

The Regional Municipality of Durham COUNCIL INFORMATION PACKAGE September 17, 2021

Information Reports

There are no Information Reports

Early Release Reports

2021- P -**

Commissioner of Planning and Economic Development – re: Decision Meeting Report - Application to Amend the Durham Regional Official Plan, submitted by 1725596 Ontario Limited to permit the severance of a dwelling rendered surplus to a farming operation as a result of the consolidation of non-abutting farm parcels, in the Municipality of Clarington, File: OPA 2021-001

Early release reports will be considered at the **October 5, 2021 Planning & Economic Development Committee** meeting.

Staff Correspondence

- 1. Memorandum from Dr. R. Kyle, Commissioner and Medical Officer of Health re: Health Information Update September 12, 2021
- Memorandum and Quarterly Technical Report from S. Siopis, Commissioner, Works

 re: Durham York Energy Centre Quarterly (Q2) Long-Term Sampling System
 Report

Durham Municipalities Correspondence

There are no Durham Municipalities Correspondence

Other Municipalities Correspondence/Resolutions

There are no Other Municipalities Correspondence / Resolutions

Miscellaneous Correspondence

 Durham Regional Police Services Board – re: Public Agenda – Tuesday, September 21, 2021

Advisory / Other Committee Minutes

There are no Advisory / Other Committee Minutes

Members of Council – Please advise the Regional Clerk at clerks@durham.ca, if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

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EARLY RELEASE OF REPORT

The Regional Municipality of Durham Report

To: Planning and Economic Development Committee

From: Commissioner of Planning and Economic Development

Report: #2021-P-**

Date: October 5, 2021

Subject:

Decision Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by 1725596 Ontario Limited to permit the severance of a dwelling rendered surplus to a farming operation as a result of the consolidation of non-abutting farm parcels, in the Municipality of Clarington, File: OPA 2021-001

Recommendation:

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

- A) That Amendment #184 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus to a farming operation as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Commissioner's Report #2021-P-**; and
- B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.

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Report:

1. Purpose

1.1 On February 16, 2021, Clark Consulting Services Ltd., on behalf of 1725596 Ontario Limited, submitted an application to amend the Regional Official Plan (ROP) to permit the severance of 0.62 hectare (1.54 acre) parcel of land containing a dwelling rendered surplus, from a 35.8 hectare (88.47 acre) agricultural parcel as a result of the consolidation of non-abutting farm parcels in the Municipality of Clarington.

2. Site Location/Description

- 2.1 The subject site is located on the north side of Station Street and east of Highway 35/115 (refer to Attachment #1). The parcel is known as 40 Station Street, Part of Lot 27, Concession 5 in the former Township of Clarke. It is located east of the Orono Urban Area.
- 2.2 The subject site is irregular in shape and contains an existing dwelling and five agricultural buildings. A wooded valleyland associated with the Orono Creek is located on the south-eastern portion of the site, and there is a pond with a watercourse located on the northern portion of the site.
- 2.3 The surrounding uses located adjacent to the subject site include:
 - a. North woodland, agricultural lands, Orono Urban Area (deferred);
 - b. East agricultural lands;
 - c. South Station Street, rural residential uses; and
 - d. West Highway 35/115, Orono Urban Area.

3. Previous Reports and Decisions

3.1 On June 1, 2021 the Planning and Economic Development Committee received the related Public Meeting Report #2021-P-10.

4. Reports Submitted in Support of the Application

4.1 A Planning Justification Report prepared by Clark Consulting Services, dated February 2021, was submitted in support of the application. The report concludes that the proposed amendment is consistent with the Provincial Policy Statement (PPS), and conforms to the Greenbelt Plan and the ROP. The report also concludes the proposed severance will comply with Minimum Distance Separation (MDS) Report #2021-P-** Page 3 of 6

requirements. The Site Screening Questionnaire completed by GHD indicated that there are no environmental concerns on the property.

5. Provincial Policies

- 5.1 The subject site is located within the Protected Countryside designation of the Greenbelt Plan.
- 5.2 Both the Greenbelt Plan and the Provincial Policy Statement (PPS) permit the severance of a residence surplus to a farming operation as a result of a farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance.
- 5.3 The PPS and the Greenbelt Plan also require the creation of lots to comply with MDS requirements.

6. Durham Regional Official Plan

- 6.1 The subject site is designated "Prime Agricultural Areas" and "Major Open Space Areas" in the ROP, with portions of the site containing Key Natural Heritage and Key Hydrologic Features (KNHHF). Severance applications for agricultural uses are considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 6.2 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
 - a. the dwelling is not needed for a farm employee;
 - b. the farm parcel is a size which is viable for farm operations;
 - c. for sites within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
 - d. the farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

No further severances shall be permitted from the acquired farm parcel.

7. Planning Analysis

7.1 The applicant is a private farm corporation which owns a total of 16 farms in the Municipality of Clarington under the name 1725596 Ontario Limited. The farming

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- corporation encompasses approximately 451.46 hectares (1,115.58 acres) and is primarily devoted to apple cultivation (refer to Attachment #2).
- 7.2 The subject farm parcel was acquired by 1725596 Ontario Limited in 2016 and contains an existing dwelling not utilized by a farm employee. The existing dwelling has been rendered surplus to the needs of the farm operation. The proposed retained parcel is of a size that will remain viable for farming.
- 7.3 The surplus farm dwelling located on the subject site was built prior to 2004. The proposed amendment complies with the provisions of the PPS, the Greenbelt Plan, and the ROP. The proposed severed parcel will be limited in size to accommodate the surplus farm dwelling and the existing private well and septic systems.
- 7.4 The proposed severed parcel complies with MDS requirements. The subject site will be appropriately rezoned to prohibit the development of a new residential dwelling on the proposed retained agricultural parcel. Any further severance and/or new residential dwelling on the retained farm parcel will be prohibited in accordance with Provincial and Regional policies.

8. Public Meeting and Submissions

- 8.1 In accordance with the Planning Act, a notice of public meeting regarding the application was published in the appropriate newspapers, mailed to those who own land within 120 metres (400 feet) of the subject site, and a sign was posted on the property. A public meeting was held on June 1, 2021. Commissioner's Report #2021-P-10 provides information on the application.
- 8.2 The Region did not receive any written submissions from the public concerning the application.

9. Consultation

9.1 On July 5, 2021, the Council of the Municipality of Clarington adopted a resolution supporting the approval of the application to amend the ROP. The Municipality of Clarington also adopted a Zoning By-law at that meeting that prohibits the development of a residential dwelling on the retained agricultural parcel and will prohibit the housing of livestock in the existing farm buildings as required by the Minimum Distance Separation (MDS) formulae.

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9.2 The Ministry of Municipal Affairs and Housing, the Ganaraska Region Conservation Authority, the Regional Health Department, Regional Works Department have no concerns with the approval of the amendment.

9.3 The Durham Agricultural Advisory Committee (DAAC) advised that they have no concerns with the approval of the amendment but did voice a concern regarding the shape of the proposed lot. DAAC was advised that the lot's shape is intended to accommodate an existing well, while minimizing the amount of agricultural land being accommodated within the severed parcel.

10. Notice of Meeting

- 10.1 Written notification of the meeting time and location of the Planning and Economic Development Committee meeting was sent to all that requested notification, in accordance with Regional Council procedure.
- 10.2 The recommendation of the Planning and Economic Development Committee is scheduled to be considered by Regional Council on October 27, 2021. If Council adopts the proposed Amendment, notice will be given by the Regional Clerk and Council's decision will be final unless appealed to the Ontario Land Tribunal.

11. Relationship to Strategic Plan

11.1 In the processing of ROP Amendment applications, the objective is to ensure responsive, effective and fiscally sustainable service delivery in accordance with Goal 5 of the Durham Region Strategic Plan, "Service Excellence".

12. Conclusion

12.1 The proposed amendment is consistent with the PPS and conforms with the policies of the Greenbelt Plan and the ROP. It has been demonstrated that the dwelling is surplus to the needs of the farming operation. The Zoning By-law Amendment sets restrictions to prohibit a new dwelling to be constructed. The proposal maintains the intent of the ROP in protecting agricultural lands for agricultural purposes. Furthermore, the proposed severance of the farm dwelling will be limited to the minimum size needed to accommodate the retained residential dwelling, and will continue to provide a housing option in the rural area. Accordingly, it is recommended that Amendment # 184 to the ROP, as shown in Attachment #3, be adopted.

13. Attachments

Attachment #1: Location Sketch

Attachment #2: Agricultural Land Holdings

Attachment #3: Amendment #184 to the Regional Official Plan

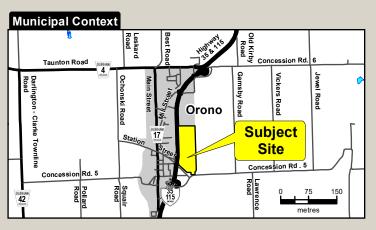
Respectfully submitted,

Original signed by

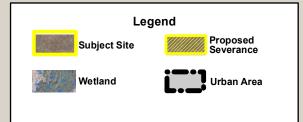
Brian Bridgeman, MCIP, RPP Commissioner of Planning and Economic Development

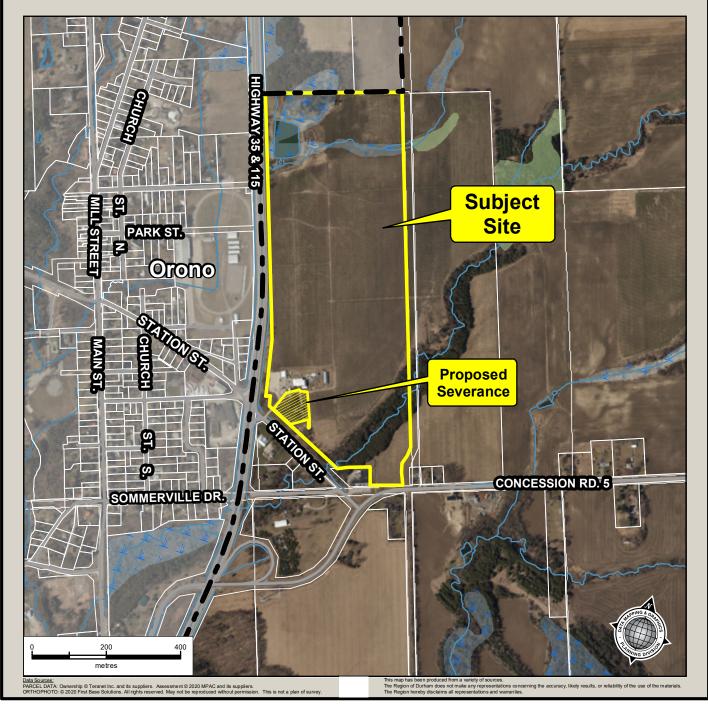
Recommended for Presentation to Committee

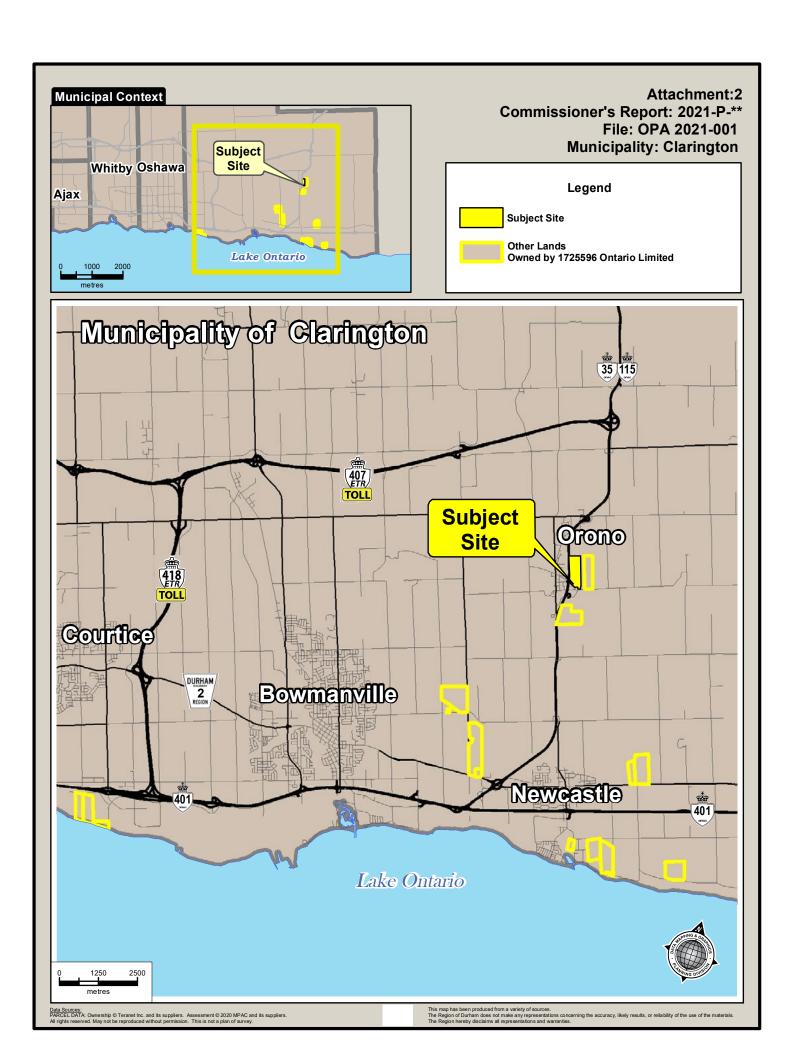
Elaine C. Baxter-Trahair Chief Administrative Officer



Attachment:1 Commissioner's Report: 2021-P-** File: OPA 2021-001 Municipality: Clarington







Attachment #3 Amendment #184 to the Regional Official Plan

Purpose and Effect: The purpose and effect of this Amendment is to permit the

severance of a dwelling rendered surplus to a farming operation as a result of the consolidation of non-abutting farm parcels on lands designated "Prime Agricultural Areas," and "Major Open Space

Areas" in the Municipality of Clarington.

Location: The subject site is located at 40 Station Street, in the Municipality of

Clarington. The property is legally described as Part Lot 27, Concession 5 (former Township of Clarke) in the Municipality of

Clarington.

Basis: The subject site has been consolidated with other non-abutting

farm parcels owned by the applicant. The residential dwelling on the subject site is not required by, and is surplus to, the farm operation. This amendment conforms to the Durham Regional Official Plan, the Greenbelt Plan, and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial

Policy Statement.

Amendment: The Durham Regional Official Plan is hereby amended by adding

the following policy exception to Section 9A.3.2:

"9A.3.2 aaa) A surplus dwelling is severed from the parcel

identified as Assessment No. 18-17-030-050-12401

located in Part of Lot 27 Concession 5 (Former

Township of Clarke), in the Municipality of Clarington subject to the inclusion of provisions in the zoning by-

law to prohibit further severances and the

construction of any dwelling on the retained parcel."

Implementation: The provisions set forth in the Durham Regional Official Plan

regarding the implementation of the Plan shall apply in regards to

the Amendment.

Interpretation: The provisions set forth in the Durham Regional Official Plan

regarding the interpretation of the Plan shall apply in regards to this

Amendment.



Interoffice Memorandum

Date: September 17, 2021

To: Health & Social Services Committee

From: Dr. Robert Kyle

Health Department

Subject: Health Information Update - September 12, 2021

Please find attached the latest links to health information from the Health Department and other key sources that you may find of interest. Links may need to be copied and pasted directly in your web browser to open, including the link below.

You may also wish to browse the online Health Department Reference Manual available at Board of Health Manual, which is continually updated.

Boards of health are required to "superintend, provide or ensure the provision of the health programs and services required by the [Health Protection and Promotion] Act and the regulations to the persons who reside in the health unit served by the board" (section 4, clause a, HPPA). In addition, medical officers of health are required to "[report] directly to the board of health on issues relating to public health concerns and to public health programs and services under this or any other Act" (sub-section 67.(1), HPPA).

Accordingly, the Health Information Update is a component of the Health Department's 'Accountability Framework', which also may include program and other reports, Health Plans, Quality Enhancement Plans, Durham Health Check-Ups, business plans and budgets; provincial performance indicators and targets, monitoring, compliance audits and assessments; RDPS certification; and accreditation by Accreditation Canada.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM Commissioner & Medical Officer of Health

"Service Excellence for our Communities

UPDATES FOR HEALTH & SOCIAL SERVICES COMMITTEE September 12, 2021

<u>Health Department Media Releases/Publications</u> tinyurl.com/4ewbnwyb

COVID-19 Vaccine Third Dose Referrals for Immunocompromised (Aug 30)

tinyurl.com/3vutzh57

 Participants of two more basketball tournaments held in Oshawa urged to get tested for COVID-19 (Aug 30)

tinyurl.com/dmybajcw

 Health Department reports first human case of West Nile virus illness this season (Sept 1)

tinyurl.com/2fut7zbw

Program Restoration (Sep 1)

tinyurl.com/3pet9vh8

Durham Region Weekly Beach Report (Sep 2)

GOVERNMENT OF CANADA

Canada Border Services Agency

tinyurl.com/3k5buj2p

• On September 7, new measures for fully vaccinated international travellers to Canada will come into force (Sep 3)

Public Health Agency of Canada

tinyurl.com/t5yas3fw

Statement from the Chief Public Health Officer of Canada on September 3, 2021

tinyurl.com/yksmf3sm

Statement from the Chief Public Health Officer of Canada on September 10, 2021

GOVERNMENT OF ONTARIO

Ministry of Education

tinyurl.com/yc8m97zx

Students Head Back to Class in Safer Schools (Sep 7)

Ministry of Finance

tinyurl.com/fawcz6hr

Ontario Releases Technology and Standards for Digital Identity (Sep 8)

Ministry of Health

tinyurl.com/uf844vdc

Ontario Recognizing International Overdose Awareness Day (Aug 31)

Ministry of Transportation

tinyurl.com/43e26acj

 Ontario Reinstating Renewal Requirements for Driver's Licences, Licence Plate Stickers and Health Cards (Sep 1)

Premier's Office

tinyurl.com/5fatuvft

Ontario to Require Proof of Vaccination in Select Settings (Sep 1)

OTHER ORGANIZATIONS

Association of Local Public Health Agencies

tinyurl.com/txhk8f8h

Vaccination Certificates Letter (Sep 1)

tinyurl.com/yu4dfvur

Deputy Minister Welcome Letter (Sep 7)

Canadian Institute for Health Information

tinyurl.com/86r6sv6w

• COVID-19 hospital stays cost 3 times more than a stay for heart attack (Sep 9)

Canadian Medical Association

tinyurl.com/2nx33j9e

 Statement by the Canadian Medical Association and the Ontario Medical Association on bullying, attacks and violence against health workers (Sep 3)

Home and Community Care Support Services

tinyurl.com/35z7kjne

 Home and Community Care Support Services Implements Mandatory COVID-19 Vaccine Policy (Sep 3)

Office of the Information and Privacy Commissioner of Ontario tinyurl.com/734hhztw

• Leave no Ontarian Behind: Why Ontario should move ahead with its own private sector privacy law with or without federal reform (Sep 7)

Ontario Hospital Association

tinyurl.com/yvw92cxm

 Anti—Vaccine Protests Outside Hospitals Must Be Peaceful and Non-Disruptive (Sep 12)

Ontario Medical Association

tinyurl.com/j6j9c8es

RNAO and OMA condemn anti-vaccine protests outside hospitals (Sep 12)

Public Health Ontario

tinyurl.com/582mjvuv

PHO Connections (Aug 30)

Registered Nurses' Association of Ontario

tinyurl.com/33x5dfw3

• RNAO welcomes Premier Ford taking important steps to implement vaccine certificates (Sep 1)

tinyurl.com/ydhfysz9

• RNAO condemns protests outside health organizations (Sep 7)



The Regional Municipality of Durham

Works Department

Memorandum

Date: September 17, 2021

To: Regional Chair Henry and Members of Regional Council

From: Susan Siopis, P.Eng., Commissioner, Works

Copy: Elaine Baxter-Trahair, Chief Administrative Officer

Gioseph Anello, Director, Waste Management Services

Subject: Durham York Energy Centre Quarterly (Q2) Long-Term

Sampling System Report

As committed to Council, the attached second quarterly report provides the details with respect to the data related to the Long-Term Sampling System (LTSS) at the Durham York Energy Centre (DYEC) referred to as the AMESA system.

This report covers the second quarter of 2021 and includes AMESA data collected from April 14, 2021 to July 21, 2021 and is structured as follows:

- 1. Sections 1 and 2 provide background,
- 2. Sections 3 to 8 provide specific quarterly AMESA data,
- 3. Section 9 provides ambient air data for the same time period,
- 4. Section 10 provides reference documents, and
- 5. Section 11 responds to inquiries received during the quarter.

End of Memo

Attachment: DYEC LTSS Quarterly (Q2) Report (April 2021 to July 2021)



Durham York Energy Centre Long-Term Sampling System Quarterly (Q2) Report April 2021 to July 2021

Prepared by

The Regional Municipality of Durham

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1. Introduction

This report provides additional details with respect to the reporting of data related to the Long-Term Sampling System (LTSS) at the Durham York Energy Centre (DYEC).

This report covers the second quarter of 2021 and includes AMESA data collected from April 14, 2021 until July 21, 2021.

2. Background

To meet the requirements of Environmental Compliance Approval (ECA) Condition 7(3), a continuous sampling system (the Adsorption Method for Sampling Dioxins and Furans (AMESA) LTSS), is installed on each of the two boilers at the DYEC to sample dioxins and furans.

The operation of the AMESA system was initiated in 2015 and has been maintained in accordance with current guidance from the AMESA manufacturer, Environment S.A. Deutschland (ESAD), the European manufacturer of the AMESA system, the North American vendor ENVEA and the AMESA Technical Manual.

The AMESA system is used only for the purpose stated in ECA Condition 7(3), which relates to Dioxins and Furans emissions trend analysis and evaluation of Air Pollution Control equipment performance. The AMESA results themselves do not constitute a compliance point for the facility operations.

ECA Condition 7(3). Testing, Monitoring and Auditing Long-Term Sampling for Dioxins and Furans states:

- (a) The Owner shall develop, install, maintain, and update as necessary a long-term sampling system, with a minimum monthly sampling frequency, to measure the concentration of Dioxins and Furans in the Undiluted Gases leaving the Air Pollution Control (APC) Equipment associated with each Boiler. The performance of this sampling system will be evaluated during the annual Source Testing programs in accordance with the principles outlined by 40 CFR 60, Appendix B, Specification 4.¹
- (b) The Owner shall evaluate the performance of the long-term sampling system in determining Dioxins and Furans emission trends and/or fluctuations as well as demonstrating the ongoing performance of the APC Equipment associated with the Boilers.

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¹ 40 CFR Part 60 refers to the Code of Federal Regulations – Standards of Performance for New Stationary Sources

AMESA results are available at the site when requested by the Ministry of Environment, Conservation and Parks (MECP) and reported to the MECP as part of the Annual Report required by ECA Approval Condition 15 and posted to the DYEC website.

3. Cartridge Replacement Schedule

Boiler #	Run #	Start Date	End Date	Duration (days/hours)
1	60	14-Apr-21	17-May-21	29
2	60	14-Apr-21	17-May-21	26
1	61	17-May-21	17-Jun-21	26
2	61	17-May-21	17-Jun-21	26
1	63	18-Jun-21	21-July-21	31
2	63	18-Jun-21	21-July-21	26

Note 1: The cartridge duration times may differ even though the start and end dates are the same for both boilers.

Note 2: Run 62 not shown, run coincided with source testing program

4. Laboratory Analysis

There were no issues identified with the sample cartridges or the analysis at the laboratory.

Durham and York Regions and Covanta Monthly Data and Operations Review

Staff from Durham and York Regions meet with Covanta both weekly and monthly on an established scheduled to discuss facility operations, and review environmental monitoring results, trends and calculations where required for all monitoring programs and the available AMESA results.

There was no result during this reported time of April through July 21, 2021 which triggered the AMESA Investigation Checklist.

6. Oversight of AMESA Results

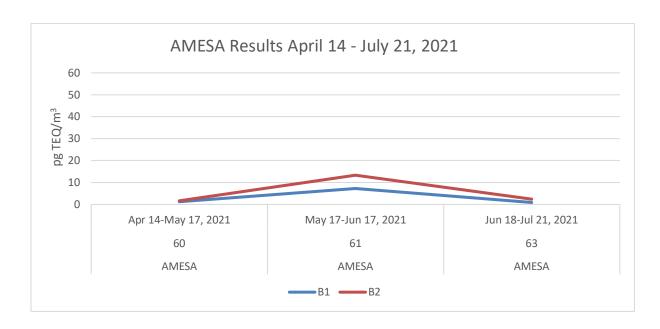
Durham and York Region staff and Covanta meet with the MECP on a quarterly basis to discuss all items pertinent to the ECA and the Environmental Monitoring Programs and facility operations. Any concerns which are not determined to be reportable incidents in accordance with the ECA may be discussed along with day-to-day operations and monitoring.

Any events, which the ECA deems reportable, are done in accordance with the appropriate ECA condition.

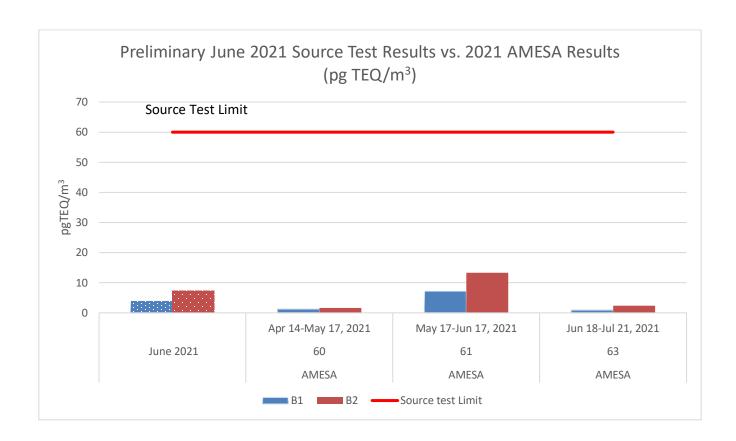
Results of the AMESA LTSS are reported to the MECP in the DYEC Annual Reports and posted to the DYEC website. AMESA trends of validated data are presented as a 12-month rolling average together with an analysis to demonstrate the ongoing performance of the APC Equipment. The MECP has no concerns with the AMESA results detailed in the 2020 Annual Report as posted via this link: MECP Review of the DYEC 2020 Annual Report.

7. AMESA Performance

Unit #	Run #	Start Date	End Date	Calculated Result
1	60	14-Apr-21	17-May-21	1.234
2	60	14-Apr-21	17-May-21	1.665
1	61	17-May-21	17-Jun-21	7.272
2	61	17-May-21	17-Jun-21	13.334
1	63	18-Jun-21	21-Jul-21	0.899
2	63	18-Jun-21	21-Jul-21	2.385



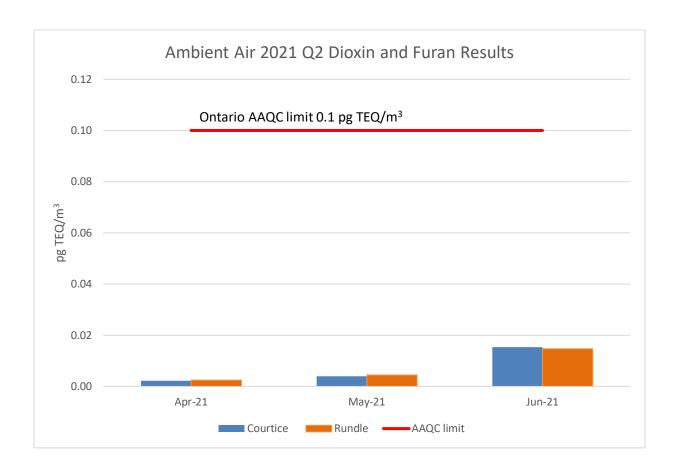
8. AMESA relative to most current Source Testing Dioxin and Furan Preliminary Results



9. Ambient Air Dioxin and Furan Results – Second Quarter (Q2)

The Ambient Air Monitoring Program samples for dioxins and furans. The units of measurement and the reporting limits are prescribed differently and cannot be compared directly. Ambient Air does not measure point source emissions. The equipment samples air capturing ambient air emissions from a variety of emissions sources in the area. The results of this monitoring advise on local air quality and may suggest contributing factors based on meteorological conditions such as wind speed and direction. As can be seen in the graph below, the dioxin and furan results measured from both ambient air stations in the program are well below the Ontario Ambient Air Quality Criteria of 0.1 picogram Toxic Equivalency per cubic metre (pgTEQ/m³) during the 2021 Q2.

Note: Ontario Ambient Air Quality Criteria is 10 times lower than the Ontario Regulation 419 Upper Risk Threshold of 1 pgTEQ/m³ for dioxins and furans.



10. References

Region of Durham Works Report (2021-WR-10) on the Long-Term Sampling System for Dioxins and Furans

Validation Checklist Rev.0 February 3, 2021

AMESA Report to MECP, February 21, 2021

AMESA Report Submission Letter to MECP, February 21, 2021

11. Durham York Energy Centre Inquiries

A letter dated June 11, 2021, addressed to Lisa Trevisan, MECP Director, Central Region and copied to Durham Region Council, from three residents with concerns around the AMESA Long-Term Sampling System was received.

The MECP has not responded to date.

At a meeting held on July 5, 2021, the Council of the Municipality of Clarington passed Resolution #C-266-21 in relation to the Long-Term Sampling System for the monitoring of dioxin and furan emissions (AMESA) from the DYEC. As a result of the Resolution, a letter dated July 9th was sent to the MECP York Durham District Manager.

The MECP has not responded to date.

End of Report