Councillor Marimpietri

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(188) That the main motion (184) of Councillors Crawford and Roy be amended in the first operative clause to delete the words “as a concrete, tangible action and sign of good faith to the public that DRPS serves”.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Hightet
Councillor Kerr
Councillor Leahy
Councillor Mitchell
Councillor John Neal
Councillor Joe Neal
Councillor Pickles
Councillor Yamada
Regional Chair Henry

No

Councillor Anderson
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mulcahy
Councillor Nicholson
Councillor Roy
Councillor Smith
Councillor Wotten

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(189) That the main motion (184) of Councillors Crawford and Roy be amended in the second operative clause to delete the words “have the BWC team present the Police Services Board with a plan of action for” and replace them with the words “to consider”.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Crawford
Councillor Drew
Councillor Hightet
Councillor Kerr
Councillor Leahy

No

Councillor Brenner
Councillor Dies
Councillor Foster
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mulcahy
Councillor Nicholson
Councillor Roy

Councillor Mitchell
Councillor John Neal
Councillor Joe Neal
Councillor Pickles
Councillor Smith

Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Collier

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(190) That the main motion (184) of Councillors Crawford and Roy be amended
in the second operative clause to delete the words "allocation of funding
required" and replace with the words "funding requirements".

CARRIED UNANIMOUSLY ON THE
FOLLOWING RECORDED VOTE:

Yes

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

No

None

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Collier

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(191) That the main motion (184) of Councillors Crawford and Roy be amended in the third operative clause to delete the words "and BWC group".

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Carter
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor McLean
Councillor Mitchell
Councillor John Neal
Councillor Joe Neal
Councillor Pickles
Councillor Smith
Councillor Yamada

No

Councillor Barton
Councillor Brenner
Councillor Lee
Councillor Mulcahy
Councillor Nicholson
Councillor Roy
Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Marimpietri

Declarations of Interest: None

The main motion (184) of Councillors Crawford and Roy was then put to a vote and CARRIED UNANIMOUSLY, AS AMENDED, ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe

No

None

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

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

The main motion (184) of Councillors Crawford and Roy now reads as follows:

Whereas Body-Worn Cameras (BWC) have been adopted by a growing number of police services across the country and the world; widely seen as a real benefit to public trust, transparency, accountability and accuracy, and have been useful in determining what exactly has taken place during confrontations between officers and civilians, aiding in building positive relations with the communities they serve; and

Whereas recent hate-filled and brutal displays of anti-Black racism have resulted in preventable deaths and revived community outcry for more oversight and accountability for officers and police services; and

Whereas on June 17, 2020 the Parliamentary Black Caucus urged all levels of government to act immediately to eliminate the barriers to access to justice and

public security for Black Canadians and Indigenous people, including requiring all on-duty police officers in contact with the public to wear BWCs; and

Whereas Toronto Police Chief Mark Saunders has said he will fast-track body cameras for all front-line officers within the Toronto Police Service (TPS) due to recent events; and

Whereas Durham Regional Police Service (DRPS) conducted a year-long BWC pilot from June 2018 to June of 2019, using officers from two units in West Division, Regional Traffic Enforcement and members from the Festive R.I.D.E team; and

Whereas approximately 80 officers were outfitted with cameras during the pilot, resulting in 26,600 videos being collected - of which 52 per cent were categorized as evidence and about 30 per cent have been or will be used in criminal and provincial offences trials - and the project manager has said that "I don't think we've seen very much resistance at all - and the officers fairly quickly got comfortable with the technology", yet no formal recommendations or go-forward plans have been presented to DRPS Board; and

Whereas on April 21, 2020, DRPS informed their Board that the BWC study was on hold due to the pandemic, and all officers were sent back to their original deployments, further delaying a decision;

Therefore be it resolved that to be responsive to the needs of our community, the Durham Regional Police Services Board ('Board') be requested to reconvene the Body-Worn Camera (BWC) team effective immediately; and

That Regional Council request the DRPS Police Services Board, at the earliest possible opportunity, to consider BWC implementation, which shall include funding requirements to start phasing in the procurement and outfitting of front-line officers with cameras to eliminate subjectivity in civilian and police interactions; and

That Regional Council requests the Board present a delegation to Regional Council by September 2020, or as soon thereafter as is reasonably possible, including a timeline and budget to address this need at the earliest opportunity; and

That the presentation include an update by the Board regarding the DRPS officer training plan, addressing how officers are trained to handle mental health distress and de-escalation techniques, specifically within the Black and Indigenous community; and

That this motion be circulated to the DRPS Board, and all Durham municipalities.

10. Committee Reports

10.1 Report of the Finance and Administration Committee

1. Residential Energy Retrofit – Durham Home Energy Savings Program
(2020-A-12)

[CARRIED]

- A) That Regional Council endorse the Durham Home Energy Savings Program, to be funded as part of the overall climate change initiatives recommended in companion Report #2020-A-13, which includes:
- i) The implementation of a comprehensive region-wide residential energy efficiency knowledge to action campaign and web-based engagement platform,
 - ii) The establishment of a home energy coach service to provide one-on-one support to homeowners as they move through the complex process of implementing a home energy retrofit project, and
 - iii) The creation of a voluntary financing offer for eligible program participants in partnership with local utility partners and other third-party capital providers;
- B) That Regional Council direct the Chief Administrative Officer to enter into all necessary agreements with local utility partners, Natural Resources Canada, the Federation of Canadian Municipalities, and other partners, in forms satisfactory to the Regional Solicitor and Commissioner of Finance, to support joint implementation of the Program, as required; and
- C) That Report #2020-A-12 of the Chief Administrative Officer and associated resolution(s) be forwarded to local area municipalities, the Ministry of Municipal Affairs and Housing, the Ministry of Energy, Natural Resources Canada, and the Federation of Canadian Municipalities for information.

2. Climate Mitigation and Environmental Initiatives Reserve Fund Investment Plan (2020-A-13)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (193) ON PAGE 21]

- A) That Regional Council approve general allocations in the total amount of \$5.0 million from the Climate Mitigation and Environmental Initiatives Reserve Fund to the priority project categories outlined as follows:
- i) High-performance new buildings (Regional portfolio) - \$1.5 million

- ii) Deep energy retrofits of existing buildings (Regional portfolio) - \$2.5 million
 - iii) Deep energy retrofits of existing buildings (Community-wide) - \$350,000
 - iv) Region-wide nature-based climate solutions - \$500,000
 - v) Adaptation vulnerability and risk assessments - \$150,000; and
- B) That the Chief Administrative Officer and Commissioner of Finance be authorized to determine specific project funding allocations within the recommended allocation of \$5.0 million using the outcome-based principles described in Report #2020-A-13 of the Chief Administrative Officer.
3. 2020/2021 Annual Risk Management and Insurance Report (2020-F-12)
[CARRIED]
- A) That the Commissioner of Finance be authorized to enter into a contract of insurance with Frank Cowan Company for non-pooled insurance coverages specific to Durham Region for cyber insurance, aviation policies for the Region's drones and Durham Regional Police Service's helicopter and drone for the period July 1, 2020 to June 30, 2021 at an estimated cost of \$144,850 plus applicable taxes;
 - B) That the Commissioner of Finance be authorized to enter into a contract of insurance with Frank Cowan Company for insurance coverages related to Durham Region Transit for the period July 1, 2020 to June 30, 2021 at an estimated cost of \$1,909,646 plus applicable taxes;
 - C) That the Commissioner of Finance be authorized to secure and finalize the property insurance placement for the period July 1, 2020 to July 1, 2021 for Duffin Creek Water Pollution Control Plant;
 - D) That the Commissioner of Finance be authorized to retain consulting services for the continued implementation of a fulsome Enterprise Risk Management Framework at the Region of Durham at a cost not to exceed \$75,000 to be funded from the Region's Insurance Reserve Fund; and
 - E) That the fundamentals of the Region's Risk Management Program continue to be supported in principle to ensure that the Region's assets are adequately protected and to ensure the financial stability of the Region.

4. 2020 Provincially Mandated Business Protection Program (Capping Program) (2020-F-13)
[CARRIED]

- A) That for the 2020 mandated Provincial Business Protection Program (Capping Program) the Region of Durham authorizes the exit of the multi-residential and broad industrial property tax classes from the program in accordance with Provincial legislation;
- B) That for the 2020 mandated Provincial Business Protection Program (Capping Program), the Region of Durham adopt the following municipal capping options for the broad commercial property tax class, consistent with options selected for 2019, in an effort to expedite the achievement of full Current Value Assessment (CVA) level taxation in the broad commercial property tax class:
 - i) Set the minimum annual increase at 10 per cent of total CVA level property taxation for properties that are provided protection;
 - ii) Set the maximum percentage increase in property taxation due to reassessment at 10 per cent of the previous year's taxes;
 - iii) Set the "billing" increase threshold at \$500, such that any capped property components whose taxation amount under the mandated Provincial Business Protection Program is within \$500 of its CVA level taxation be required to pay its full CVA property taxation amount;
 - iv) Permanently exclude any property components from the Capping Program if the property component was at CVA level taxation in 2019 or 2020 or moves from a "clawback" to a "capped" property in 2020;
 - v) Include any property components in the Capping Program if the property component moves from a "capped" to a "clawback" property in 2020;
 - vi) Exclude the 2016 reassessment related increases from the capping calculations; and
 - vii) Continue the phase-out of the Capping Program over four year (2018-2021) for the broad commercial property tax class such that this property tax class will automatically exit the program in 2021.
- C) That the cost of capping reassessment property tax increases, pursuant to the 2020 mandated Provincial Business Protection Program, be financed by withholding a portion of the reassessment

related decreases owing to other properties within the corresponding broad property tax class; and

D) That approval be granted for the requisite by-laws for the 2020 Provincial Business Protection Program.

5. Final Recommendations Regarding Amendments to Regional Residential and Non-residential Development Charges By-law No. 28-2018 (2020-F-14)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (195) ON PAGES 22 AND 23]

That the proposed amendments to Regional Development Charge Residential and Non-residential By-law No. 28-2018 to waive the annual indexing in the April 24, 2020 Background Study not be adopted.

6. Final Recommendations Regarding Amendments to Regional Transit Development Charges By-law No. 81-2017 (2020-F-15)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (196) ON PAGES 23 AND 24]

That the proposed amendments to Regional Transit Development Charge By-law No. 81-2017 to waive the annual indexing included in the April 24, 2020 Background Study not be adopted.

7. Request for Regional Financial Assistance under the Regional Revitalization Program for the Whitby Firehall Redevelopment (Station No. 3) by Brookfield Residential located at 201, 209 and 211 Brock Street South and 208 Green Street in the Town of Whitby (2020-F-16)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (197) ON PAGES 24 AND 25]

A) That the application submitted by the Town of Whitby, on behalf of Brookfield Residential, under the Regional Revitalization Program (RRP), requesting Regional financial assistance for the Whitby Firehall Redevelopment (Station No. 3) located at 201, 209 and 211 Brock Street South and 208 Green Street in the Town of Whitby be approved, subject to the following conditions:

- i) The Region to provide \$625,580 for the development, with funding provided from the Regional Revitalization Reserve Fund and transferred to the Town of Whitby for distribution to Brookfield Residential, in accordance with the timing and flow of funds under the RRP:

Full building permit issued to Brookfield Residential	50%
Framing inspection (or equivalent structural completion),	40%

passed by the area municipal building inspection authority

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

- ii) Brookfield Residential must pay all applicable Regional Development Charges due at building permit issuance;
 - iii) Brookfield Residential enter into a servicing agreement to construct new water and sewer connections and abandon old connections at an estimated cost of \$80,000;
 - iv) All costs associated with works for the development of the lands will be borne by the developer, Brookfield Residential, in keeping with Regional policies;
 - v) Satisfying any performance criteria outlined in agreements between the Town of Whitby and Brookfield Residential in regard to incentives (financial or other) provided under the Downtown Whitby Community Improvement Plan and applicable Town By-laws;
 - vi) The Town of Whitby enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding;
 - vii) The Town of Whitby agrees to annual post-project reviews and audits for five years after substantial occupancy of the development of lands, in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources; and
- B) That as per the RRP, the increased property tax revenue generated from the increased current value assessment of the development project in the Town of Whitby be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.

Moved by Councillor Foster, Seconded by Councillor Carter,
(192) That the recommendations contained in Items 1, 3, and 4 of the Fourth Report of the Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor Foster, Seconded by Councillor Carter,
(193) That the recommendations contained in Item 2 of the Fourth Report of the
Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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

No

Councillor Anderson
Councillor Crawford
Councillor Joe Neal

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

Moved by Councillor Barton, Seconded by Councillor Collier,
(194) That Council recess for 15 minutes.

CARRIED

Council recessed at 3:17 PM and reconvened at 3:28 PM

The Regional Clerk conducted a roll call following the recess and all
members of Council were present, with the exception of Councillors Bath-
Hadden and Chapman.

Moved by Councillor Foster, Seconded by Councillor Carter,
(195) That the recommendations contained in Item 5 of the Fourth Report of the Finance and Administration Committee be adopted.

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

Councillor Joe Neal rose on a point of order stating that the recommendation in Item 5 of the Fourth Report of the Finance and Administration Committee, not to adopt the amendments to the Regional Development Charge By-law #28-2018, was out of order. He stated that Council had previously adopted a resolution to waive the annual indexing of development charges and this recommendation was contrary to the previous resolution. Staff provided supplemental information regarding the matter and Regional Chair Henry ruled that the recommendation contained in Item 5 of the Fourth Report of the Finance and Administration Committee was in order.

Councillor Joe Neal challenged the ruling of the chair. The ruling of the Chair was UPHELD ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

Councillor Joe Neal

Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

The main motion (195) of Councillors Foster and Carter to adopt the recommendations contained in Item #5 of the Fourth Report of the Finance and Administration Committee was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor John Neal
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Anderson
Councillor Carter
Councillor Marimpietri
Councillor Joe Neal
Councillor Nicholson

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor McLean
Councillor Mulcahy

Declarations of Interest: None

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

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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

No

Councillor Joe Neal

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Mulcahy

Declarations of Interest: None

Moved by Councillor Foster, Seconded by Councillor Carter,
(197) That the recommendations contained in Item 7 of the Fourth Report of the
Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Collier

No

Councillor Joe Neal

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

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

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

1. Correspondence from Alexander Harras, Manager of Legislative Services/Deputy Clerk, Town of Ajax, re: Ministerial Rezoning Order to Permit a new Long-Term Care (LTC) Facility in the Town of Ajax, Region of Durham

[CARRIED ON A RECORDED VOTE] [SEE MOTION (199) ON PAGE 27]

That the correspondence from Alexander Harras, Manager of Legislative Services/Deputy Clerk, Town of Ajax, re: Ministerial Rezoning Order to permit a new Long-Term Care (LTC) Facility in the Town of Ajax, Region of Durham, be endorsed.

2. Smart Commute Program Transition and Execution of a Memorandum of Understanding between the Region of Durham and other GTHA Regional Partners (2020-P-10)

[CARRIED]

That the Commissioner of Planning and Economic Development be authorized to enter into a Memorandum of Understanding (MOU) with other GTHA municipalities for the purpose of continuing the Smart Commute Durham program; and which MOU will impose no financial commitment on the Region and will be in a form acceptable to the Commissioner and the Director of Legal Services.

3. Proposed Employment Area Conversion Criteria and Submission Review Process (2020-P-11)
[CARRIED AS AMENDED ON A RECORDED VOTE] [SEE MOTIONS (200) AND (201) ON PAGES 27 TO 29]
 - A) That That the principles and criteria for assessing requests for Employment Area conversion contained in Section 5 and the submission review process contained in Section 6 of Report #2020-P-11 of the Commissioner of Planning and Economic Development be endorsed; and
 - B) That a copy of Report #2020-P-11 be forwarded to all Envision Durham interested parties, the Area Municipalities, Building Industry and Land Development (BILD) – Durham Chapter, and the Ministry of Municipal Affairs and Housing.
 - C) That staff be directed to research and report back to Council on a specific mixed use land use designation.**

4. Bill 156, Security from Trespass and Protecting Food Safety Act, 2019 (2020-EDT-5)
[CARRIED]
 - A) That the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, be advised that the Council of the Regional Municipality of Durham supports Bill 156, the Security from Trespass and Protecting Food Safety Act; and
 - B) That a copy of Report #2020-EDT-5 of the Commissioner of Planning and Economic Development be sent to Durham’s Area Municipalities and the Durham Agricultural Advisory Committee for their information.

Moved by Councillor Joe Neal, Seconded by Councillor Lee,

- (198) That the recommendations contained in Items 2 and 4 of the Third Report of the Planning and Economic Development Committee be adopted.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor Lee,
(199) That the recommendations contained in Item 1 of the Third Report of the
Planning and Economic Development Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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

No

Councillor John Neal
Councillor Joe Neal
Councillor Smith

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor Lee,
(200) That the recommendations contained in Item 3 of the Third Report of the
Planning and Economic Development Committee be adopted.

CARRIED AS AMENDED LATER IN THE
MEETING ON A RECORDED VOTE
(See Following Motion)

Moved by Councillor Collier, Seconded by Councillor Yamada,
(201) That the recommendations contained in Item 3 of the Third Report of the Planning and Economic Development Committee be amended by adding the following as a new part C):

C) That staff be directed to research and report back to Council on a specific mixed use land use designation.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Brenner	
Councillor Carter	
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 Joe Neal	
Councillor Nicholson	
Councillor Pickles	
Councillor Roy	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Drew
Councillor John Neal

Declarations of Interest: None

The main motion (200) of Councillors Joe Neal and Lee to adopt the recommendations contained in Item 3 of the Third Report of the Planning & Economic Development Committee was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Brenner	
Councillor Carter	
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 Joe Neal	
Councillor Nicholson	
Councillor Pickles	
Councillor Roy	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Drew
Councillor John Neal

Declarations of Interest: None

Moved by Councillor Smith, Seconded by Councillor Leahy,
(202) That Council recess for 10 minutes.
CARRIED

Council recessed at 5:32 PM reconvened at 5:43 PM.

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillors Bath-Hadden and Chapman. Councillor Roy left the meeting at 6:05 PM on municipal business.

10.3 Report of the Works Committee

1. Recycling Material Markets Update and Sole Source of Glass Processing with Nexcycle Canada Limited (2020-WR-2)
[CARRIED] [SEE MOTION (204) ON PAGE 36]
 - A) That the markets update on the Regional Municipality of Durham's Blue Box program be received for information;
 - B) That the Regional Municipality of Durham continue recycling its Blue Box mixed broken glass with Nexcycle Canada Limited, on a single source, month-to-month basis, until a longer term contract can be secured with Nexcycle Canada Limited or an alternate glass recycling market, with funding provided from the approved 2020 and future Solid Waste Management Business Plans and Budget; and
 - C) That the Commissioner of Finance be authorized to execute any agreements necessary for the recycling of mixed broken glass with Nexcycle Canada Limited.
2. Subdivision Agreement with Smooth Run Developments Inc. or Brookfield Residential (Ontario) Limited to allow the Construction of a Temporary Water Booster Pumping Station in Newcastle, in the Municipality of Clarington(2020-W-27)
[CARRIED]
 - A) That the Regional Municipality of Durham be authorized to enter into a Subdivision Agreement with Smooth Run Developments Inc. or Brookfield Residential (Ontario) Limited to construct a temporary water booster pumping station in Newcastle, in the Municipality of Clarington at the sole cost and expense of Smooth Run and Brookfield for the installation and removal of the temporary water booster pumping station required to service lands to advance the initial phases of the North Village plans of subdivision; and
 - B) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.
3. Preliminary and Detailed Design and Construction Administration for the Phosphorous Reduction Action Plan (PRAP) and Outfall Diffuser Improvements at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2020-W-28)
[CARRIED]

That the selection of Jacobs Canada Incorporated be confirmed to carry out the preliminary and detailed design and construction administration services for the Phosphorous Reduction Action Plan (PRAP) and Outfall Diffuser Improvements project at the Duffin Creek Water Pollution Control Plant at an upset limit of \$1,606,296* with the Regional Municipality of Durham's share of the cost identified as \$321,259.20 which is to be funded from the approved project budget.

(* before applicable taxes

4. Grade Separation Rehabilitation Agreement with the Canadian Pacific Railway for the Rehabilitation of the Simcoe Street (Regional Road 2) Canadian Pacific Railway Underpass, in the City of Oshawa (2020-W-30)
[CARRIED]

A) That the Regional Municipality of Durham be authorized to enter into a Grade Separation Rehabilitation Agreement with the Canadian Pacific Railway for the rehabilitation of the Simcoe Street (Regional Road 2) Canadian Pacific Railway Underpass at Mileage 154.72 Havelock Subdivision, in the City of Oshawa; and

B) That the Regional Chair and Clerk be authorized to execute the agreement.

5. Acquisition of Easement, License Agreement and Construction Agreement for the Liverpool Forcemain Project, in the City of Pickering (2020-W-31)
[CARRIED]

A) That the following easement purchase agreement be approved:

Hydro One Networks Inc.	800 Brock Road	\$96,500
	Part of Lot 19, Range 3	
	Broken Front Concession	
	being part of PIN 26327-0123	
	shown as Parts 1, 2, 3, 4, 5 & 6	
	on 40R-30766	
	City of Pickering;	

B) That the following three-year license agreement be approved:

Hydro One Networks Inc.	800 Brock Road	\$35,100
	Part of Lot 19, Range 3	
	Broken Front Concession	
	being part of PIN 26327-0123	
	City of Pickering;	

C) That a construction agreement for a nominal sum be approved;

- D) That financing for the acquisition of easement and license be provided from the funds allocated in the approved project budget; and
 - E) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreements.
6. Approval to Award the Sole Source Supply of a Liquid Chromatograph with Hybrid Triple Quadrupole/Linear Ion Trap Mass Spectrometer by AB SCIEX LP, for use by the York-Durham Regional Environmental Laboratory, located in the City of Pickering (2020-W-32)
-
- [CARRIED]
- A) That the Regional Municipality of Durham enter into a sole source agreement with AB SCIEX LP for the supply and annual servicing of a Liquid Chromatograph with Hybrid Triple Quadrupole/Linear Ion Trap Mass Spectrometer (LC-MS/MS) for the analysis of contaminants in drinking water at the York-Durham Regional Environmental Laboratory with an estimated total cost of acquisition of \$450,000* and annual servicing costs not to exceed \$43,000* annually for the three year term beginning June 2021 and ending May 2024;
 - B) That the cost for the sole source purchase and servicing be shared 50/50 with the Regional Municipality of York, with the Regional Municipality of Durham's share to be funded from the approved York-Durham Regional Environmental Laboratory Business Plans and Budget; and
 - C) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
(*) before applicable taxes.
7. Approval of Unbudgeted Capital Works to be Incorporated into a Servicing Agreement with the Kedron East Landowners Group Inc. (Kedron East), Including Cost Sharing in Accordance with the Region Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer and Watermains on Harmony Road (Regional Road 33), in the City of Oshawa (2020-W-33)
-
- [CARRIED ON A RECORDED VOTE] [SEE MOTION (205) ON PAGES 36 AND 37]
- A) That unbudgeted capital works estimated at \$10.2 million for the Regional share of a trunk sanitary sewer and watermains in the Kedron Secondary Plan, in the City of Oshawa, be approved;
 - B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement to authorize payment to the Kedron East Landowners Group Inc.(Kedron East) estimated at \$10.2 million as noted in Recommendation A) for the extension and oversizing of a

trunk sanitary sewer and for watermains on Harmony Road (Regional Road 33), in the City of Oshawa, at an estimated total project cost of \$13.7 million;

- C) That financing for the total unbudgeted capital works, estimated at \$13.7 million, be provided from the following sources:

Developer's Share – Sanitary Sewer

Kedron East Landowners Group Inc. (Kedron East) \$3,367,900

Total Developer's Share: \$3,367,900

Regional Costs – Sanitary Sewer

Reallocation of 2020 Sanitary Sewerage System Capital Budget Item 34, Project D2002, West Brooklin Trunk Sanitary Sewer from west of Cochrane St. to east of Highway # 12, Whitby

Residential Development Charge Reserve Fund \$4,975,965
Commercial Development Charge Reserve Fund \$310,155
User Rate \$1,456,380

Total Regional Share – Sanitary Sewer **\$6,742,500**

Developer's Share - Watermains

Kedron East Landowners Group Inc. (Kedron East) \$97,500

Total Developer's Share: \$97,500

Regional Costs – Watermains

Reallocation of 2020 Water Supply System Capital Budget Item 123, Project D1908, Zone 4 feedermain from proposed Zone 4 water pumping station at Harmony Reservoir to proposed Oshawa Zone 4 Reservoir, Oshawa

Residential Development Charge Reserve Fund \$1,051,200
Commercial Development Charge Reserve Fund \$26,400
User Rate \$122,400
\$1,200,000

Reallocation of 2020 Water Supply System Capital Budget Item 163, Project D1609, Proposed Oshawa Zone 4 Storage Facility – 16 ML, Oshawa

Residential Development Charge Reserve Fund	\$1,986,768
Commercial Development Charge Reserve Fund	\$49,896
User Rate	\$231,336
	<u>\$2,268,000</u>

Total Regional Share – Watermains **\$3,468,000**

Total Regional Share **\$10,210,500**

Total Developer’s Share **\$3,465,400**

Total Project Financing **\$13,675,900**; and

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

8. Approval of the New York-Durham Sewage System Operating Agreement (2020-W-34)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (206) ON PAGES 37 AND 38]

A) That the new York-Durham Sewage System Operating Agreement between the Regional Municipality of Durham and the Regional Municipality of York for the operations of the York-Durham Primary System components be adopted for a 20-year term commencing on July 1, 2020; and

B) That the Regional Chair and Clerk be authorized to execute the new York-Durham Sewage System Operating Agreement.

9. Servicing Agreement with North Village Landowners Group Inc. (North Village), Including Cost Sharing in Accordance with the Region’s Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer and Watermain on North Street (Regional Road 17), in the Municipality of Clarington (2020-W-35)

[CARRIED]

A) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with North Village Landowners Group Inc. (North Village) including cost sharing in accordance with the Region’s Share Policy, for the extension and oversizing of a trunk sanitary sewer and watermain on North Street (Regional Road 17), in the Municipality of Clarington, at an estimated cost of \$4.3 million;

B) That financing for the Regional Municipality of Durham’s Share for the Sanitary Sewer component of the Servicing Agreement be provided from the following Regional sources:

Developer's Share – Sanitary Sewer

North Village Landowners Group Inc. (North Village)	\$1,896,200
<u>Total Developer's Share:</u>	<u>\$1,896,200</u>

Regional Costs – Sanitary Sewer

Sanitary Sewerage System Capital Budget

Foster Creek Trunk Sanitary Sewer on North Street from Wilmot Street to North of CPR (D1616)

Residential Development Charge Reserve Fund	\$327,737
Commercial Development Charge Reserve Fund	\$9,014
User Rate	<u>\$104,349</u>
Subtotal	<u>\$441,100</u>
Sanitary Sewer Connections – Current Operations	<u>\$69,400</u>
Total Regional Share – Sanitary Sewer	<u>\$510,500</u>

Developer's Share – Regional Roads and Storm Sewers

North Village Landowners Group Inc. (North Village)	<u>\$387,000</u>
<u>Total Developer's Share:</u>	<u>\$387,000;</u>

- C) That financing for the Regional Municipality of Durham's Share for the Watermain component of the Servicing Agreement be provided from the following Regional sources:

Developer's Share - Watermain

North Village Landowners Group Inc. (North Village)	<u>\$1,019,100</u>
Total Developer's Share:	<u>\$1,019,100</u>

Regional Costs – Watermain

Water Supply System Capital Budget

Watermain replacement on North Street from Wilmot Street to North of CPR(C1601)

Residential Development Charge Reserve Fund	\$262,800
Commercial Development Charge Reserve Fund	\$6,600

User Rate	<u>\$30,600</u>
Allowance for Regional share for works in conjunction with residential subdivision development (M2010)	
Residential Development Charge Reserve Fund	\$43,186
Commercial Development Charge Reserve Fund	\$1,085
User Rate	<u>\$5,029</u>
Subtotal	<u>\$349,300</u>
Watermain Connections – Current Operations	<u>\$98,900</u>
Total Regional Share – Watermain	<u>\$448,200</u>
Total Regional Project Financing	<u>\$958,700</u> ; and

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

10. Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes and Litigation/Potential Litigation Matters, as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2020-W-29) [CARRIED]

Moved by Councillor Mitchell, Seconded by Councillor Barton,
(203) That the recommendations contained in Items 2 to 6, 9 and 10 of the Fourth Report of the Works Committee be adopted.
CARRIED

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

Moved by Councillor Mitchell, Seconded by Councillor Barton,
(205) That the recommendations contained in Item 7 of the Fourth Report of the Works Committee be adopted.
CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Brenner	

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

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor Collier

Declarations of Interest: Councillor Drew

Moved by Councillor Mitchell, Seconded by Councillor Barton,
(206) That the recommendations contained in Item 8 of the Fourth Report of the
Works Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr

No

Councillor Anderson
Councillor John Neal
Councillor Joe Neal

Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Chapman
Councillor McLean
Councillor Roy

Declarations of Interest: None

10.4 **Report of the Committee of the Whole**

1. Durham Region Strategic Plan 2020-2024 Implementation Plan and Performance Indicators (2020-COW-21)
[CARRIED]
 - A) That the Durham Region Strategic Plan 2020-2014 Implementation Plan (Attachment #1 to Report #2020-COW-21 of the Chief Administrative Officer) be adopted; and
 - B) That the Chief Administrative Officer be directed to provide annual progress updates to Regional Council and the public.
2. Regional Recovery Framework and Action Plan (2020-COW-22)
[CARRIED]
 - A) That the Regional Recovery Framework be endorsed and that the Chief Administrative Officer be directed to further develop and deliver the action plan in cooperation with the Regional Recovery Task Force;
 - B) That staff be directed to continue to work jointly with Business Improvement Area (BIA) members on various recovery projects as opposed to through direct grants as requested through the Notice of Motion to provide immediate financial assistance for BIA members; and
 - C) That the Notice of Motion for a temporary by-law to reduce or refund property taxes for taxpayers in the residential and farm property tax

classes whose property taxes have become unduly burdensome due to COVID-19 emergency not be implemented.

Moved by Councillor Wotten, Seconded by Councillor Foster,
(207) That the recommendations contained in Items 1 and 2 inclusive of the Third Report of the Committee of the Whole be adopted.

CARRIED

11. Unfinished Business

There was no unfinished business to be considered.

12. Other Business

12.1 2020 Durham Regional Local Housing Corporation Annual Shareholder Meeting [CARRIED]

Moved by Councillor Carter, Seconded by Councillor Dies,
(208) A) That the financial statements of the Corporation which comprise the Statement of Financial Position as at December 31, 2019, and the Statements of Operations and Accumulated Surplus, Change in Net Financial Assets and Cash Flows for the year ended December 31, 2019 and the Independent Auditor's Report thereon, all as submitted to the Shareholder by the Board of Directors, be received;

B) That the Shareholder hereby waives its right to receive general or special notice of an annual meeting of the shareholder of the Corporation;

C) That the Shareholder hereby waives its right to receive an advance copy of the Corporation's 2019 financial statements and independent auditor's report;

D) That all by-laws, resolutions, contracts, acts and proceedings of the Board of Directors of the Corporation enacted, passed, made, done or taken since the last annual meeting of shareholders of the Corporation as set forth or referred to in the minutes of the meetings and resolutions of the Board of Directors in the minute and record book of the Corporation or in the financial statements of the Corporation are hereby approved, ratified and confirmed; and

E) That the Regional Chair and Clerk be authorized to sign the shareholder's resolution evidencing the approval of the aforementioned matters.

CARRIED

- 12.2 Telecommunications Structure Antenna License Agreement with Eccentric Artists Technical Services Ltd., operating as Communicate Freely for the Installation of Two Antennas on a Regional Communication Monopole Located at 132 Greensboro Drive, in the Hamlet of Blackstock, Township of Scugog, at the Regional Municipality of Durham Works Department Well Sites #7 and #8 [\(2020-W-36\)](#)
-

[CARRIED]

Moved by Councillor Wotten, Seconded by Councillor Drew,

- (209) A) That the License Agreement with Eccentric Artists Technical Services Ltd., operating as Communicate Freely, for the installation of two antennas on a communication monopole located at the Regional Municipality of Durham Well Sites #7 and #8 located at 132 Greensboro Drive, in the Township of Scugog, be approved based on the following terms and conditions, and in accordance with the Telecommunications Installation on Regional Municipality of Durham Sites, Infrastructure and Facilities Policy:
- i) That the term to be for five years commencing upon execution of the license agreement;
 - ii) That Eccentric Artists Technical Services Ltd., operating as Communicate Freely, be responsible for all costs related to the installation, maintenance, repair and operation of the telecommunications antennas and associated equipment;
 - iii) That the application fee and site license fee applicable under the Telecommunications Installation on Regional Municipality of Durham Sites, Infrastructure and Facilities Policy be waived for this installation as this installation supports the expansion of broadband service in the Regional Municipality of Durham's northern townships, is not cellular in nature, the proponent will attend the site only with a Regional staff escort and the installation does not involve the construction of supporting structures on Regional lands;
 - iv) That Eccentric Artists Technical Services Ltd., operating as Communicate Freely, remit an annual fee per antenna of \$874 plus HST, with future annual fees subject to an adjustment of 3 per cent as prescribed in the Telecommunications Installation on Regional Municipality of Durham Sites, Infrastructure and Facilities Policy; and
 - v) That as a condition of the License Agreement, an Easement Agreement between the Region and Eccentric Artists Technical Services Ltd., operating as Communicate Freely, be completed

no later than September 30, 2020, with Eccentric Artists Technical Services Ltd., operating as Communicate Freely, having the sole responsibility and cost for obtaining the necessary registered survey depicting the location of buried supporting infrastructure for the antenna installation;

- B) That where future applications for the installation of antenna on Regional communications towers and monopoles is not cellular in nature, does not involve the construction or installation of supporting structures on Regional lands, where the proponent does not request or require unescorted access to the site, the installation supports the expansion of broadband availability in the northern townships of the Regional Municipality of Durham or other applicable criteria identified on a case by case basis, the application and site license fees prescribed in the Telecommunications Installation on Regional Municipality of Durham Sites, Infrastructure and Facilities Policy may be waived at the discretion of the Commissioners of Works and Finance; and
- C) That the Regional Chair and Clerk be authorized to execute all documents related to the License Agreement and Easement Agreement with Eccentric Artists Technical Services Ltd., operating as Communicate Freely, subject to the approval of all drawings for the proposed antenna installation by the Works Department.

CARRIED

13. By-laws

25-2020 Being a by-law to implement the 2020 options for the Mandated Provincial Business Protection Program (“capping”).

This by-law implements the recommendations contained in Item #4 of the 4th Report of the Finance & Administration Committee presented to Regional Council on June 24, 2020

26-2020 Being a by-law to establish a percentage by which tax decreases are limited for 2020 in respect of properties in any property class subject to Part IX of the *Municipal Act, 2001*.

This by-law implements the recommendations contained in Item #4 of the 4th Report of the Finance & Administration Committee presented to Regional Council on June 24, 2020

27-2020 Being a by-law to Amend By-law 44-2018 to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

This by-law implements the recommendations contained in the
Notice of Motion presented to Regional Council on June 24, 2020

Moved by Councillor Ashe, Seconded by Councillor Lee,
(210) That By-law Numbers 25-2020 to 27-2020 inclusive be passed.
CARRIED

14. Confirming By-law

28-2020 Being a by-law to confirm the proceedings of Regional Council at
their meeting held on June 24, 2020.

Moved by Councillor Ashe, Seconded by Councillor Lee,
(211) That By-law Number 28-2020 being a by-law to confirm the proceedings
of the Council of the Regional Municipality of Durham at their meeting
held on June 24, 2020 be passed.
CARRIED

15. Adjournment

Moved by Councillor Kerr, Seconded by Councillor Marimpietri,
(212) That the meeting be adjourned.
CARRIED

The meeting adjourned at 6:47 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk