



## Addendum to the Regional Council Agenda

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

**Wednesday, October 28, 2020**

**9:30 AM**

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### **5. Presentations**

- 5.4 Stella Danos-Papaconstantinou, Commissioner of Social Services, Alan Robins, Director, Housing Services Division and Jenni Demanuele, Director, Business Services, Works Department re: Update on Beaverton Supportive Housing Project

### **6. Delegations**

- 6.9 Elizabeth Johnston, Beaverton Resident re: Beaverton Supportive Housing Project  
**Requires 2/3rds vote to be heard**
- 6.10 Elizabeth Burley, Brock Board of Trade re: 50 Unit Supportive Housing Project Proposed for Beaverton  
**Requires 2/3rds vote to be heard**
- 6.11 Mary Beddows, on behalf of Gillespie Garden Tenants re: Beaverton Supportive Housing  
**Requires 2/3rds vote to be heard**

### **8. Communications**

- CC 45 Letter from Sarah Moore, Acting Manager of Legislative Services/Deputy Clerk, Town of Ajax writing to The Honourable Steve Clark, Ministry of Municipal Affairs and Housing advising of a motion that was passed at their October 22, 2020 Ajax Town Council meeting re: Durham Live Minister's Zoning Order (MZO) (Our File: D18)

Recommendation: Receive for Information

(See attached correspondence on pages 3-4)

- CC 46 Letter from Deena Hunt, Deputy Clerk, Township of Brock writing to the Regional Clerk/Director of Legislative Services advising of two motions passed at their October 26, 2020

Council of the Township of Brock meeting re: Proposed Supportive Housing – Beaverton: Resolution No. 18-11 (Our File: D06)

Recommendation: Refer to staff

Letter from Deena Hunt, Deputy Clerk, Township of Brock writing to the Regional Clerk/Director of Legislative Services advising of two motions passed at their October 26, 2020 Council of the Township of Brock meeting re: Proposed Supportive Housing – Beaverton: Resolution No. 19-11 (Our File: D06)

Recommendation: Refer to staff

(See attached correspondence on pages 5-8)

## **12. Other Business**

- 12.1 Request by the Owner of the Durham Live Lands for a Minister's Zoning Order in the City of Pickering (2020-A-21)

Pages 9 - 11



The Honorable Steve Clark  
Ministry of Municipal Affairs and Housing  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, Ontario  
M7A 2J3  
[steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)

**Sent by E-Mail**

October 23, 2020

Re: **Durham Live Minister's Zoning Order (MZO)**

The following resolution was passed by Ajax Town Council at its special meeting held October 22, 2020:

**WHEREAS** in May 2020, the City of Pickering, on behalf of Pickering Developments Inc., sent a letter to the Minister of Municipal Affairs and Housing requesting a Minister's Zoning Order to accelerate, and expand, the Durham Live development;

**AND WHEREAS** the Region of Durham and the Town of Ajax identified a number of concerns with the proposed MZO, including sewer and sanitary capacity, future traffic impacts, required road infrastructure, environmental issues, and a lack of conditions, among other matters;

**AND WHEREAS** should the Province of Ontario support the MZO request, the Region and Town proposed that all parties undertake good faith negotiations to enter into an agreement with the developer to complete a Transportation Study and a Water and Sewer Study that would necessitate the construction of exclusive and non-exclusive works, that would correspond with the phasing of development;

**AND WHEREAS** on September 30<sup>th</sup>, members of Regional Council authorized the Region's Chief Administrative Officer to execute an agreement between the Region of Durham, the owner of the Durham Live lands and the impacted municipalities, including the Town of Ajax, in support of the Minister's Zoning Order in exchange for certain commitments;

**AND WHEREAS** after the Town entered into good faith negotiations with all the parties, on October 20 Pickering Council took purposeful action to eliminate the Town as a party to the development agreement for the MZO;

**NOW THEREFORE BE IT RESOLVED:**

**THAT** in the absence of good faith negotiations and a development agreement that protects the interests of all parties, including neighbouring Ajax taxpayers, Ajax Council opposes the MZO for the

Durham Live lands and requests that Minister Steve Clark not enact a Minister's Zoning Order for Durham Live;

**AND THAT** this motion be circulated to Premier Doug Ford, Hon. Steve Clark, Minister of Municipal Affairs and Housing, Hon. Rod Phillips, Minister of Finance, Hon. Peter Bethlenfalvy, President of the Treasury Board, Durham Region MPPs, the Region of Durham, and all Durham Region lower tier municipalities.

If you require further information please contact me at 905-619-2529 ext. 3347 or [sarah.moore@ajax.ca](mailto:sarah.moore@ajax.ca).

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Moore".

Sarah Moore  
Acting Manager of Legislative Services/Deputy Clerk

Copy: Mayor S. Collier  
Regional Councillor M. Crawford  
Premier D. Ford  
Minister R. Phillips  
Minister P. Bethlenfalvy  
All Durham Region MPPs  
Region of Durham  
All Durham Region municipalities



The Corporation of  
The Township of Brock  
1 Cameron St. E., P.O. Box 10  
Cannington, ON L0E 1E0  
705-432-2355

October 27, 2020

Mr. Ralph Walton, Regional Clerk/Director of Legislative Services  
Region of Durham  
605 Rossland Road East  
Whitby, Ontario  
L1N 6A3

Sent via email

Dear Sir:

Re: Proposed Supportive Housing – Beaverton

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Please be advised that the Council of the Township of Brock, at their meeting held on October 26, 2020, adopted the following Resolutions:

Resolution No.18 -11

MOVED BY Claire Doble and SECONDED by Michael Jubb

1. **WHEREAS** the Township of Brock's Official Plan recognizes the need to encourage a range of housing opportunities for rental housing and ownership housing which is available to all socio-economic levels and which includes group homes, assisted housing, transitional housing and crisis care facilities ("Supportive Housing");
2. **AND WHEREAS** Supportive Housing needs to be carefully located within the Township of Brock to balance the need for such uses to be strategically located and integrated in the community to provide access to all public amenities and services while meeting the health and safety needs of existing residents and visitors to the Township, ensuring adequate separation standards and limits on the total number of Supportive Housing development in the Township;
3. **AND WHEREAS** the Township of Brock's Official Plan provides that the Beaverton Harbor Area is intended to be a focal point of the community wherein the health and safety of all residents and visitors is of paramount concern and any development within the area will be planned in a manner that does not pose a threat to the health of residents and visitors;
4. **AND WHEREAS** the policies of the Township of Brock's Official Plan and Zoning By-law No. 287-78-PL ("Zoning By-law") do not currently regulate the appropriate location of Supportive Housing in a manner that is sensitive to the existing and planned character of the Beaverton Harbor Area;



5. **AND WHEREAS** the provisions of the Township of Brock's Zoning By-law do not permit Manufactured Dwelling Houses consisting of prefabricated components to be located anywhere within the municipality or regulate the performance standards thereof;
6. **AND WHEREAS** the appropriate location and performance standards related to Manufactured Dwelling Houses consisting of prefabricated components in the Township's Zoning By-law needs to be carefully considered by Council;
7. **AND WHEREAS** due to the Regional Municipality of Durham's proposal to develop modular Supportive Housing at 133 Main St., Beaverton, it has become evident that the Township of Brock's Official Plan policies and Zoning By-law permitted uses and performance standards must be updated to address the unanticipated impacts that unregulated modular construction and the location of Supportive Housing proposals may otherwise impose upon existing and future residents and visitors of the Beaverton Harbor Area and the Township of Brock.

**NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT:**

1. Staff be directed to undertake a thorough review and study of the Township of Brock's Supportive Housing and modular construction policies, permitted uses, and performance standards in order to protect the health and safety of existing and future residents and visitors of the Township of Brock;
2. The Township Solicitor together with the appropriate staff be directed to prepare a draft interim control by-law temporarily prohibiting the use of:
  - A. Modular construction, including Manufactured Dwelling Houses consisting of pre-fabricated components; and
  - B. The location, use, regulation, development standards, total number, and separation distances for Supportive Housing in the entire Township of Brock.
3. The Township Clerk be directed to forward this Resolution to the Regional Clerk for consideration at the Regional Meeting of Council on October 28, 2020.

MOTION CARRIED

Resolution Number 19-11

MOVED BY Michael Jubb and SECONDED by Claire Doble

1. **WHEREAS** the Region of Durham has proposed the development of a modular supportive housing project at 133 Main St. in Beaverton (the "Project");
2. **AND WHEREAS** the Region of Durham rescinded its previous decision to issue a Request for Proposal for the purpose of soliciting supportive housing proposals at the Regional Meeting of Council on June 26, 2019, in order for the funds to be reallocated and used directly by the Region to approve the sole sourcing of the Project to Horizon North Inc. (or its affiliate NRB) at the Regional Meeting of Council on July 29, 2020;

3. **AND WHEREAS** the Township of Brock's Official Plan provides that the Beaverton Harbor Area is intended to be a focal point of the community wherein the health and safety of all residents and visitors is of paramount concern and any development within the area will be planned in a manner that does not pose a threat to the health of residents and visitors;
4. **AND WHEREAS** the Township of Brock does not permit Manufactured Dwelling Houses in any zone;
5. **AND WHEREAS** the Project does not meet the "Public Use" permissions of the Township of Brock's Zoning By-law No. 278-78-PL;
6. **AND WHEREAS** despite the requirement of the Region's Purchasing By-law No. 16-2020 ("Purchasing By-law") that:
  - A. The Social Services Department, or any other applicable department, provide the Purchasing Section with a valid justification for procurements described in Appendix "C"; and
  - B. The Social Services Department, or any other applicable department, complete a business case including all pertinent facts that gave rise to the sole source procurement in accordance with Appendix "D"

there is no publicly available proof that the Regional Council of the Regional Municipality of Durham approved a sole source agreement with Horizon North Inc. (or its affiliate NRB) for the design, delivery and installation of approximately 50 modular affordable supportive housing rental units at 133 Main St., Beaverton according to the provisions of Purchasing By-law, namely,

- A. The goods and services of the sole source purchase can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist due to an absence of competition for technical competition, or any other applicable reason pursuant to section 1.1 of Appendix "C";
- B. There is no extreme urgency requiring this sole source purchase pursuant to section 1.3 of Appendix "C"; and,
- C. A Business Case was not completed pursuant to section 7.2 of the by-law or in accordance with Appendix "D".

**NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT:**

1. The Township Clerk be directed to forward this Resolution to the Regional Clerk for consideration at the Regional Meeting of Council on October 28, 2020, requesting that the Region immediately:
  - A. Rescind the approval of the sole source agreement to Horizon North Inc. (or its affiliate NRB) on the grounds that the approval did not conform to the Purchasing By-law for the reasons set out above;

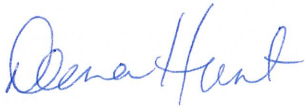
- B. Not pursue the Project because the Zoning By-law does not permit the uses proposed by the Project;
- C. Not tender the Project until the Township of Brock completes its study of supportive housing and Manufactured Dwelling Houses to determine the appropriate location, performance standards, and construction method of such uses and until the regulations are enacted permitting same.

MOTION CARRIED

Should you have questions or concerns please do not hesitate to contact the Clerk, Becky Jamieson, or the undersigned.

Yours truly,

THE TOWNSHIP OF BROCK



Deena Hunt  
Deputy Clerk





# The Regional Municipality of Durham Report

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To: Regional Council  
From: Chief Administrative Officer  
Report: #2020-A-21  
Date: October 28, 2020

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**Subject:**

Request by the Owner of the Durham Live Lands for a Minister's Zoning Order in the City of Pickering

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**Recommendation:**

It is recommended to Regional Council:

- A) That the Region's Chief Administrative Officer be authorized by Regional Council to execute an Agreement between the Region of Durham, the Owner of the Durham Live lands and the City of Pickering, satisfactory to the Chief Administrative Officer, in a form acceptable to the Director of Legal Services, which Agreement provides Regional support for the Owner's request for a Minister's Zoning Order (MZO) in exchange for certain commitments, namely that the Owner will:
- i) Prepare Terms of Reference for a Transportation Study (or studies) and a Servicing Study (or studies) to the Region's satisfaction;
  - ii) Complete these transportation and servicing studies to the Region's satisfaction at the Owner's expense;
  - iii) Commit to implement and fund the recommendations of these studies that are necessary to accommodate the Owner's proposed development;
  - iv) Commit to entering into good faith negotiations regarding the funding, design, and construction of any works required to accommodate development in the surrounding area with the Region; and
  - v) Provide a minimum of 150 units of purpose-built affordable rental housing units on the subject site at not more than 80% of the Region's Average Market Rent

- with a commitment that these units will be maintained as such for a minimum of 20 years, and further, that not less than one-third of these affordable housing units will be in the first phase of any residential development on the subject lands with the remainder being in the second phase.
- B) That all other Council direction approved in report 2020-A-19 remain in place with the necessary modification for an Agreement between the Region of Durham, the Owner of Durham Live lands and the City of Pickering.
- C) That the Minister be requested not to enact the MZO until the Agreement referenced in Recommendation A has been executed by the Region of Durham, the Owner of the Durham Live lands and the City of Pickering.
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**Report:****1. Purpose**

- 1.1 The purpose of this report is for Regional Council to authorize the Region's Chief Administrative Officer to enter into an Agreement with the Owner of the Durham Live lands ("the Owner"), and the City of Pickering whereby the Region would provide its support for Durham Live's request to the Minister of Municipal Affairs and Housing for a Minister's Zoning Order that will permit certain new uses to be built on the site in exchange for certain commitments and conditions.

**2. Background**

- 2.1 This report follows Report 2020-A-19 which includes background information on the Minister's Zoning Order and related matters.
- 2.2 It is critical for the Region to have an Agreement in place with the Owner in order to ensure that the necessary Regional works are completed to our standards and to ensure the delivery of affordable housing units commitment.
- 2.3 The Agreement recommended for approval includes the Region, the Owner and the City of Pickering as parties. In the event any infrastructure work impacts the Town of Ajax, the Region will consult with the Town of Ajax in the normal course.

**3. Conclusion**

- 3.1 Staff are of the view that the broad interests of the Region can be protected by ensuring the Owner agrees to construct the necessary infrastructure to

accommodate the development and in the near term, deliver a significant component of affordable housing.

- 3.2 It is recommended that the Chief Administrative Officer be authorized by Regional Council to execute an Agreement between the Region of Durham, the Owner of the Durham Live lands, and the City of Pickering, as described in this report.

#### **4. Attachments**

Confidential Attachment #1: Confidential memorandum from the Director of Legal Services.

Respectfully submitted,

Original signed by

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Elaine C. Baxter-Trahair  
Chief Administrative Officer

Contact: Brian Bridgeman, Commissioner of Planning and Economic Development, at 905-668-7711, extension 2535, for additional information.