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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, September 29, 2021

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.

Chair Henry acknowledged that tomorrow will be the first national Day for Truth and Reconciliation. He added that it is a day of reflection to recognize the tragic history of loss and suffering and the ongoing effects of Canada's residential school system.

He advised that Durham Region is home to approximately 13,000 indigenous people and also has a large Metis and a growing Inuit community. He added that this is a day of action towards reconciliation and that much more work is needed from the Region and all levels of government. He stated that the Region is committed to play its part in responding to the Truth and Reconciliation Commission's calls for action. Chair Henry advised that he will be asking Council to recess at 10:30 AM for one hour to allow members of Council to attend various events taking place throughout the Region, including a drum circle being held at Regional Headquarters, in recognition of the Day for Truth and Reconciliation.

Mayor Ryan spoke to the passing of John (Jack) Anderson, former Mayor of Pickering and Regional Councillor. Mayor Ryan noted that Mr. Anderson was a well-respected Mayor who was instrumental in the development of the Pickering City Hall complex and was a visionary who advocated for a downtown core in the City, and that the work continues in his honour. Mayor Ryan acknowledged Mr. Anderson's contributions to the City and extended condolences to his family.

2. Roll Call

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

Councillor Anderson
Councillor Ashe
Councillor Carter, left the meeting at 2:50 PM
Councillor Chapman, left the meeting at 3:10 PM
Councillor Collier
Councillor Crawford
Councillor Dies, left the meeting at 3:50 PM
Councillor Drew
Councillor Foster
Councillor Grant, left the meeting at 2:17 PM
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal, left the meeting at 4:03 PM on municipal business
Councillor Joe Neal
Councillor Nicholson
Councillor Roy, left the meeting at 10:23 AM
Councillor Ryan
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.

3. Declarations of Interest

Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to Report #2021-COW-22: Application for Mixed Waste Pre-Sort and Anaerobic Digestion Facility Project Capital Funding through the Federal Government's Clean Fuels Fund 2021 Call for Proposals, and any confidential attachments related to the report. He indicated that he has family members who reside in an area potentially affected by a facility of this type.

Councillor Collier made a declaration of interest under the Municipal Conflict of Interest Act with respect to Report #2021-DRT-23: Repeal and Replacement of Durham Region Transit By-law No. 70-2019, as amended. He indicated that his conflict is with respect to Section 9 of the By-law as it relates to the proposed revisions to the compensation for the Chair of the Transit Executive Committee in that he is the current chair of the Committee.

4. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Smith, (191) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on June 23, 2021;
- Regular Committee of the Whole meeting held on September 15, 2021;
- Closed Committee of the Whole meeting held on September 15, 2021; and
- Closed Committee of the Whole meeting held on September 15, 2021.

CARRIED

5. Presentations

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

Councillor Drew, Chair of the Durham Regional Police Services Board (DRPSB) provided introductory remarks and outlined priorities for the Board from a governance perspective including the action plan to enhance trust and confidence in the DRPS, body worn cameras, addressing calls related to mental health, the selection of the next chief of police, and the budget process.

Chief Todd Rollauer, Durham Regional Police Services (DRPS) appeared before Council to provide an operational update on the DRPS. A copy of the presentation was provided to members prior to the meeting. Highlights of the presentation included:

- Youth Advisory Committee and Youth in Policing
- Body Worn Cameras – went live September 16, 2021
 - An explanatory video was shown
- Calls for Service
- Reported Crime
- Gun Crime
- Project Econoline – Targeting fentanyl trafficking and supporting the Durham Region Opioid Response Plan
- Firearm Offences
- Firearm Discharges/Shootings
- Crime Guns Seized
- Mental Health Calls

- Reopening Ontario Act
- Durham Regional Police Service Facilities
- Municipal Council Engagement
- Thank you to Durham Public Health

Chief Rollauer responded to questions from the members of Council.

Moved by Councillor Anderson, Seconded by Councillor John Neal,
(192) That Council recess for one hour.

CARRIED

Council recessed at 10:23 AM and reconvened at 11:32 AM.

The Regional Clerk conducted a roll call following the recess and all members of Council were present with the exception of Councillors McLean and Roy.

Chief Rollauer responded to additional questions from the members of Council following the recess.

Councillor Drew thanked Council for their questions and Chief Rollauer for his responses. She added that the Chief has done an exceptional job and will continue to do so until a new Chief is appointed. She noted that they are waiting for the provincial oversight body to come to a decision prior to appointing a new Chief. She added that the related online survey will be posted by late October and a report should be available in January.

Chair Henry thanked the officers and civilian staff for their support, especially during a time when the rules keep changing. He also acknowledged retirees from DRPS who continue their work in the community.

6. Delegations

6.1 Dr. Mark Katz re: The Clinical and Support Needs of Clients of the Beaverton Supportive Housing Proposal

Dr. Mark Katz provided a delegation with regards to the Clinical and Support Needs of Clients of the Beaverton Supportive Housing Proposal. A copy of his presentation material was provided to members prior to the meeting.

Dr. Katz advised that he is a Psychiatrist with 29 years of clinical experience including interfacing with homeless clients in crises, and he is a recent resident of Beaverton. Dr. Katz added that he conducted a literature review in preparation for this presentation.

Dr. Katz spoke to the permanent supportive housing proposal to build a 50 unit single site model in Beaverton, with a housing first model of support with no expectations of sobriety or acceptance of psychiatric treatment required. He

stated that there has been very little research done on single site models and there are other models that have proven to be more successful including transitional housing.

He stated that the proposal seeks to put 50 units in a relatively small community and added that Beaverton has no existing mental health or substance use supports; no primary care physician, only a part time community health clinic with nurse practitioners; limited EMS supports nearby; the nearest hospitals are 45-50 minutes away; and there is a lack of community support for the supportive housing proposal.

Dr. Katz advised that the population to be housed in the proposed development have high rates of mental illness, alcohol, opioid and stimulant addictions, which can result in behavioural disturbances, psychosis, and inadvertent overdose or death.

Dr. Katz advised that he has had discussions with experts and is of the opinion that required supports for the Beaverton Supportive Housing are as follows: nursing to support various needs; support workers to help with day to day living challenges; security supports who are trained in non-violent crisis intervention, conflict resolution, and mental health emergencies; case management to provide employment support; recreation therapy and programming; teams to help those with mental illness.

Moved by Councillor Smith, Seconded by Councillor Anderson,
(193) That Dr. Katz be granted a one-time two minute extension to finish his delegation.

CARRIED

Dr. Katz stated that without intensive onsite supports the Region is risking adverse outcomes including overdoses, deaths, medical emergencies, behavioural disturbances and violence, ostracization and stigmatizing of clients, rather than community engagement. He inquired whether the Region is prepared to budget for and provide the services required to make this proposal work.

Dr. Katz recommended that the Region: delay construction of the project, set up a working group with external expert membership and persons with lived experience with homelessness, develop the staffing requirements and operational budget for supports, secure the funds for the operational budget, engage the town of Beaverton and Brock Township, and develop a phased-in strategy and valid indicators of success or failure.

Dr. Katz responded to questions from the members of Council.

7. Reports related to Delegations/Presentations

There are no reports related to Delegations/Presentations.

8. Communications

CC 19 Correspondence from Association of Municipalities Ontario re: Municipal Support for Truth and Reconciliation

Moved by Councillor McLean, Seconded by Councillor Foster,
(194) That the following resolution from the Association of Municipalities Ontario regarding Municipal Support for Truth and Reconciliation be endorsed:

Whereas the Truth and Reconciliation Commission released its final report on June 2, 2015 which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

And Whereas all Canadians and all orders of government have a role to play in reconciliation;

And Whereas Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

And Whereas the Federal Government has announced September 30th, 2021 as the first National Orange Shirt Day and a statutory holiday;

Therefore Be it Resolved That the Council of the Regional Municipality of Durham does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

CARRIED

CC 20 Correspondence from the Township of Scugog re: Council Appointment to Kawartha Conservation Authority

Moved by Councillor Drew, Seconded by Councillor Smith,
(195) That Councillor Robert Rock be appointed as the Township of Scugog's representative to the Kawartha Conservation Authority, replacing Councillor Angus Ross, for the remainder of the 2018 – 2022 term of Council.

CARRIED

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

CARRIED

Council recessed at 12:55 PM and reconvened at 1:10 PM

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

9. Committee Reports and any related Notice of Motions

9.1 Report of the Finance and Administration Committee

1. Charles H. Best Diabetes Centre Community Investment Grant Request

(2021-F-21)

[CARRIED]

- A) That a Community Investment Grant of \$340,125, representing 7.5 per cent of the \$4.535 million eligible capital budget, be approved, in principle, to Charles H. Best Diabetes Centre (Best Centre) for the capital expansion of their current facility in order to provide the necessary community support needed for the project to obtain grant funding from senior levels of government;
- B) That the final approval, along with any disbursements of funds, be subject to the submission of final capital construction cost estimates and be conditional on both the proposed project remaining as detailed in their submission to the Region and the project receiving sufficient funding from other sources that will allow for project completion;
- C) That, subject to the satisfaction of approval conditions, a funding agreement be established between the Region of Durham and the Best Centre outlining the following terms and condition of payment:
 - Milestones to be achieved over the term of the agreement
 - Amount and timing of payment after milestone completion
 - Annual project reporting
 - Recognition of funding from the Region of Durham; and
- D) That the Regional Chair and Regional Clerk be authorized to execute the funding agreement.

2. 2022 Regional Business Plans and Property Tax Supported Budget Guideline

(2021-F-20)

[CARRIED ON A RECORDED VOTE] [SEE MOTION (198) AND PAGES 14 AND 15]

- A) That the following detailed direction and guidelines for the 2022 Business Plans and Budgets for the Durham Regional Police Services Board, Conservation Authorities, Regional Operations and other Outside Agencies be approved:

- i. The 2022 Property Tax Guideline not exceed an overall tax impact of 2.0 per cent compared to the 2021 approved budget with an additional 0.25 per cent dedicated to the Durham Regional Police Services Board to fund the incremental costs for year two of the body worn camera implementation and other strategic priorities of the Durham Regional Police Services Board and a further 0.25 per cent dedicated to fund future healthcare investments under the Region's Community Investment Grant Policy;
 - ii. The 2022 Business Plans and Budget for the Durham Regional Police Services Board not exceed \$230.67 million, an increase of 3.35 per cent compared to the 2021 approved budget plus an additional \$1.81 million to fund the incremental costs for year two of the body worn camera implementation (\$531,860) and other strategic priorities of the Durham Regional Police Services Board (\$1.28 million); and
 - iii. The 2022 Operating Budget for each Conservation Authority not exceed an increase of 2.5 per cent, plus or minus any current value assessment adjustments, and the 2022 Special Benefitting Programs Budget for each Conversation Authority not exceed an increase of 1.5 per cent, plus or minus any current value assessment adjustments, compared to the 2021 approved budget;
 - B) That the preliminary timetable for the 2022 Regional Business Plans and Budgets be approved, as outlined in Attachment #2 to Report #2021-F-20 of the Commissioner of Finance, which includes the following key dates:
 - i. December 22, 2021 – final Regional Council approval of the 2022 Water Supply and Sanitary Sewerage Business Plans and Budgets;
 - ii. February 23, 2022 – final Regional Council approval of all 2022 Property Tax Supported Business Plans and Budgets; and
 - C) That copies of Report #2021-F-20 be forwarded to the Durham Regional Police Services Board, Durham Region Transit Commissioner, Conservation Authorities, Durham Regional Local Housing Corporation, and other Outside Agencies to guide the development of detailed 2022 Business Plans and Budgets.
3. Appointment of the Regional Fire Coordinator and Deputy Fire Coordinator [\(2021-A-15\)](#)

[CARRIED]

- A) That Scugog Fire Chief Mark Berney be appointed Regional Fire Coordinator effective August 1, 2021;
 - B) That Pickering Deputy Fire Chief Stephen Boyd be re-appointed Deputy Regional Fire Coordinator, effective August 1, 2021; and
 - C) That honoraria for these positions be provided as per the annual Regional budget.
4. Authorization to Extend the Agreement with CompuCom Canada for Provision of Desktop Computers and Monitors, Laptops, Tablets and Related Services (2021-A-16)
[CARRIED]
- A) That a single source extension to the agreement with CompuCom Canada Ltd. for the provision of Desktop Computers and Monitors, Laptops, Tablets and related services, for twelve (12) months from November 7, 2021 to November 7, 2022, at a total estimated cost of \$2,000,000 to be funded from the Region's approved annual Business Plans and Budget, be approved on the same terms and conditions; and
 - B) That the Commissioner of Finance be authorized to execute any related, required agreements and amendment agreements.
5. Extension of McAfee Security/Encryption Standardization (2021-A-17)
[CARRIED]
- That the McAfee suite of security products be approved as the corporate standard for the security and protection of the Region's information technology assets for a 3-year term in order to ensure uniformity within and across the Region's information technology assets.
6. Appointment of a Youth Member to the Durham Region Roundtable on Climate Change (DRRCC) (2021-A-18)
[CARRIED]
- That Peter Cohen, member of Climate Justice Durham, be appointed to the Durham Region Roundtable on Climate Change (DRRCC) as a citizen at-large youth member.
7. The Issuance of Debentures on Behalf of the City of Pickering, the City of Oshawa, the Township of Uxbridge, and The Regional Municipality of Durham ("Region") (2021-F-19)
[CARRIED]
- A) That the Commissioner of Finance be authorized to issue external debentures, in a total principal amount not to exceed \$80,935,000 on

behalf of the City of Pickering, the Township of Uxbridge, and the Region over various terms, as set out below, with such terms not to exceed 20 years and at an average net yield not to exceed 5.00 per cent relating to the financing requirements as indicated below:

	<u>Amount</u> (Not to Exceed)	<u>Term</u> (Not to Exceed)
<u>City of Pickering</u>		
Construction of a New Fire Station and Headquarters on Zent Drive	\$8,978,000	20 Years
Chestnut Hill Developments Recreational Complex - Lobby & Core Area Renovations – Construction	\$5,600,000	20 Years
Fire Pumper Rescue Replacement Project	<u>\$990,000</u>	15 Years
Subtotal City of Pickering	<u>\$15,568,000</u>	
<u>Township of Uxbridge</u>		
Aerial Apparatus	<u>\$1,500,000</u>	10 Years
<u>The Regional Municipality of Durham</u>		
Durham Regional Police Services – Clarington Phase 2 Complex	\$63,867,000	10 Years
TOTAL EXTERNAL DEBENTURE REQUIREMENTS	<u>\$80,935,000</u>	

- B) That authorization be given to issue an internal debenture for and on behalf of the City of Oshawa in an amount of \$2,442,000 on the basis that the City of Oshawa will purchase the Oshawa Debenture using reserve funds of the City of Oshawa as requested by the City;
- C) That the Commissioner of Finance be authorized to amend the proposed terms and conditions of the external debenture issue as deemed necessary by the Fiscal Agents in order to successfully market the issue to prospective investors on the basis that the Region may purchase all or part of the debentures; and
- D) That the Region be authorized to issue the external debentures through CDS Clearing and Depository Services Inc.'s "Book Entry Only" system.

8. Public Process for the Proposed Amendments to Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law No. 38-2019 (2021-F-22)

[CARRIED]

- A) That the Statutory Public Meeting of Regional Council, as required by the Development Charges Act, 1997 be held on October 27, 2021 in the Regional Council Chambers, or virtually if required by public health guidelines, at the beginning of the regular Regional Council meeting to consider the proposed amendments to the Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law No. 38-2019 in order to align this by-law with the changes to the Development Charges Act, 1997 and to update the capital cost estimates;
- B) That the proposed Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law Amendments and Background Study, as required by the Development Charges Act, 1997, be released to the public at no charge upon request to the Regional Clerk's Department, commencing October 12, 2021;
- C) That staff be authorized to place appropriate notification in newspapers of sufficient general circulation in Durham Region and the Regional website setting forth the date, time, location and purpose of the Statutory Public Meeting and the date and contact for the release of the proposed Development Charge By-law amendment and Background Study;
- D) That the consulting firm of Watson & Associates Economists Ltd. and legal firm of WeirFoulds LLP be retained to assist staff with the preparation of the Development Charge Background Study and amending By-law at a cost of up to \$20,000, to be financed from the Seaton Area Specific Development Charges Reserve Fund (50% from the Water Supply ASDC and 50% from the Sanitary Sewer ASDC); and
- E) That the Commissioner of Finance be authorized to execute the necessary agreements.

9. Authorization to Undertake a Comprehensive Review and Update of the Region's Transit Development Charge By-law (2021-F-23)

[CARRIED]

- A) That a comprehensive review and update of the Region's Regional Transit Development Charge By-law and related policies and the subsequent preparation of the new Development Charges By-law for consideration in the spring of 2022 as required by legislation, be undertaken;

- B) That the following outside consulting and legal services be retained, at an estimated cost not to exceed \$180,000, to provide the technical expertise with the preparation of the Regional Transit Development Charge By-law and Background Study as follows:
- i. The consulting firm of Watson & Associates Economists Ltd. be retained to assist with the development of the Regional Transit Development Charge Background Study, including the residential and non-residential planning forecasts and policy framework;
 - ii. The legal firm of WeirFoulds LLP be retained to prepare the new Regional Transit Development Charge By-law, ensuring the new by-law complies with the requirements of the Development Charges Act; and
 - iii. The consulting firm of HDR Inc. be retained to provide the technical expertise with the preparation of the ridership forecasts and capacity for all modes of transit, the planned level of service for the ten-year forecast period, and detailed service analysis necessary to support the Regional Transit Development Charge Study;

- C) That the cost of these external consulting and legal services expenditures, in the estimated amount of up to \$180,000, be financed as follows:

Development Charge Studies Reserve Fund	\$123,480	68.6%
Property Taxes	<u>56,520</u>	31.4%
Total	<u>\$180,000</u>	

With the property tax portion to be funded at the discretion of the Commissioner of Finance; and

- D) That the Commissioner of Finance be authorized to execute the necessary agreements.

10. Financing Update for 2021 Approved Investing in Canada Infrastructure Program (ICIP) – Public Transit Stream Projects (2021-F-24)
[CARRIED]

That the following updated gross costs and financing for 2021 Highway 2 Bus Rapid Transit be approved:

	Gross Cost	Financing				
		ICIP Grant Funding	Roads Residential	Roads Commercial	Regional Roads Reserve	Transit Capital Reserve
			Development Charges	Development Charges		
Pickering Median BRT						
Property	11,700,000	-	7,616,700	870,480	2,393,820	819,000
Design/Utility/Construction	8,250,000	6,049,725	1,432,379	163,700	450,176	154,020
Subtotal	19,950,000	6,049,725	9,049,079	1,034,180	2,843,996	973,020
Ajax/Whitby/Oshawa BRT						
Property	9,000,000	-	3,769,150	430,760	1,184,590	3,615,500
Design/Utility/Construction	4,000,000	2,933,200	432,001	49,372	135,772	449,655
Subtotal	13,000,000	2,933,200	4,201,151	480,132	1,320,362	4,065,155
Total	32,950,000	8,982,925	13,250,230	1,514,312	4,164,358	5,038,175

Moved by Councillor Foster, Seconded by Councillor Collier,
(197) That the recommendations contained in Items 1, 3, 5, 6, and 8 to 10 of Report #7 of the Finance and Administration Committee be adopted.
CARRIED

Moved by Councillor Foster, Seconded by Councillor Collier,
(198) That the recommendations contained in Item #2 of Report #7 of the Finance and Administration Committee be adopted.
CARRIED ON A RECORDED VOTE
LATER IN THE MEETING
(See Following Motions)

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(199) That the recommendations contained in Part A) i) of Item #2 of Report #7 of the Finance and Administration Committee be amended so that the 2022 Property Tax Guideline not exceed an overall tax impact of 1.0 per cent.
MOTION DEFEATED ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor John Neal
Councillor Joe Neal

No
Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Grant
Councillor Hight

Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Ryan
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Marimpietri
Councillor Roy

Declarations of Interest: None

The main motion (198) of Councillors Foster and Collier to adopt the recommendations contained in Item #2 of Report #7 of the Finance and Administration Committee 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 Grant
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles

No

Councillor John Neal
Councillor Joe Neal

Councillor Ryan
Councillor Smith
Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Roy
Councillor Yamada

Declarations of Interest: None

Moved by Councillor Foster, Seconded by Councillor Collier,
(200) That the recommendations contained in Item #4 of Report #7 of the
Finance and Administration Committee be adopted.

CARRIED

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

CARRIED

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

1. Correspondence from the City of Pickering re: Resolution passed at their Council Meeting held on June 28, 2021, endorsing 988, a National three-digit suicide and crisis hotline

[CARRIED]

- A) That the correspondence from the City of Pickering re: Resolution passed at their Council Meeting held on June 28, 2021, endorsing 988, a National three-digit suicide and crisis hotline be endorsed; and
- B) That Durham MPs, MPPs, the Canadian Radio-television and Telecommunications Commission, Ministers of Health (provincial and federal), Minister of Mental Health and Addictions, all Durham Region Post-Secondary Education partners, Durham Regional Police Services, Emergency Management Services, Lakeridge Health and Pinewood Centre of Lakeridge Health, be so advised.

2. Updated Durham Advisory Committee on Homelessness Terms of Reference (2021-SS-9)

[CARRIED]

That the updated Terms of Reference for the Durham Advisory Committee on Homelessness be adopted.

Moved by Councillor Chapman, Seconded by Councillor Pickles,
(202) That the recommendations contained in Items 1 and 2 inclusive of Report #6 of the Health and Social Services Committee be adopted.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor Smith,
(203) That the delegation from Dr. Katz with respect to The Clinical and Support Needs of Clients of the Beaverton Supportive Housing Proposal be referred to staff for a formal response.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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

No

Councillor Chapman
Councillor Mitchell
Councillor Pickles

Members Absent: Councillor Roy

Declarations of Interest: None

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

1. Durham Environmental Advisory Committee (DEAC) Post-Secondary Student Membership Appointment (2021-P-22)
[CARRIED]

That Anish Panday be appointed as a Post-Secondary Student member to the Durham Environmental Advisory Committee.

2. Appointment of DEAC Representative on the Friends of Second Marsh Board of Directors
[CARRIED]

That Susan Clearwater be appointed as the Durham Environmental Advisory Committee representative on the Friends of Second Marsh Board of Directors.

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,
(204) That the recommendations contained in Items 1 and 2 inclusive of Report #6 of the Planning and Economic Development Committee be adopted.
CARRIED

9.4 **Report of the Works Committee**

1. Correspondence received from the Town of Ajax, dated June 24, 2021, re: Provincial Road Safety
[CARRIED]

That the following resolution from the Town of Ajax dated June 24, 2021, re: Provincial Road Safety be endorsed:

WHEREAS Vision Zero is an approach to road safety thinking based on the premise that no loss of life resulting from a motor vehicle collision is acceptable, and has been adopted by municipalities across Canada and around the world, including Durham Region, to inform their Durham Vision Zero Strategic Road Safety Action Plan;

AND WHEREAS as part of Vision Zero Canada's mission, using Vision Zero as a guiding principle, safety is prioritized over factors such as cost, speed, delay, level of service, and convenience - factors upon which decisions were traditionally made;

AND WHEREAS the Canadian Council of Motor Transportation Administrators (CCMTA) is the custodian of the *Road Safety Strategy 2025*, which encourages all road safety stakeholders to make Canada's roads the safest in the world and adopts a "safe systems approach", a key component of Vision Zero;

AND WHEREAS the Ontario Good Roads Association (OGRA) has repeatedly requested the Province of Ontario to establish a Provincial Vision Zero Strategy;

AND WHEREAS following a City of Mississauga Council endorsement of the OGRA request and letter to the Minister of Transportation, the Minister indicated that the Province supports federal measures for road safety, but did not address a provincial Vision Zero strategy. The request by OGRA and Mississauga has since been reinforced by a motion of Peel Region Council;

AND WHEREAS all local and regional Vision Zero strategies would be better supported, more consistent and effective with provincial buy-in and a dedicated provincial strategy in place. For example, current automated speed enforcement (ASE) regulations only permit installation in community safety zones and school zones, without the ability for municipalities to strategically utilize ASE equipment in a timely way to collect data in support of Vision Zero goals;

NOW THEREFORE BE IT RESOLVED THAT:

1. Ajax Council affirm their support for Durham Region's Vision Zero goals and the Durham Vision Zero Strategic Road Safety Action Plan;
 2. Ajax Council requests that the Province of Ontario take immediate steps to consult on a province-wide Vision Zero strategy framework;
 3. Ajax Council requests that the Province of Ontario amend the Automated Speed Enforcement regulations under the *Highway Traffic Act* to allow for greater flexibility for the use of ASE by Ontario municipalities;
 4. This request be shared with the Region of Durham and local Durham municipalities for their support; and
 5. This motion be distributed to the Hon. Caroline Mulroney, Minister of Transportation, and Rod Phillips, MPP for Ajax.
2. Expropriation of Lands Required for the Proposed Regional Road 3 Rehabilitation Project from 75 metres East of Townline Road to 150 metres East of Enfield Road (Regional Road 34) in the Municipality of Clarington [\(2021-W-28\)](#)
-
- [CARRIED]
- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary for the property requirements related to the proposed Regional Road 3 Rehabilitation project (Project) along Regional Road 3 as depicted in Attachment #1,

Attachment #2, and Attachment #3 of Report #2021-W-28 of the Commissioner of Works and as such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the Project;

- B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation C) in Report #2021-W-28, including the Notices of Application of Approval to Expropriate;
 - C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation A) in Report #2021-W-28, and to forward to the Chief Inquiry Officer any requests for hearing that is received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration; and
 - D) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act RSO 1990, c. E.26 related to the Regional Road 3 Rehabilitation Project approved in accordance with the Delegation of Authority By-Law 29-2020 or by Regional Council, remain confidential in accordance to Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporate purposes and only be released publicly by the Commissioner of Works once all compensation claims have been resolved on a full and final basis for the Regional Road 3 Rehabilitation Project.
3. Standardization of Septage Receiving and Bulk Water Filling Station Hardware and Software to be used for Regional Facilities (2021-W-30)
[CARRIED]
- A) That the Finance Department following successful negotiations be authorized to award contracts to Flowpoint Systems for the provision of septage receiving station hardware to be used at Regional facilities and related maintenance and support agreements for a five-year term;
 - B) That subject to successful completion of the negotiations, the pre-packaged bulk water filling station units supplied by Flowpoint Systems, and the septage receiving and bulk water filling station hardware supplied by Flowpoint Systems be adopted as the Regional standard for a period not exceeding five years for Regional facilities;

- C) That financing for the purchase of new septage receiving and bulk water filling station hardware and the provision of servicing and maintenance requirements be provided from future Sanitary Sewerage Capital, Water Supply Capital and Operating budgets; and
 - D) That the Commissioner of Finance be authorized to execute the required agreements.
4. Amendment to Regional Water Pollution Control System and Storm Sewer System By-Law #90-2003 and Residential Water and Sanitary Service Connection Protection Plans [\(2021-W-31\)](#)

[CARRIED]
- A) That the Regional Water Pollution Control System and Storm Sewer System By-Law #90-2003 be amended by extending a property owner's limit of responsibility for residential sanitary service connections from 1 metre (m) outside the foundation of the home currently to the new limit at the property boundary, to be consistent with the responsibility for water service connection maintenance effective July 1, 2022;
 - B) That the Regional Municipality of Durham enter into an agreement that endorses residential water and sanitary service line warranty protection plans with Service Line Warranties of Canada Inc. for an initial two-year period, with a maximum of two, five-year term renewal options for extension, with such extensions subject to Regional Council approval based upon a review of the overall success of the program;
 - C) That Regional staff report back to Regional Council prior to the end of the initial two-year period of the agreement to advise if the program is meeting the customer service needs and performance metrics as outlined in the agreement; and
 - D) That the Commissioner of Works be authorized to execute the agreement with Service Line Warranties of Canada Inc. for residential water and sanitary service warranty protection plans, together with such further ancillary documents that may be required, all in a form satisfactory to the Commissioner of Works, Commissioner of Finance, and the Regional Solicitor.
5. Sole source approval to Award Maintenance Service and/or Parts Supply Agreements Negotiated for Equipment Installed at the Duffin Creek Water Pollution Control Plant, in the City of Pickering [\(2021-W-32\)](#)

[CARRIED]
- A) That the sole source maintenance service and/or parts supply agreements for existing equipment installed as components of the

Stage 3 expansion and the Stages 1 and 2 upgrades at the Duffin Creek Water Pollution Control Plant (WPCP), be negotiated and awarded as noted in the following table, with terms not to exceed five years:

Authorized Supplier	Manufacturer	Estimated Annual Costs (excluding HST)
Alfa Laval	Alfa Laval	\$125,000
Xylem	Xylem	\$375,000
C & M Environmental	Brentwood Industries	\$300,000
Envirocan Ltd	JWC	\$125,000
Directrik	Vogelsang, Hydrostal, Weir, Wemco, Trillium Pumps	\$275,000
Toshont	Toshiba	\$100,000
Thermogenics	Thermogenics	\$150,000
Waterloo Manufacturing	Cleaver Brooks	\$150,000
	TOTAL	\$1,600,000

- B) That financing for the sole source maintenance service and/or parts supply agreements be provided from the approved annual Sanitary Sewerage Operations Budget for the Duffin Creek Water Pollution Control Plant, at an estimated cost not to exceed \$1,600,000, to be cost shared with the Regional Municipality of York, with Durham's share to be determined annually based on the Region's Operating agreement; and
 - C) That the Commissioner of Finance be authorized to execute the necessary maintenance service and/or parts supply agreements.
6. Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes in the Township of Brock (2021-W-29)
[CARRIED]

That the recommendations contained in Confidential Report #2021-W-29 of the Commissioner of Works be adopted.

- Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(205) That the recommendations contained in Items 1, 2 and 4 to 6 of Report #7 of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(206) That the recommendations contained in Item #3 of Report #7 of the
Works Committee be adopted.

CARRIED

9.5 Report of the Committee of the Whole

1. Request for Funding from Kawartha Conservation for the Acquisition of Land within the Durham East Cross Forest in the Township of Scugog (2021-COW-21)
[CARRIED]
 - A) That the request for funding from Kawartha Conservation in the amount of \$10,840, representing 40 per cent of the eligible acquisition costs of approximately two hectares (five acres) of land within Durham East Cross Forest in the Township of Scugog, be approved and financed from the Region's Land Conservation and Protection Reserve Fund; and
 - B) That the Commissioner of Finance be authorized to adjust the total payment amount to Kawartha Conservation pending a review of the eligibility of final costs incurred pursuant to the Region's Land Acquisition Funding Policy.
2. Application for Mixed Waste Pre-sort and Anaerobic Digestion Facility Project Capital Funding through the Federal Government's Clean Fuels Fund 2021 Call for Proposals (2021-COW-22)
[CARRIED]
 - A) That Regional staff be authorized to proceed with work necessary to meet the requirements of the Federal Government's Clean Fuels Fund (CFF) 2021 Call for Proposals and submit an application for the Mixed Waste Pre-sort and Anaerobic Digestion Facility (AD Project) under the funding program, including minor scope of work amendments to existing consulting agreements where necessary to be funded from approved capital project funds;
 - B) That the Commissioners of Works, Corporate Services and Finance be authorized to negotiate a Contribution Agreement should the federal application authorized under Recommendation A) of Report #2021-COW-22 be successful;
 - C) That the Commissioner of Finance and Treasurer be authorized to execute the Contribution Agreement and any other necessary agreements or documents, in a form satisfactory to the Regional Solicitor, to receive CFF funding to be applied to total capital costs for the AD Project, as part of and subject to, financing approvals received from Regional Council once a preferred Respondent is selected under

the pending Negotiated Request for Proposals (NRFP #1080-2021);
and

D) That the by-law, in the form included as Attachment #1 to Report #2021-COW-22, be passed.

3. Confidential Report of the Commissioners of Works and Finance – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it relates to the Acquisition of Property, in the City of Oshawa (2021-COW-24)
[CARRIED]

That the recommendations contained in Confidential Report #2021-COW-24 of the Commissioners of Works and Finance be adopted.

4. Confidential Report of the Commissioners of Works, Finance, Social Services and Planning & Economic Development – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes from Habitat for Humanity to Durham Region Non-Profit Housing Corporation as part of the Rapid Housing Initiative in the City of Oshawa (2021-COW-25)
[CARRIED]

That the recommendations contained in Confidential Report #2021-COW-25 of the Commissioners of Works, Finance, Social Services, and Planning and Economic Development be adopted.

Moved by Councillor Ryan, Seconded by Councillor Smith,
(207) That the recommendations contained in Items 1, 2 and 4 of Report #6 of the Committee of the Whole be adopted.

CARRIED

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(208) That the meeting be closed to the public in order to consider the proposed or pending acquisition or disposition of land for Regional Corporation purposes as it relates to the acquisition of property, in the City of Oshawa.

CARRIED

[See Closed Council Meeting Minutes of September 29, 2021]

Regional Chair Henry advised that there were no motions made or directions given during the closed session.

Moved by Councillor Ryan, Seconded by Councillor Smith,
(210) That the recommendations contained in Item #3 of Report #6 of the Committee of the Whole be adopted.

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 Ryan
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Joe Neal

Members Absent: Councillor Grant
Councillor Roy

Declarations of Interest: None

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,
(211) That a copy of Confidential Report #2021-COW-24 be provided to the
local ward Councillors in Oshawa, upon the reaching of an agreement
with the seller, or as soon as possible thereafter.

CARRIED

10. Notice of Motions

10.1 Workplace COVID-19 Vaccination Policy

[CARRIED AS AMENDED ON A RECORDED VOTE] [SEE MOTIONS (212) (213), (214), (215), (216) AND (217) ON PAGES 25 TO 30]

Moved by Councillor Collier, Seconded by Councillor Lee,
(212) That the Durham Region Human Resource Department and Durham Region Health Department, led by Dr. Kyle, be directed to institute a workplace Covid-19 vaccination policy requiring all Regional employees to be fully vaccinated;

That the policy exempt certain medical conditions and other protected grounds to ensure compliance with the Ontario Human Rights Code;

That other Region of Durham agencies such as Durham Regional Police Services, Durham Region Transit, Region of Durham Paramedic Services and Durham's four Long-Term Care Homes be encouraged to establish similar workplace Covid-19 vaccination policies; and

That all members of Regional Council be required to be fully vaccinated and provide proof of vaccination to Human Resources by September 30, 2021.

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

Moved by Councillor Collier, Seconded by Councillor Lee,
(213) That the main motion (212) of Councillors Collier and Lee be amended by deleting Clause 1 in its entirety.

CARRIED

Moved by Councillor Collier, Seconded by Councillor Lee,
(214) That the main motion (212) of Councillors Collier and Lee be amended by deleting Clause 3 and replacing it with the following:
"That Durham Regional Council request that Durham Regional Police Services (DRPS) create a similar COVID-19 vaccination policy."

CARRIED

Moved by Councillor Collier, Seconded by Councillor Lee,
(215) That the main motion (212) of Councillors Collier and Lee be amended in the last Clause by deleting the words "Human Resources" and replacing them with the words "Council Services" and by deleting the date of "September 30, 2021" and replacing it with the date of "October 20, 2021".

CARRIED

Moved by Councillor Collier, Seconded by Councillor Lee,

- (216) That the main motion (212) of Councillors Collier and Lee be amended by deleting Clause 2 in its entirety; and by adding the following sentence to the end of the last Clause: “such requirements subject to exemption for certain medical conditions and other protected grounds to ensure compliance with the Ontario Human Rights Code”.

CARRIED

Moved by Councillor Ryan, Seconded by Councillor Joe Neal,

- (217) That the main motion (212) of Councillors Collier and Lee be amended by adding the following sentence to the end of the last Clause, as amended: “and that non-compliance would result in denial of the member to access a Regional facility.”

CARRIED

Moved by Councillor Foster, Seconded by Councillor Collier,

- (218) That the question be now put.

CARRIED ON A 2/3rds VOTE

The main motion (212) of Councillors Collier and Lee 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 Collier	
Councillor Crawford	
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 Ryan	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	

Regional Chair Henry

Members Absent: Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Grant
Councillor John Neal
Councillor Roy

Declarations of Interest: None

The main motion (212) of Councillors Collier and Lee, as amended, now reads as follows:

“That Durham Regional Council request that Durham Regional Police Services (DRPS) establish a similar COVID-19 vaccination policy; and

That all members of Regional Council be required to be fully vaccinated and provide proof of vaccination to Council Services by October 20, 2021, such requirements subject to exemption for certain medical conditions and other protected grounds to ensure compliance with the Ontario Human Rights Code, and that non-compliance would result in the denial of the member to access a Regional facility.”

11. Unfinished Business

There was no unfinished business to be considered.

12. Other Business

12.1 Repeal and Replacement of Durham Region Transit By-law No. 70-2019, As Amended (2021-DRT-23)

[CARRIED AS AMENDED] [PART B) WAS DIVIDED FROM THE REMAINDER AND VOTED ON SEPARATELY] [SEE MOTIONS (219) AND (220) ON PAGES 28 AND 29]

Moved by Councillor Ryan, Seconded by Councillor Mulcahy,

(219) A) That the current Durham Region Transit Commission By-law No. 70-2019, be repealed; and

B) That a new Durham Region Transit Commission By-law for the purpose of operating the Regional transit system known as Durham Region Transit (DRT), generally in the form as set out in Report #2021-DRT-23 of the General Manager of Durham Region Transit, be approved.

CARRIED AS AMENDED
(See Following Motions)

Moved by Councillor Mulcahy, Seconded by Councillor Barton,
(220) That the main motion (219) of Councillors Mulcahy and Barton be divided in order to allow voting on Section 9 of the new proposed By-law, as recommended in Part B) of Report #2021-DRT-23, separately.

CARRIED

Moved by Councillor Mulcahy, Seconded by Councillor Barton,
(221) That Part B) of the main motion (219) of Councillors Ryan and Mulcahy be amended by adding the following to the end: “and that the effective date for Section 9 of the By Law be retroactive to the commencement of this term of service on January 9, 2019”.

CARRIED

Part B) of the main motion (219) of Councillors Ryan and Mulcahy was then put to vote and CARRIED AS AMENDED. Councillor Collier did not vote on the item due to a conflict of interest.

The remainder of the main motion (219) of Councillors Ryan and Mulcahy was then put to a vote and CARRIED AS AMENDED.

13. Announcements

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

N. Taylor announced that the Region is hosting a virtual budget townhall on Wednesday, October 20, 2021. Those interested can preregister by email at budgets@durham.ca or watch the livestream on the Region’s website.

14. By-laws

26-2021 Being a by-law to authorize Regional staff to apply for and obtain funding from the Federal Government’s Clean Fuels Program.

This by-law implements the recommendations contained in Item #2 of the 6th Report of the Committee of the Whole presented to Regional Council on September 29, 2021

27-2021 Being a by-law to repeal By-law No. 70-2019, as amended, and replace it with a new Durham Region Transit Commission By-law for the purpose of operating the regional transit system known as Durham Region Transit (“DRT”).

This by-law implements the recommendations contained in Item #12.1 of Other Business presented to Regional Council on September 29, 2021

Moved by Councillor Ashe, Seconded by Councillor Lee,
(222) That By-law Numbers 26-2021 to 27-2021 inclusive be passed.
CARRIED

15. Confirming By-law

28-2021 Being a by-law to confirm the proceedings of Regional Council at
their meeting held on September 29, 2021.

Moved by Councillor Ashe, Seconded by Councillor Lee,
(223) That By-law Number 28-2021 being a by-law to confirm the proceedings
of the Council of the Regional Municipality of Durham at their meeting
held on September 29, 2021 be passed.
CARRIED

16. Adjournment

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

The meeting adjourned at 4:17 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk