

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

## **The Regional Municipality of Durham**

### **MINUTES**

#### **REGIONAL COUNCIL**

**Wednesday, December 16, 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

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 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 Pickles

Councillor Roy  
Councillor Ryan  
Councillor Schummer  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

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

All members of Council were present with the exception of Councillor Nicholson

Councillor Collier left the meeting at 4:05 PM on municipal business and attended the meeting at 6:45 PM

Councillor Crawford left the meeting at 6:52 PM

Councillor Nicholson attended the meeting at 9:57 AM due to technical difficulties

Councillor Bath-Hadden was absent due to illness

Councillor Schummer appeared on behalf of Councillor Bath-Hadden as the alternate for the Township of Brock.

### **3. Declarations of Interest**

Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 10.1, Notice of Motion regarding Regulatory Framework to Manage the Operation of Anaerobic Digestion Facilities. He indicated that there is an anaerobic facility slated for an area which may impact family members who own property and reside in the City of Oshawa.

### **4. Adoption of Minutes**

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,  
(374) That the minutes of the Regular Regional Council meeting held on November 25, 2020, be adopted.

CARRIED

Moved by Councillor Smith, Seconded by Councillor Lee,  
(375) That the minutes of the Regular Committee of the Whole meeting held on December 9, 2020, be adopted.

CARRIED

### **5. Presentations**

- 5.1 Video Presentation of Children from Various Early Learning Child Care Centres Singing Christmas Songs for Council
-

A video presentation of children from various Early Learning Child Care Centres throughout the Region, singing holiday carols, was displayed.

5.2 Chief Todd Rollauer, Durham Regional Police Services, re: Quarterly Update to Regional Council

---

Councillor Ashe, as Chair of the Durham Regional Police Services Board (DRPSB), provided an introduction on behalf of the Board. He advised that a new action plan has been developed to enhance trust and confidence in Durham Regional Police Services (DRPS). He outlined the 4 key components of the new action plan including:

- Strengthening Transparency in Decision Making
- Improving Diversity and Inclusion Practices Internally and Externally
- Strengthening Mental Health Response
- Supporting Equity and Inclusion Plan & Chief's Plan

Councillor Ashe advised that there will be a Special DRPSB meeting on January 6<sup>th</sup> to receive public feedback on the action plan.

Chief Todd Rollauer, Durham Regional Police Services (DRPS), appeared before Council with a quarterly update.

Highlights of Chief Rollauer's presentation included:

- DRPS – Four Point Plan
  - Collection of race-based data
  - Community participation in recruitment and policy review
  - Duty to intervene training
  - Internal demographic census
- Durham Region Crime Trends
  - Three major crime categories: Person, Property, Other
- 2020 vs. 2019: Going Down
  - Impaired driver
  - Assault Level 1
  - Sexual Assault
  - Robbery
- 2020 vs. 2019 YTD: Unchanged
  - Calls for service
  - Fraud & I.D. Theft
- 2020 vs. 2019: Going up
  - Suspicious Person
  - Disturbance
  - B&E Commercial
  - Stolen Vehicle
- Homicides 2009 – 2020

- Guns – January 2019 to December 2020 Stats
- Shootings in Durham Region
- Current Environment
  - Complexity of work is increasing for frontline officers
  - We are returning to pre-pandemic levels of crime and calls for service
  - COVID-19 has changed how we operate; managing sickness
  - We will be making cuts in staffing to meet our budget guideline

Chief Rollauer responded to questions from the members of Council.

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

CARRIED

Council recessed at 11:07 AM and reconvened at 11:22 AM

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

5.3 Dr. Robert Kyle, Commissioner and Medical Officer of Health re: COVID-19 Update

---

Dr. Robert Kyle, Commissioner and Medical Officer of Health appeared before Council with an update on COVID-19.

Dr. Kyle advised that the COVID-19 vaccine roll-out is in Phase 1. He added that the only vaccine currently licensed for use in Canada is the Pfizer vaccine, which has been distributed to Toronto and Ottawa Hospitals, and will be further distributed to other hospital distribution points next week. The names of the next hospitals to receive the vaccine have not been announced yet and the Province will communicate those when available. The Phase 1 target includes essential workers, particularly those in hospitals and serving residents in congregate living settings such as long-term care homes. The Moderna vaccine will become available in the coming weeks and will need to be licensed for use in Canada. Phase 1 of the vaccine roll out is expected to last for weeks or months. Phase 2 will include extended reach to essential workers. Mass immunization will likely not occur until the latter part of 2021, depending on vaccine availability.

The Health department has an immunization planning team established and their role is for vaccine distribution. They have partnered with DEMO in the event that they need to assist with administering vaccinations.

With respect to the high dose flu vaccine, there is no new information, and as requests, concerns or inquiries are received, they are brought to the attention of the Ministry of Health.

The COVID-19 picture in Durham Region is hectic with the daily number of new cases in the high double-digit and low triple-digits. There are 50 to 60 outbreaks, most of which are COVID-19. Durham has approximately 17 respiratory outbreaks that may not be COVID-19 related. As of today, there are approximately 770 active cases. As cases increase, hospitalization numbers increase. Currently there are 35 cases in hospital, with 7 in ICU. COVID-19 deaths have been concentrated at Sunnycrest and ThorntonView long-term care homes which have seen a recent rise in the number of deaths. Dr. Kyle stated that the Health Department's resources are stretched but not overwhelmed, and the situation is the same with the local hospital system.

Dr. Kyle noted that later today, the online COVID-19 data tracker will be enhanced with a new tab which will compare Durham statistics and metrics with those that are used by the Province to place public health regions into colour zones.

Dr. Kyle responded to questions from members of Council.

Moved by Councillor Marimpietri, Seconded by Councillor Lee,  
(377) That the order of the Agenda be altered to consider Item #3 of the 7<sup>th</sup> Report of the Committee of the Whole at this time.

CARRIED

## 9.5 Report of the Committee of the Whole

### 3. Report to Council with a Status Update on the Regional Recovery Framework and Action Plan (2020-COW-35)

---

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Joe Neal, Seconded by Councillor Crawford,  
(378) That Report #2020-COW-35 of the Chief Administrative Officer be received for information;

And further;

That Durham Region request that the Province exclude nursing home COVID cases in determining Durham's COVID classification.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Dies

No

Councillor Nicholson  
Councillor Pickles

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 Roy  
Councillor Ryan  
Councillor Schummer  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Members Absent: Councillor Anderson  
Councillor Ashe

Declarations of Interest: None

## **6. Delegations**

### **6.1 Susan deRyk, Interim President & Chief Executive Officer, Lakeridge Health re: Lakeridge Health Master Plan and Bowmanville Hospital Redevelopment**

Susan deRyk, Interim President & Chief Executive Officer, Lakeridge Health, did not appear as a delegation as this matter was referred to the 2021 budget deliberations by the Finance & Administration Committee at their meeting held on December 8, 2020.

## **7. Reports related to Delegations/Presentations**

There are no reports related to Delegations/Presentations.

## **8. Communications**

CC 60 Correspondence from June Gallagher, Municipal Clerk, Municipality of Clarington, dated November 26, 2020 re: Amendment to Clarington's Support of a Ministerial Zoning Order (MZO) Changing the Zoning of 2423 Rundle Road Bowmanville

Moved by Councillor Chapman, Seconded by Councillor Ryan,  
(379) That Council Correspondence CC 60 from June Gallagher, Municipal Clerk, Municipality of Clarington, dated November 26, 2020 regarding Amendment to Clarington's Support of a Ministerial Zoning Order (MZO) Changing the Zoning of 2423 Rundle Road Bowmanville, be referred to the consideration of Item 11.1 under Other Business, Report #2020-P-25.  
CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,  
(380) That Council recess for 1 hour for lunch.  
CARRIED

Council recessed at 12:41 PM and reconvened at 1:45 PM

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

## **9. Committee Reports and any related Notice of Motions**

### **9.1 Report of the Finance and Administration Committee**

1. Temporary Borrowing By-law for 2021 (2020-F-22)  
[CARRIED]
  - A) That the Regional Chair and the Treasurer be authorized in 2021 to borrow funds, not to exceed \$500 million, in order to meet current expenditures and liabilities until such time as the general tax revenues and other revenues of the Region are received; and
  - B) That approval be granted for the requisite by-law(s).
2. 2021 Interim Regional Property Tax Levy (2020-F-23)  
[CARRIED]
  - A) That a 2021 interim Regional property tax levy be imposed on the lower-tier municipalities for all property tax classes;
  - B) That the amount due from each lower-tier municipality is estimated to be equivalent to 50% of their respective share of the Regional property taxes collected in 2020;
  - C) That the 2021 interim Regional property tax levy be paid by the lower-tier municipalities seven days subsequent to the instalment due dates established by each lower-tier municipality for the collection of their respective interim municipal property taxes;

- D) That the Regional Clerk be requested to advise the lower-tier municipalities of the imposition of the 2021 interim Regional property tax levy for all property tax classes; and
  - E) That approval be granted for the requisite by-law.
3. 2021 Business Plans and Budgets and Nine Year Capital Forecasts for the Consolidated Water Supply and Sanitary Sewerage Systems (2020-F-24)  
[CARRIED ON A RECORDED VOTE]
- A) That the 2021 Business Plans and Budgets for the Water Supply System, with a total gross expenditure of \$153.6 million (net user rate supported expenditure of \$115.5 million) and related financing as set out below, be approved:



<u>EXPENDITURES</u>	<b>2020</b> Gross Budget (\$ 000's)	<b>2021</b> Gross Budget (\$ 000's)	<b>Variance</b> Incr/(Decr) (\$ 000's)
Operations:			
Watermain Cleaning and Repairs	3,493	3,691	198
Valves and Hydrants	2,991	3,042	51
Water Connections	4,186	4,281	95
Water Meters	542	562	20
Depot Operations	5,824	6,163	339
Plants East	3,151	3,368	217
Plants Central	14,131	14,226	95
Plants North	3,080	2,882	(198)
Sunvalley	29	29	-
Engineering and Staff Support	7,455	7,835	380
Facilities Management	7,615	7,514	(101)
Administration	319	335	16
Headquarters Shared Costs	1,100	1,125	25
Utility Finance	3,797	3,449	(348)
Share of Regional Corporate Costs	12,229	12,534	305
Subtotal Operations	69,942	71,036	1,094
Capital/Debt Charges:			
TCA Capital	4,732	4,905	173
Construction of Municipal Services	76,209	76,337	128
Debt Charges	1,694	1,311	(383)
Subtotal Capital/Debt Charges	82,635	82,553	(82)
<b>TOTAL EXPENDITURES</b>	<b>152,577</b>	<b>153,589</b>	<b>1,012</b>
<u>FINANCING</u>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	20,823	26,536	5,713
Commercial Development Charges - Growth Related Capital	678	714	36
Industrial Development Charges - Growth Related Capital	-	1,460	1,460
Industrial Development Charges - Debt Charges	536	415	(121)
Institutional Development Charges - Debt Charges	28	22	(6)
Water Rate Stabilization Reserve Fund	952	-	(952)
Asset Management Reserve Fund	5,234	5,486	252
Servicing of Employment Lands	-	250	250
Equipment Replacement Reserve	35	-	(35)
Fees and Service Charges	2,910	3,185	275
Financing From Others:			
Region of York - Construction of Municipal Services	225	-	(225)
Oversizing Costs Related to Seaton/Federal Lands	7,540	-	(7,540)
Frontage Charges - Petition Recoverable	1,864	-	(1,864)
<b>Financing From Non-User Revenue Sources</b>	<b>40,825</b>	<b>38,068</b>	<b>(2,757)</b>
<b>User Revenues Financing (including frontage charges)</b>	<b>111,752</b>	<b>115,521</b>	<b>3,769</b>
<b>TOTAL FINANCING</b>	<b>152,577</b>	<b>153,589</b>	<b>1,012</b>

- B) That the Nine Year Capital Forecast for 2022 to 2030 inclusive, in the amount of \$1.3 billion as detailed in the Water Supply System Capital Budget, be received for information;
- C) That the 2021 Current and Capital Business Plans and Budgets for the Sanitary Sewerage System with a total gross expenditure of \$223.7 million (net user rate supported expenditure of \$111.3 million) and related financing as set out below, be approved:

	2020 Gross Budget (\$ 000's)	2021 Gross Budget (\$ 000's)	Variance Incr/(Decr) (\$ 000's)
<b><u>EXPENDITURES</u></b>			
Operations:			
Cleaning, Repairs and Maintenance Holes	2,033	2,143	110
Sewer Connections	3,254	3,418	164
Depot Operations	3,228	3,407	179
WPCPs and Pumping Stations	23,999	25,496	1,497
Duffin Creek WPCP	37,197	38,043	846
Regional Environmental Laboratory	2,864	3,083	219
Engineering and Staff Support	6,886	7,461	575
Facilities Management	8,273	8,595	322
Administration	322	338	16
Headquarters Shared Costs	1,100	1,125	25
Utility Finance	3,796	3,450	(346)
Share of Regional Corporate Costs	15,346	15,783	437
Subtotal Operations	108,298	112,342	4,044
Capital/Debt Charges:			
Duffin Creek WPCP - TCA Capital	947	1,767	820
Regional Environmental Lab - TCA Capital	586	196	(390)
TCA Capital	5,673	2,536	(3,137)
Construction of Municipal Services	68,950	92,418	23,468
Debt Charges	21,011	14,482	(6,529)
Subtotal Capital/Debt Charges	97,167	111,399	14,232
<b>TOTAL EXPENDITURES</b>	<b>205,465</b>	<b>223,741</b>	<b>18,276</b>
<b><u>FINANCING</u></b>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	20,013	22,581	2,568
Residential Development Charges - Debt Charges	11,521	8,103	(3,418)
Commercial Development Charges - Growth Related Capital	1,275	1,455	180
Commercial Development Charges - Debt Charges	1,552	873	(679)
Industrial Development Charges - Growth Related Capital	-	1,707	1,707
Industrial Development Charges - Debt Charges	532	532	-
Institutional Development Charges - Debt Charges	8	8	-
Sanitary Sewer Rate Stabilization Reserve Fund	2,702	-	(2,702)
Asset Management Reserve Fund	8,646	9,049	403
Servicing of Employment Lands	-	968	968
Equipment Replacement Reserve	35	-	(35)
Regional Environmental Lab Equipment Replacement Reserve	-	160	160
Fees and Service Charges	7,001	6,870	(131)
Financing From Others:			
Federal Grant	-	15	15
Region of York - TCA	16,566	1,387	(15,179)
Region of York - Construction of Municipal Services	1,040	14,285	13,245
Oversizing Costs Related to Seaton/Federal Lands	-	14,792	14,792
Region of York - Operating	28,444	29,142	698
Region of York Environmental Lab Operations	168	441	273
<b>Financing From Non-User Revenue Sources</b>	<b>99,503</b>	<b>112,368</b>	<b>12,865</b>
<b>User Revenues Financing (including frontage charges)</b>	<b>105,962</b>	<b>111,373</b>	<b>5,411</b>
<b>TOTAL FINANCING</b>	<b>205,465</b>	<b>223,741</b>	<b>18,276</b>

- D) That the Nine Year Capital Forecast for 2022 to 2030 inclusive, in the amount of \$1.7 billion as detailed in the Sanitary Sewerage System Capital Budget, be received for information;
  - E) That capital project approval be granted for expenditures and financing for the 2021 capital projects detailed in the Appendixes within the 2021 Consolidated Water Supply and Sanitary Sewerage Systems Business Plans and Budgets, where contract awards are consistent with the Regional Budget Management Policy; and
  - F) That the necessary By-laws with respect to the 2021 Current and Capital Business Plans and Budgets for the Consolidated Water Supply and Sanitary Sewerage Systems be presented to Regional Council.
4. Recommended 2021 Water and Sanitary Sewer User Rates (2020-F-25)  
[CARRIED ON A RECORDED VOTE]
- A) That the 2021 Regional Water and Sanitary Sewer User Rates increase by 0.75 per cent for an average residential customer effective January 1, 2021, with the Regional water rates increasing by 0.40 per cent and the Regional sanitary sewer rates increasing by 1.06 per cent from the 2020 user rate levels as set out in Schedule 1 and Schedule 2 of Report #2020-F-25 of the Commissioner of Finance respectively;
  - B) That the 2021 Raw Water rates for the Whitby raw water customer be increased by 0.40 per cent as set out in Schedule 1 of Report #2020-F-25 of the Commissioner of Finance, effective January 1, 2021;
  - C) That the 2021 water charges for the Sun Valley Heights Homeowners Co-operative Water System be as set out in Schedule 3 of Report #2020-F-25 of the Commissioner of Finance, effective January 1, 2021;
  - D) That the 2021 Regional Water and Sanitary Sewer Systems Miscellaneous Fees and Charges be as set out in Schedule 4 of Report #2020-F-25 of the Commissioner of Finance, effective January 1, 2021;
  - E) That the 2021 fee schedule for laboratory services at the Regional Environmental Laboratory located at the Duffin Creek Water Pollution Control Plant be as set out in Schedule 5 of Report #2020-F-25 of the Commissioner of Finance, effective January 1, 2021; and
  - F) That the Regional Solicitor be instructed to prepare the necessary by-laws to implement the foregoing recommendations.

5. PRESTO Device Replacement (2020-F-26)  
[CARRIED]

That financing estimated at \$3.2 million be provided at the discretion of the Commissioner of Finance for the replacement of the Region's PRESTO infrastructure, including devices on all buses.

6. Durham Region Transit U-Pass Agreement Extension (2020-F-27)  
[CARRIED]

That the General Manager of Durham Region Transit (DRT) and the Commissioner of Finance be authorized to execute an amendment to the existing U-Pass Agreement with Durham College, Ontario Tech University and Trent University to extend the existing U-Pass agreement with Durham College, Ontario Tech University and Trent University (Durham Campus), including an approximate 1.9 per cent increase in the fee per eligible student from \$141.75 per semester to \$144.50 per semester for the period of September 1, 2021 to August 31, 2022.

7. Sole Source for Supplemental Operational Requirements for the On Demand Pilot for Durham Region Transit (2020-F-28)  
[CARRIED]

That three sole source agreements totalling \$1,010,000 be approved to support the On Demand pilot between September 28, 2020 and February 28, 2021 including agreements with:

- Taxi Tab (a division of Coventry Connections Inc.): \$496,000;
- Circle Taxi Inc.: \$161,000; and
- Marleen Esufali (dba Island Taxi): \$353,000.

8. Mandate for a Renewed Durham Strategic Energy Alliance  
[CARRIED]

That given the ambitious goals of the Durham Community Energy Plan, and the need for ongoing coordination among stakeholders in order to achieve these goals, that Regional staff be directed to work with Ontario Tech University and other Durham-based institutions and companies on a needs assessment and scoping exercise, to identify a mandate for a renewed Durham Strategic Energy Alliance.

9. Confidential Report of the Commissioner of Corporate Services – Labour Relations/Employee Negotiations with respect to the Canadian Union of Public Employees (“CUPE”), Local 1785 (2020-A-24)  
[CARRIED]

That the recommendations contained in Confidential Report #2020-A-24 of the Commissioner of Corporate Services be adopted.

Moved by Councillor Foster, Seconded by Councillor Collier,  
(381) That the recommendations contained in Items 1, 2 and 5 to 9 of the 9<sup>th</sup> Report of the Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor Foster, Seconded by Councillor Collier,  
(382) That the recommendations contained in Item #3 of the 9<sup>th</sup> Report of the Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

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

No

Councillor Joe Neal  
Councillor John Neal

Members Absent: Councillor Carter

Declarations of Interest: None

Moved by Councillor Foster, Seconded by Councillor Collier,  
(383) That the recommendations contained in Item #4 of the 9<sup>th</sup> Report of the Finance and Administration Committee be adopted.

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

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,  
(384) That the appropriate funds be taken from reserves to lower the Water and Sanitary Sewer User Rate increase to zero percent.

MOTION DEFEATED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Crawford  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Schummer  
Councillor Wotten  
Councillor Yamada

No

Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Hight  
Councillor Kerr  
Councillor McLean  
Councillor Mitchell  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Smith  
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

The main motion (383) of Councillors Foster and Collier was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Dies  
Councillor Drew

No

Councillor Anderson  
Councillor Crawford  
Councillor Leahy  
Councillor Lee  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal

Councillor Foster	Councillor Nicholson
Councillor Highet	Councillor Yamada
Councillor Kerr	
Councillor Marimpietri	
Councillor McLean	
Councillor Mitchell	
Councillor Pickles	
Councillor Roy	
Councillor Ryan	
Councillor Schummer	
Councillor Smith	
Councillor Wotten	
Regional Chair Henry	

Members Absent: None

Declarations of Interest: None

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

### 1. Federal Rapid Housing Initiative (RHI) (2020-SS-17) [CARRIED]

---

- A) That funding previously approved by Regional Council to issue a Request for Proposal for affordable housing development be utilized to support local Rapid Housing Initiative (RHI) applications, through the provision of forgivable loans under the Region's Municipal Capital Facility By-law, under terms and conditions satisfactory to the Commissioner of Finance and the Commissioner of Social Services;
- B) That in order to support the ongoing affordability of units created under the Rapid Housing Initiative existing benefits such as rent supplements and/or portable housing benefits be utilized and that, if necessary, the Durham Portable Housing Benefit be expanded beyond the existing 35 non-service level subsidies to accommodate this program, and
- C) That in the event that there is excess Regional funding available, the excess will be made available for affordable housing development under the original direction contained within the Master Housing Strategy.

Moved by Councillor Chapman, Seconded by Councillor Pickles,  
(385) That the recommendations contained in Item 1 of the 5<sup>th</sup> Report of the Health and Social Services Committee be adopted.

CARRIED



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

1. Carruthers Creek Watershed Plan Update, Public Consultation Process  
(2020-P-28)

---

[CARRIED] [PART A] WAS CARRIED ON A RECORDED VOTE – A  
2/3RDS WAS ATTAINED]

- A) That, subject to a two-thirds majority vote, Council be requested to rescind its previous decision to pause the public comment period for the Carruthers Creek Watershed Plan Update until the COVID-19 emergency state is lifted by all levels of government and to hold an in-person Public Open House once the emergency state is lifted by all levels of government;
- B) That the public consultation and comment period for the Carruthers Creek Watershed Plan be resumed, starting on January 4, 2021 and concluding on March 19, 2021;
- C) That the proposed dates and format for two virtual Public Open Houses as described in Attachment #1 to Report #2020-P-28 of the Commissioner of Planning and Economic Development be endorsed; and
- D) That a copy of Report #2020-P-28 be forwarded to the City of Pickering, Town of Ajax, and to the Toronto and Region Conservation Authority for further distribution to the Carruthers Creek Watershed Update interested parties list.

2. Re-Nomination to the Board of Directors of the Greater Toronto Airports Authority (2020-P-29)

---

[CARRIED]

- A) That Mr. Johan van 't Hof be re-nominated to the Greater Toronto Airports Authority (GTAA) Board of Directors as Durham Region's municipal representative for a three-year term; and
- B) That a copy of Report #2020-P-29 of the Commissioner of Planning and Economic Development be forwarded to the GTAA.

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,

(386) That the recommendations contained in Item #2 of the 8<sup>th</sup> Report of the Planning and Economic Development Committee be adopted.

CARRIED

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,  
(387) That Part A) of the recommendations contained in Item #1 of the  
8<sup>th</sup> Report of the Planning and Economic Development Committee  
be adopted.

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

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

Members Absent: Councillor John Neal

Declarations of Interest: None

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,  
(388) That Parts B), C) and D) of the recommendations contained in Item #1 of  
the 8<sup>th</sup> Report of the Planning and Economic Development Committee be  
adopted.

CARRIED

#### 9.4 Report of the Works Committee

1. Sole Source Engineering Assignment for Transition Programming of the Programmable Logic Controllers and Human Machine Interface Controls in Blower Buildings 1 and 2 at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2020-W-51)

[CARRIED]

- A) That Eramosa Engineering Incorporated be retained to provide transition programming for the Programmable Logic Controllers (PLCs) and Human Machine Interface (HMI) controls located in Blower Buildings 1 and 2 at the Duffin Creek Water Pollution Control Plant (WPCP) at an upset limit not to exceed \$204,000\*;
- B) That the cost of this assignment will be funded from the approved 2020 Sanitary Sewage System Business Plan and Budget, cost shared with the Regional Municipality of York, as estimated below:

Durham Region Share (18.42%) User Rate	\$37,577
York Region Share (81.58%)	<u>166,423</u>
Total Upset Limit	<u><b>\$204,000</b></u>

- C) That the Commissioner of Finance be authorized to execute the necessary engineering services agreement.  
(\* ) including disbursements and before applicable taxes
2. Approval to Enter into a Sole Source Agreement with SNF Canada Limited for the Supply and Delivery of Liquid Emulsion Polymer to the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2020-W-52)

[CARRIED]

- A) That the Regional Municipality of Durham enter into a sole source agreement with SNF Canada Limited for the supply and delivery of liquid emulsion polymer to the Duffin Creek Water Pollution Control Plant for a six-month term at an estimated maximum contract value of \$1,000,000\*;

- B) That the sole source agreement be funded from the annual Sanitary Sewerage Business Plans and Budget, with costs shared proportionally between the Regional Municipalities of Durham and York based on the estimated utilization as follows:

Durham Region Share (18.67%) User Rate	\$186,700
York Region Share (81.33%)	<u>\$813,300</u>
Total Upset Limit	<u><b>\$1,000,000</b></u>

- C) That the Commissioner of Finance be authorized to execute the necessary documents related to the sole source agreement.  
(\* before applicable taxes

3. Request from the Region of Durham that the Region of York affirm by Resolution its support for the Lake Simcoe Solution as Documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment  
[CARRIED ON A RECORDED VOTE]

Whereas the Council of the Region of Durham supports the Lake Simcoe Solution for the proposed servicing solution for the Upper York Sewage Solutions (UYSS) Environmental Assessment;

Now therefore be it resolved that the Region of Durham request that the Council of the Region of York affirm by resolution its support for the Lake Simcoe Solution as documented in the Upper York Sewage Solutions (UYSS) Environmental Assessment, and that the resolutions from York and Durham be circulated to the Premier, all MPPs in the Region of Durham and York Region, to the leaders of the opposition, and to the local municipalities in the Region of Durham.

- Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(389) That the recommendations contained in Items 1 and 2 of the 9<sup>th</sup> Report of the Works Committee be adopted.

CARRIED

- Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,  
(390) That the recommendations contained in Item #3 of the 9<sup>th</sup> Report of the Works Committee be adopted.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Ashe  
Councillor Barton  
Councillor Carter

No

Councillor Anderson  
Councillor Joe Neal  
Councillor Schummer

Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Members Absent: Councillor John Neal

Declarations of Interest: None

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

### 1. Follow Up Report including Regional Response to the Provincial Flooding Strategy (2020-COW-33)

---

[CARRIED]

- A) That in keeping with its constitutional responsibilities for managing flooding, the Province of Ontario should:
  - i) develop a detailed workplan identifying specific deliverables, leadership, partners and timelines for implementation of Ontario's Flooding Strategy; and
  - ii) clearly identify its multi-year financial commitment to supporting the workplan described above;
- B) That, where such workplans and commitments are developed by the province, the Region offer to share its expertise on provincially led multidisciplinary and/or cross-jurisdictional teams to update and develop related flood policies, guidance documents and programs;

- C) That Regional staff be directed to develop a proposed workplan and budget for the development of a Durham Region Flood Risk Management Strategy, with a focus on increasing property owner education and awareness of their role in the management of flood risks; and
- D) That a copy of Report #2020-COW-33 of the Chief Administrative Officer be forwarded to the Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation and Parks, the Association of Municipalities of Ontario (AMO), local area municipalities and conservation authorities (CAs) within Durham Region.

2. Proposed Treatment of the Cash Advance Provided to Community Housing Providers in Response to the COVID-19 Pandemic (2020-COW-34)  
[CARRIED]

That, to support the sustainability of Community Housing, the Community Housing Providers be advised that the Region will not recover the cash advances, in the total amount of \$2,863,581, provided on March 25, 2020 in response to the COVID-19 pandemic and that the Community Housing Providers be requested to invest the funds in their capital reserves if the funds are not required for pandemic response related purposes.

3. Report to Council with a Status Update on the Regional Recovery Framework and Action Plan (2020-COW-35)  
[CARRIED]

This item was considered earlier in the meeting. See pages 5 and 6 of these minutes.

Moved by Councillor Anderson, Seconded by Councillor Leahy,  
(391) That the recommendations contained in Items 1 and 2 of the 7<sup>th</sup> Report of the Committee of the Whole be adopted.

CARRIED

**10. Notice of Motions**

10.1 Regulatory Framework to Manage the Operation of Anaerobic Digestion Facilities  
[CARRIED ON A RECORDED VOTE]

Moved by Councillor Carter, Seconded by Councillor Mitchell,  
(392) Whereas the Ministry of the Environment, Conservation and Parks has recently released draft revisions to the Food and Organic Waste Policy Statement;

And Whereas, this policy requires diversion targets to be met for food and organic waste in Ontario;

And Whereas, anaerobic digestion is one technology that is available to assist in meeting these regulatory requirements;

And Whereas, the capture of methane biogas for conversion into renewable natural gas or other forms of energy will be a model for the future to create a carbon neutral resource from the residential organics stream and help mitigate the current climate crisis if properly regulated, developed and managed;

And Whereas, fulsome Provincial oversight and regulations are required to manage the operation of anaerobic digestion facilities to ensure that any potential impacts on neighbouring properties, including but not limited to odour, noise and traffic, are mitigated;

And Whereas, fulsome Provincial oversight and regulations are required to manage the impact on the environment including impacts associated with emissions to air, soil, surface water and groundwater;

And Whereas, as an emerging industry, numerous projects have been proposed in a short timeframe within the Province, including within the Regional Municipality of Durham;

And Whereas, it is important to ensure that public sector anaerobic digestion facilities and private sector anaerobic digestion facilities are evaluated against a common regulatory framework to ensure a consistent approach;

Now therefore be it resolved;

1. That the Council of the Regional Municipality of Durham requests the Ministry of the Environment, Conservation and Parks to develop a regulatory framework to manage the operation of anaerobic digestion facilities, whether public sector or private sector owned and operated, and apply a consistent approach across the Province in order to ensure host communities of these facilities are protected from land use planning and environmental impacts;
2. That the regulatory framework apply equally to public sector anaerobic digestion facilities and private sector anaerobic digestion facilities;
3. That the regulatory framework address land use planning matters, such as, but not limited to, odour, noise and traffic;
4. That the regulatory framework address environmental matters, such as, but not limited to, emissions to air, soil, surface water and groundwater and that the impacts are properly mitigated; and

5. That a copy of this resolution be forwarded to all Durham Area MPPs and all Durham area municipalities.

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

Moved by Councillor Foster, Seconded by Councillor Anderson,  
(393) That the main motion (392) of Councillors Carter and Mitchell be amended by adding the following as a new Part 5. and re-numbering the remainder accordingly:

5. That the Province be requested to amend section 6.0.1 of the Environmental Assessment Act to include anaerobic digestion facilities in the list of waste disposal sites that require the support of each local municipality in which the anaerobic digestion facility would be situated.

MOTION REFERRED TO STAFF  
ON A RECORDED VOTE  
(See Following Motion)

Moved by Councillor Smith, Seconded by Councillor Joe Neal,  
(394) That the amending motion (393) of Councillors Foster and Anderson be referred to staff for a report back to the Works Committee in February 2021.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Barton  
Councillor Carter  
Councillor Dies  
Councillor Drew  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Roy  
Councillor Schummer  
Councillor Smith  
Councillor Wotten

No

Councillor Ashe  
Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Foster  
Councillor McLean  
Councillor Pickles  
Councillor Ryan



Councillor Yamada  
Regional Chair Henry

Members Absent: None

Declarations of Interest: Councillor Marimpietri

The main motion (392) of Councillors Carter and Mitchell was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
Councillor Crawford	
Councillor Dies	
Councillor Drew	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor McLean	
Councillor Mitchell	
Councillor Mulcahy	
Councillor John Neal	
Councillor Joe Neal	
Councillor Nicholson	
Councillor Pickles	
Councillor Roy	
Councillor Ryan	
Councillor Schummer	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: None

Declarations of Interest: Councillor Marimpietri

10.2 Beaverton Supportive Housing Community Liaison Committee  
[CARRIED ON A RECORDED VOTE] [SEE PAGE 28 OF THE MINUTES]

Moved by Councillor Chapman, Seconded by Councillor Pickles,  
(395) Whereas at the meeting of October 28, 2020 Regional Council passed a motion that in part said:

“That in order to improve communication with area residents, a Beaverton Supportive Housing Community Liaison Committee be created, consisting of up to 10 local resident representatives selected by the Council of the Township of Brock, for the purpose of sharing information, identifying issues, concerns and mitigation strategies and to promote the successful integration of this project and its residents within the broader Brock community”;

And Whereas the Council of the Township of Brock has chosen not to support this project including not wishing to select representatives of the community to participate in a Beaverton Supportive Housing Community Liaison Committee;

And Whereas Regional Council believes a Beaverton Supportive Housing Community Liaison Committee created for the purpose of sharing information, identifying issues, concerns and mitigation strategies would greatly assist to promote the successful integration of this project and its residents within the broader Brock community;

Now therefore be it resolved that staff reach out to local Beaverton community groups such as, but not limited to the Legion, Lions Club, Board of Trade, Lakeview Manor Family Committee, Gillespie Gardens, the Library Board, Brock Community Health Centre and Local church groups to invite these groups to nominate a representative for a Beaverton Supportive Housing Community Liaison Committee; and

That the Beaverton Supportive Housing Community Liaison Committee have up to 10 members from the Brock community as noted above; it be co-chaired by the Director of Housing Services and a community member selected by the committee; and, meet at least monthly.

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

Moved by Councillor Joe Neal, Seconded by Councillor Schummer,  
(396) That the main motion (395) of Councillors Chapman and Pickles be amended by adding the following clause:

“That the Region not seek a Minister’s Zoning Order (MZO) and instead work with Brock Township to satisfy local concerns.”

MOTION RULED OUT OF ORDER  
LATER IN THE MEETING  
(See Following Motions)

Moved by Councillor Joe Neal, Seconded by Councillor Marimpietri,  
(397) That Council recess for 10 minutes.

CARRIED

Council recessed at 3:23 PM and reconvened at 3:33 PM

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

Chair Henry ruled the foregoing amending motion (396) of Councillors Joe Neal and Schummer out of order. He advised that the subject matter is confidential and deals with a matter that has been previously considered by Council.

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

Yes

Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Crawford  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Roy  
Councillor Ryan

No

Councillor Anderson  
Councillor Joe Neal  
Councillor Schummer

Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

The main motion (395) of Councillors Chapman and Pickles was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

Councillor Joe Neal

Members Absent: None

Declarations of Interest: None

10.3 Investigation of Sunnycrest Nursing Home

[CARRIED AS AMENDED ON A RECORDED VOTE] [SEE MOTIONS (400), (401) AND (402) ON PAGES 30 AND 31]

Moved by Councillor Yamada, Seconded by Councillor Mitchell,  
(398) That the Rules of Procedure be suspended in order to introduce a motion with respect to Sunnycrest Nursing Home.

CARRIED ON A 2/3rds VOTE

Moved by Councillor Yamada, Seconded by Councillor Mitchell,  
(399) Whereas COVID-19 continues to have disastrous affects in long-term care homes, retirement homes and congregate facilities in Durham and the rest of Ontario; and,

Whereas according to Durham Region Public Health, as of December 14, 2020, it was reported that 117 out of 118 residents at Sunnycrest Nursing Home had tested positive for COVID-19, 25 had died and 61 staff members who reside in Durham Region had also tested positive; and,

Whereas a media report states that an internal inspection report, completed on November 29, 2020, by the Ministry of Long-Term Care states that there was no designated COVID-19 screener wearing full PPE located at the front entrance of the building, and there was an improper use of PPE, a lack of hand hygiene, a lack of access to PPE, and food and high-risk medications for residents were up to 2 hours late, and further, that a lack of staff led to inadequate care; and,

Whereas on December 3, 2020, Lakeridge Health assumed temporary management of Sunnycrest Nursing Home through a Voluntary Management Contract approved by the Ministry of Health and Long-Term Care; and,

Whereas the Region of Durham Council and our residents offer our deepest condolences to the residents that have passed and their families, and send our best wishes for a speedy recovery to the residents and staff infected with COVID-19;

Now therefore be it resolved:

1. That the Council of the Region of Durham requests that the Provincial Government, through the ongoing Long-Term Care COVID-19 Commission, conduct an investigation into the failures of Sunnycrest Nursing Home, including the circumstances that led to the outbreak and deaths of residents, with opportunities for families to participate in the investigation, at an appropriate time; and,

2. That this motion be forwarded to the Premier of Ontario, the Ministers of Health and Long-Term Care, Leaders of the Opposition Parties for the Province of Ontario, Durham Region MPPs, local area municipalities, and the Long-Term Care COVID-19 Commission Members.

CARRIED AS AMENDED ON A RECORDED  
VOTE (See Following Motions)

Moved by Councillor Nicholson, Seconded by Councillor Anderson,  
(400) That the main motion (399) of Councillors Yamada and Mitchell be amended in Part 1 by deleting the words, “the ongoing long-term care COVID-19 Commission” and replacing them with the words, “a full public inquiry”.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Crawford  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Hight  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Pickles  
Councillor Schummer  
Councillor Smith  
Councillor Wotten  
Councillor Yamada

No

Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Kerr  
Councillor Mitchell  
Councillor Mulcahy  
Councillor Roy  
Councillor Ryan  
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

Moved by Councillor Carter, Seconded by Councillor Kerr,  
(401) That the main motion (399) of Councillors Yamada and Mitchell be amended in Part 1 by adding the words, “and ThorntonView Long Term-Care Home” following the words, “Sunnycrest Nursing Home”.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Crawford,  
(402) That the main motion (399) of Councillors Yamada and Mitchell be amended in Part 2 by deleting the word, "Members" and replacing it with the word, "Secretariat" so that it now reads as: "Long-Term Care COVID-19 Commission Secretariat".

CARRIED

The main motion (399) of Councillors Yamada and Mitchell was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

Councillor Ashe  
Councillor Barton

Members Absent: Councillor Collier  
Councillor Lee

Declarations of Interest: None

Moved by Councillor Marimpietri, Seconded by Councillor Joe Neal,  
(403) That Council recess for an hour.

CARRIED

Council recessed at 4:48 PM and reconvened at 5:48 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present with the exception of Councillors Collier and Crawford. Councillor Collier attended the meeting at 6:45 PM and Councillor Crawford attended the meeting at 6:14 PM.

10.4 Regulations for Indoor Recreational Facilities

[CARRIED UNANIMOUSLY ON A RECORDED VOTE]

Moved by Councillor Mitchell, Seconded by Councillor Smith

(404) That the Rules of Procedure be suspended in order to introduce a motion with respect to Provincial regulations for indoor recreational facilities.

CARRIED ON A 2/3rds VOTE

Moved by Councillor Mitchell, Seconded by Councillor Ashe,

(405) Whereas the Durham Region entered the Red Zone on November 23, 2020; and,

Whereas Red Zone O. Reg. 263/20 permits up to 10 people to participate in an indoor recreational facility class provided that a 2 metre physical distance can be maintained at all times; and,

Whereas Whitby Football Club (WFC), formerly Whitby Iroquois Soccer Club, has over 7,000 members and is the second largest soccer club in Ontario; and,

Whereas WFC operates two soccer domes - one with two full size fields and one with three full size fields; and,

Whereas WFC has responded to COVID-19 health concerns in multiple ways from the beginning of the pandemic, including installing continuous plastic dividers to separate the fields, by staggering start times and adding an extra 15 minutes between rentals to avoid congregating, by dedicated entrances and exits and by not allowing parents into the facility, in order to reduce numbers; and,

Whereas, as a result of these measures and practices, WFC has safely made soccer available for its members with 10 players per field since November 23, 2020; and,



Whereas other users of the WFC who have safely delivered programs in the domes during the COVID-19 pandemic include Whitby Minor Baseball, Durham Ultimate Frisbee, Whitby Cricket, Lady Blue Knights Lacrosse, Durham Rebels Volleyball, Rugby Ontario, Toronto Arrows Rugby Team (Professional), Team Canada Women's Softball, NSA Baseball, Edge Lacrosse, the Oshawa 65's, and the Durham District School Board (DDSB); and,

Whereas the provincial regulations have inequities and exemptions that unfairly discriminate against WFC in the delivery of its soccer programs and against other soccer organizations trying to deliver soccer programs in their domes; and

Whereas the DDSB currently use the fields in the WFC domes for physical education classes in excess of 10 participants per field; and,

Whereas professional teams are exempt from the requirements of Regulation 263/20; and,

Whereas it is generally understood that the pandemic is having a negative impact upon the physical and mental health of children, teens and adults of all ages which can be mitigated in part by recreational activities like soccer; and,

Whereas Olympic athletes, including the Canadian National Softball Team and Canadian sprinters and hurdlers are permitted to use the same soccer fields for training at numbers in excess of the gathering limits applied to soccer; and,

Whereas it is in the best interests of the public that the COVID-19 regulations result in outcomes that are reasonable in application and equitable in outcome; and,

Whereas the Red Zone restriction provides no appeal mechanism to redress unreasonable and inequitable outcomes resulting from the strict wording of the regulations; and,

Whereas Durham Public Health officials advise they have no residual discretion to redress unreasonable and inequitable outcomes resulting from the strict wording of the regulations; and,

Whereas only allowing 10 players per dome is causing extreme economic hardship to WFC that threatens its ability to continue to operate;

Now therefore be it resolved:

1. That the Council of the Region of Durham requests the Province of Ontario to amend Red Zone O. Reg. 263/20 to allow sports and recreation programs delivered on full size fields in domes to have 10 players per field; and,
2. That the Clerk be directed to circulate this resolution to the Premier of Ontario, the Minister of Health, all Durham MPPs, all Durham Region local area municipalities, and to the Region of Durham's Medical Officer of Health.

CARRIED UNANIMOUSLY ON THE  
FOLLOWING RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Carter	
Councillor Chapman	
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 Ryan	
Councillor Schummer	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Collier  
Councillor Crawford

Declarations of Interest: None

**11. Unfinished Business**

- 11.1 Private Request for a Minister's Zoning Order to Permit a Home Hardware Building Centre in the Rural Area at the Southeast Corner of Rundle Road and Regional Highway 2 in the Municipality of Clarington (2020-P-25)  
[NEW RECOMMENDATION CARRIED ON A RECORDED VOTE] [SEE MOTION (407) ON PAGE 35]

Moved by Councillor Marimpietri, Seconded by Councillor Lee,

- (406) A) That Regional Council advise the Minister of Municipal Affairs and Housing that it does not support the use of a Minister's Zoning Order to permit the establishment of a Home Hardware Building Centre in the rural area at the southeast corner of Rundle Road and Highway 2 in the Municipality of Clarington; and
- B) That a copy of Report #2020-P-25 of the Commissioner of Planning and Economic Development be forwarded to the Municipality of Clarington.

MOTION WITHDRAWN  
(See Following Motion)

Moved by Councillor Foster, Seconded by Councillor Anderson,

- (407) That Regional Council advise the Minister of Municipal Affairs and Housing that it supports the use of a Ministers Zoning Order to permit the establishment of a Home Hardware Building Centre in the rural area at the south east corner of Rundle Road and Highway 2 in the Municipality of Clarington.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Crawford  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Marimpietri  
Councillor Mitchell

No

Councillor Dies  
Councillor Lee  
Councillor McLean  
Councillor John Neal  
Councillor Nicholson  
Councillor Smith

Councillor Mulcahy  
Councillor Joe Neal  
Councillor Pickles  
Councillor Roy  
Councillor Ryan  
Councillor Schummer  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

## 12. Other Business

### 12.1 Response to November 25, 2020 Notice of Motion regarding Minister's Zoning Orders (2020-P-30)

---

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Joe Neal, Seconded by Councillor Foster,  
(408) Whereas increasingly applicants are requesting Minister's Zoning Orders in order to bypass the public planning process and to expedite development projects;

Whereas there is no defined MZO process to ensure that the appropriate technical issues are fully addressed before an MZO is enacted; and

Whereas Regional Council wishes to ensure that all planning-related decisions affecting lands in the Region of Durham are sound and in the public interest;

Now therefore be it resolved that:

1. Durham Region request that the Minister of Municipal Affairs and Housing to define what are matters of Provincial priority for consideration of MZO's;
2. Durham Region request that the Minister of Municipal Affairs and Housing to clarify when MZO's will (and will not) be used to expedite development, and to clarify what safeguards can and will be put in place to ensure that future land use decisions made by way of an MZO represent good planning and are in the public interest;

3. That the Minister consult with the upper tier municipalities during the consideration of any MZO that affects land in the Region. Since any new development affects Regional infrastructure, (i.e. sewer, water, roads), this consultation with the Region is imperative;
4. That the Minister consider whether the proposal conforms to provincial planning policy and consider whether the proposed development would adversely affect any matter of provincial interest set out in Section 2 of the Planning Act;
5. That the Minister consider whether the proposal conforms to Regional planning policy and facilitates uses that advance Provincial and regional priorities;
6. That the Minister consider whether new development permitted by an MZO adversely affects uses in the vicinity of the area;
7. That the Minister assess whether the project is “shovel-ready” and will be constructed in a timely manner. In that regard, the MZO could include a lapsing provision so that if a building permit has not been issued for the proposal within a specified timeframe, the MZO could be repealed;
8. That prior to the issuance of an MZO, the required technical studies have been, or will be, completed to demonstrate there will not be any unacceptable impacts on the natural environment;
9. That prior to the issuance of an MZO, the required technical studies have been, or will be, completed to demonstrate that the Regional infrastructure is sufficient to accommodate the proposal, and where necessary that a development agreement has been executed prior to the enactment of the MZO to secure the necessary infrastructure works and ensure that any fiscal impacts on the Region have been addressed;
10. That the affected municipality/municipalities be reimbursed by the proponent for time spent by municipal staff on the basis that a significant amount of staff time is required to assist affected Councils when considering MZO requests, to compensate for the foregone planning application fee revenue that would otherwise have been collected; and
11. That a copy of this resolution be forwarded to all local area municipalities in Durham Region.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Anderson  
Councillor Ashe  
Councillor Barton  
Councillor Carter  
Councillor Chapman  
Councillor Collier  
Councillor Dies  
Councillor Drew  
Councillor Foster  
Councillor Highet  
Councillor Kerr  
Councillor Leahy  
Councillor Lee  
Councillor Marimpietri  
Councillor McLean  
Councillor Mitchell  
Councillor Mulcahy  
Councillor John Neal  
Councillor Joe Neal  
Councillor Nicholson  
Councillor Ryan  
Councillor Schummer  
Councillor Smith  
Councillor Wotten  
Councillor Yamada  
Regional Chair Henry

No

Councillor Pickles

Members Absent: Councillor Crawford  
Councillor Roy

Declarations of Interest: None

12.2 Pickering-Uxbridge Broadband Fibre Trunk Project (2020-EDT-11)  
[CARRIED]

---

Moved by Councillor Pickles, Seconded by Councillor Barton,  
(409) A) That staff be directed to proceed with the Pickering-Uxbridge  
Broadband Fibre Trunk Project, being a component of the Region's  
planned Regional Broadband Network, for which the majority of  
project costs are eligible for reimbursement through the Investing in  
Canada Infrastructure Program under the Local Government Stream;

- B) That a negotiated single source consulting services agreement be awarded to IBI Group for the design, engineering, project management and/or construction oversight of the Pickering/Uxbridge Broadband Fibre Trunk Project, at a value not to exceed \$350,000;
- C) That authorization be provided to procure, through either competitive process or single source negotiations, critical long-lead time materials for the Pickering-Uxbridge Broadband Fibre Trunk Project, including fibre-optic cable, at a total combined value not to exceed \$500,000;
- D) That financing be drawn from available 2020 sources, including if necessary, the Capital Impact Stabilization Reserve Fund, at the discretion of the Commissioner of Finance;
- E) That the Commissioner of Finance be authorized to execute all necessary agreements and ancillary documents necessary to give effect to the Pickering-Uxbridge Broadband Fibre Trunk Project; and
- F) That a copy of Report #2020-EDT-11 of the Commissioner of Planning and Economic Development be forwarded to the Area Municipalities.

CARRIED

### **13. Announcements**

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

Regional Chair Henry announced that January 17, 2021 will be proclaimed as World Religion Day in Durham Region. This event serves to enrich the Regional community by raising awareness of the world's religions, commonalities and celebrating diversity.

### **14. By-laws**

55-2020 Being a by-law to authorize the Chair and Treasurer of The Regional Municipality of Durham to borrow from time to time by way of promissory notes, such sum or sums at any one time not exceeding the total amount of \$500,000,000 to meet current expenditures including liabilities of The Regional Municipality of Durham for the year 2021.

This by-law implements the recommendations contained in Item #1 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

56-2020 Being a by-law to requisition, on an interim basis, from the lower-tier municipalities before the adoption of the 2021 Regional estimates, a sum equal to fifty percent of the taxes requisitioned for Regional purposes made by the Regional Council against the lower-tier municipalities for all property classes in the year 2020.

This by-law implements the recommendations contained in Item #2 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

57-2020 Being a by-law to approve and adopt the 2021 Business Plans and Budgets for Water purposes in the amount of \$153,588,765.

This by-law implements the recommendations contained in Item #3 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

58-2020 Being a by-law to approve and adopt the 2021 Business Plans and Budgets for Sanitary Sewage purposes in the amount of \$233,741,043.

This by-law implements the recommendations contained in Item #3 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

59-2020 Being a by-law to amend the by-law respecting the Water Supply System in the Regional Municipality of Durham and the establishment of water rates and water charges and being By-law No. 89-2003 of The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #4 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

60-2020 Being a by-law to amend the by-law respecting the Water Pollution Control System and the Storm Sewer System in the Regional Municipality of Durham and the establishment of sewer surcharge rates and sewer charges and being By-law No. 90-2003 of The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #4 of the 9<sup>th</sup> Report of the Finance & Administration Committee presented to Regional Council on December 16, 2020

Moved by Councillor Ashe, Seconded by Councillor Lee,  
(410) That By-law Numbers 55-2020 to 60-2020 inclusive be passed.

CARRIED



**15. Confirming By-law**

61-2020 Being a by-law to confirm the proceedings of Regional Council at their meeting held on December 16, 2020.

Moved by Councillor Ashe, Seconded by Councillor Lee,  
(411) That By-law Number 61-2020 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on December 16, 2020 be passed.

CARRIED

**16. Adjournment**

Moved by Councillor Ashe, Seconded by Councillor Yamada,  
(412) That the meeting be adjourned.

CARRIED

The meeting adjourned at 7:23 PM

Respectfully submitted,

---

John Henry, Regional Chair & CEO

---

Ralph Walton, Regional Clerk