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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, January 30, 2019

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. Roll Call

Morning Session 9:30 AM to 1:01 PM

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

Councillor Tyler Morin attended on behalf of Councillor Collier as the alternate for the Town of Ajax

Councillor Bath-Hadden left the meeting at 12:14 PM on municipal business

Councillor Drew left the meeting at 1:01 PM on municipal business

Councillor Smith left the meeting at 12:27 PM on municipal business

Afternoon Session 2:00 PM to 4:43 PM

All members of Council were present with the exception of Councillors Collier, Drew, Smith

Councillor Tyler Morin attended on behalf of Councillor Collier as the alternate for the Town of Ajax

Councillor Roy left the meeting at 4:03 PM on municipal business

Councillor Ryan left the meeting at 2:30 PM

Councillor Wotten left the meeting at 2:50 PM on municipal business

2. Declarations of Interest

Councillor Drew made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 3 of the First Report of the Works Committee, Report #2019-W-5: Report on Tenders and Additional Financing for Regional Municipality of Durham Contract D2018-005 for Townline Road (Regional Road 55) and Pebblestone Road Intersection Modifications in the City of Oshawa and Municipality of Clarington. She indicated that her son is employed in the Works Department.

3. Announcements

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

4. Presentations

- 4.1 Kevin Ashe, Chair, Durham Regional Police Services Board and Chief Paul Martin provided a PowerPoint presentation on the Community Safety Update. A handout of their presentation was provided to Council prior to the meeting.

Highlights of the presentation included:

- Overview
- 2017-2019 Business Plan Goals
- 2020 Business Plan Consultations
- 2018 Overview and Highlights
- Durham Region Crime Trends 2014 to 2018
- 2018 vs. 2017: Going Down in Robbery, Criminal Harassment and Mischief
- 2018 vs. 2017: Unchanged in Motor Vehicle Collisions and Impaired Operation
- 2018 vs. 2017: Going Up in Assaults, Sexual Violations, Fraud and Identity Theft, and Thefts
- Homicides 2008-2017
- Guns
- Recent Successes: Project Vickery
- Future Challenges
 - Responding to growing incidents of violence
 - Reaching out to youth
 - Leveraging partnerships to help those living in need or in at-risk neighbourhoods
 - Hiring – replacing the Baby Boom and diversifying our workforce.

Chief Martin responded to questions from Council.

5. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor McLean,

(1) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on December 19, 2018;
- Regular Committee of the Whole meeting held on December 13, 2018;
- Regular Committee of the Whole meeting held on January 16, 2019.

CARRIED

Moved by Councillor Nicholson, Seconded by Councillor Wotten,

(2) That Council recess for 15 minutes.

CARRIED

Council recessed at 11:01 AM and reconvened at 11:15 AM.

6. Communications

CC 01 M. Medeiros, Manager, Support Services, City of Oshawa, writing to Ralph Walton, Regional Clerk, advising that at their meeting held on December 18, 2018, the Council of the City of Oshawa nominated Mr. Alan Arnott as the City of Oshawa's representative on the Land Division Committee for the 2018-2022 term of Council. (Our File: C14)

Moved by Councillor Chapman, Seconded by Councillor Kerr,
(3) That Mr. Alan Arnott be appointed to the Land Division Committee for the 2018-2022 term of Council.

CARRIED

CC 02 Association of Municipalities of Ontario (AMO), Corporate Services – Legislative Services Division, advising of the upcoming 2019 AMO Annual Conference being held from August 18 – 21, 2019 in Ottawa, Ontario. Further details on the conference are available on AMO's website at amo.on.ca. (Our File: A10)

Moved by Councillor Crawford, Seconded by Councillor Ryan,
(4) That the following be appointed as the voting Regional delegates for the 2019 AMO Conference being held August 18 to 21, 2019:

Ajax	Councillor Collier
Brock	Councillor Bath-Hadden
Clarington	Councillor Foster
Oshawa	Councillor Chapman
Pickering	Councillor Pickles
Scugog	Councillor Wotten
Uxbridge	Councillor Barton
Whitby	Councillor Roy

CARRIED

CC 03 K. Enders, Executive Director, Ontario Farmland Trust, writing to Michael Helfinger, Intergovernmental Policy Coordination Unit, regarding Ontario Farmland Trust's Submission on Bill 66, Restoring Ontario's Competitiveness Act, 2018. Their submission details six specific threats to farmland and the farm sector, further explains why the proposed Open-for-Business Zoning By-law is unnecessary and suggests alternative actions to improve Ontario's business environment and attract investment in the agri-food sector. (Our File: L00)

Moved by Councillor Foster, Seconded by Councillor Drew,
(5) That Council Correspondence CC 03 be referred to consideration of Item #6 of the First Report of the Committee of the Whole, Report #2019-COW-6: Durham's Response to Bill 66, Restoring Ontario's Competitiveness Act, 2018.

CARRIED

CC 04 C. Jones, Director of Planning and Regulation, Central Lake Ontario Conservation Authority (CLOCA), writing to Mr. Ken Petersen, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, advising that at their meeting held on January 15, 2018, the CLOCA Board of Directors passed the following resolution regarding CLOCA Comments on Proposed Amendments to the Planning Act (Bill 66):

“That the CLOCA Board of Directors calls for Schedule 10 of Bill 66 to be amended to protect public health and safety and the integrity of the land use planning system;

That the Commentary in Staff Report 5616-19 and the proposed amendments in Attachment No. 2 be endorsed and submitted to the Province of Ontario as CLOCA’s comments regarding Schedule 10 of Bill 66; and,

That Staff Report 5616-19 be circulated to Watershed Municipalities and adjacent Conservation Authorities for their information.” (Our File: L00)

Moved by Councillor Chapman, Seconded by Councillor Lee,

(6) That Council Correspondence CC 04 be referred to consideration of Item #6 of the First Report of the Committee of the Whole, Report #2019-COW-6: Durham’s Response to Bill 66, Restoring Ontario’s Competitiveness Act, 2018.

CARRIED

CC 05 S. Siopis, Commissioner of Works, writing to all Members of Regional Council, regarding the response to the referral of Recommendation C) of Report #2019-COW-2-2019 Transportation Servicing and Financing Study.

Moved by Councillor John Neal, Seconded by Councillor Barton,

(7) That Council Correspondence CC 05 be referred to consideration of Item #2 of the First Report of the Committee of the Whole, Report #2019-COW-2: Transportation Servicing and Financing Study.

CARRIED

7. Delegations

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,

(8) That the Rules of Procedure be suspended in order to permit Mr. Toby Lennox and Ms. Janet Ecker to appear as a delegation.

CARRIED on a 2/3rds Vote

7.1 Mr. Toby Lennox, President & Chief Executive Officer, Toronto Global, and Ms. Janet Ecker, Vice-Chair, Board of Directors, Toronto Global, provided a PowerPoint presentation regarding Toronto Global Effectiveness Evaluation and Funding Renewal.

Key highlights of their presentation included:

- Focus on Regional and Sectoral Diversity
- Key Initiatives for Durham
 - Targeted Value Proposition Development in Specific Industries
 - Pipeline Diversification in Sectors Broadly Aligned to Durham
 - Showcasing to Clients and in Collateral Specific Regional Assets
 - EDO – Requested Advice and Assistance with Opportunities
 - Value-add Services
- Pipeline Diversification
- The Amazon HQ2 Effect for Durham
- Regional Pipeline
- Working with the Region of Durham
- Toronto Global Background
 - Where we started
 - Where we are now
- New approach
- Markets and Strategic Focus
- Our Successes to date
- Wins for the 905
- Collaboration with Durham Region
- Budget and Expenditures
- Reports, Publications and Campaigns

Mr. Lennox and Ms. Ecker responded to questions of Regional Council.

Regional Chair Henry vacated the Chair at 11:56 AM. Councillor Foster chaired the meeting in his absence. Regional Chair Henry resumed the Chair at 12:07 PM.

- 7.2 Mr. Robert Howard, Chief Possibility Officer & Vice President, External Relations, United Way Durham Region appeared before Regional Council with respect to the recent announcement of the closure of the General Motors (GM) plant in Oshawa and the United Way in Durham Region. He thanked the Regional Councillors who provided support.

Mr. Howard stated the message across the Region is to stay strong and that within two weeks of the closure announcement, emails of support started to come in to ask what kind of help people could offer. Mr. Howard stated that he was happy to hear that the Chief of Police appeared before Regional Council today to speak about money spent and dollars saved. He added that the United Way exist to help people escape poverty.

Mr. Howard added that this year's ride for United Way will be themed around battling poverty in Durham Region.

7.3 Mr. Greg Milosh re: 2019 Budget

Mr. Milosh was not in attendance.

7.4 Ms. Lisa Dost, re: Bill 66, Restoring Ontario's Competitiveness Act, 2018 (2019-COW-6)

Ms. Dost withdrew her request to appear as a delegation.

7.5 Prior to the meeting, Ms. Wendy Bracken provided a PowerPoint presentation regarding her concerns over the recommendations contained in Report #2019-COW-3: 2019 Solid Waste Management Servicing and Financing Study.

Ms. Bracken requested that Regional Council delete or defer Part B) and C) of the recommendations contained in Report #2019-COW-3. She stated that the report circumvents key stakeholders and that there has been no prior decision of Council to move to 250,000 tonnes per year. She added that during the three years of operation there has been several serious problems and unresolved issues, including dioxin and furan exceedances.

Ms. Bracken stated there has been inadequate monitoring done and there are on-going, unresolved problems with the long-term sampling system (AMESA).

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,

(9) That Ms. Bracken be granted a one-time two minute extension in order to finish her delegation.

CARRIED

Ms. Bracken stated that a plan to double the size of the incinerator with the knowledge that exceedances will occur and that the air shed is already overburdened for Durham residents, is irresponsible and requested that Regional Council not approve any additional capacity and reject recommendations B) and C) from Report #2019-COW-3.

Ms. Bracken responded to questions from Regional Council.

7.6 Ms. Linda Gasser provided a PowerPoint presentation regarding her concerns with the recommendations contained in Report #2019-COW-3.

Ms. Gasser requested that Regional Council also defer Part B) of the recommendations contained in Report #2019-COW-3. She added that she appeared before Committee of the Whole on January 16, 2019 with her suggestions as to why these recommendations should be deferred.

Ms. Gasser suggested that Regional Council also look at Part D) of the recommendations to consider including options to extend a contract with Miller Waste Systems based on staff estimated organics timelines. She added that staff identified savings and that more information is needed to come forward.

Moved by Councillor John Neal, Seconded by Councillor Joe Neal,
(10) That Ms. Gasser be granted a one-time two minute extension in order to finish her delegation.

CARRIED

Ms. Gasser requested Regional Council to do their due diligence and request a thorough analysis of the proposed incinerator expansions; to look at the total annual costs of incinerator operations; and the status of the 2017 annual reconciliation with Covanta. She stated that Council should insist that staff include MBN Canada benchmarking data in all future Solid Waste Servicing and Financing studies, as was done in the past.

Ms. Gasser responded to questions of Regional Council

Moved by Councillor McLean, Seconded by Councillor Leahy,
(11) That Council recess for lunch.

CARRIED

Council recessed at 1:01 PM and reconvened at 2:00 PM.

8. Notice of Motions

8.1 Consideration of Items Pulled from the Council Information Package (CIP) [DEFERRED]

Be it resolved that where a Councillor pulls an item on the Council Information Package (CIP), the Councillor may elect to have the matter placed on the next Council agenda.

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(12) That the foregoing Notice of Motion of Councillors Joe Neal and John Neal be deferred to the next Regional Council meeting scheduled for February 27, 2019.

CARRIED

8.2 Introduction of Motions at Standing Committee Meetings [DEFERRED]

Be it resolved that the Rules of Procedure provide for the introduction of motions at the four standing committees, (not including the Committee of the Whole) without notice, and with a seconder.

- Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(13) That the foregoing Notice of Motion of Councillors Joe Neal and John Neal be deferred to the next Regional Council meeting scheduled for February 27, 2019.

CARRIED

8.3 Regional Council Member Appointments to Canadian National Exhibition Association and Royal Agricultural Winter Fair Association
[CARRIED]

- Moved by Councillor Barton, Seconded by Councillor Anderson,
(14) That the following appointments at the December 19, 2018 Regional Council meeting be considered:

- A)
 - i) Appointment of Councillor Smith to the Canadian National Exhibition Association; and
 - ii) Appointment of Councillor Lee to the Royal Agricultural Winter Fair Association; and
- B) That subject to Part A) being passed on two thirds vote, that Councillor Lee be appointed to the Canadian National Exhibition Association for a one-year term; and Councillor Smith be appointed to the Royal Agricultural Winter Fair Association for a one-year term.

CARRIED

9. Committee Reports

9.1 Report of the Finance and Administration Committee

1. Appointment of Citizen Members to the Durham Region Roundtable on Climate Change (DRRCC) (2019-A-3)
[CARRIED]

- A) That the following citizen members be reappointed to the DRRCC:
- i) Celina Desbiens – University Student
 - ii) Todd Hall – President at Environment & Risk Assurance Services Inc.
 - iii) Daniel Hoornweg – Professor and Research Chair, University of Ontario Institute of Technology
 - iv) June Kinniburgh – Durham Food Policy Council
 - v) Carol Mee – Public Health
 - vi) Ruben Plaza – Corporate Environmental Manager, St Marys Cement

- vii) Kent Shadwick – Environmental and Office Services at York Catholic District School Board
- viii) Martin Vroegh – Citizen Representative
- B) That the following new citizen members be appointed to the DRRCC:
 - i) One representative from BILD-Durham.
- 2. 2019 Regional Business Plans and Property Tax Budget Guideline ([2019-F-1](#))
[CARRIED ON A RECORDED VOTE]
That the following detailed direction and guidelines for the 2019 Business Plans and Budgets for the Durham Regional Police Services Board, Durham Region Transit Commission, Conservation Authorities, Durham Region Local Housing Corporation, Regional Operations and other Outside Agencies be approved:
 - A) That the 2019 Property Tax Guideline not exceed an overall tax impact of 2.2 per cent compared to the 2018 approved budget incorporating the following specific guidelines:
 - i) The 2019 Business Plans and Budget for the Durham Regional Police Services Board not exceed \$206.65 million, an increase of approximately 3.9 per cent compared to the 2018 approved budget;
 - ii) The 2019 Business Plans and Budget for the Durham Region Transit Commission not exceed \$58.15 million, an increase of approximately 4.2 per cent compared to the 2018 approved budget;
 - iii) The 2019 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 2019 Special Benefitting Programs Budget for each Conservation Authority not exceed an increase of 1.5 per cent, plus or minus any current value assessment adjustments, compared to the 2018 approved budget; and
 - iv) The 2019 Budget for the Durham Regional Local Housing Corporation not exceed an increase of 3.0 per cent for operations and 25.0 per cent for the capital program compared to the 2018 approved budget;
 - B) That the Commissioner of Finance provide the background for a Reserve Fund financing strategy including the purposes of the reserve funds, future requirements and recommendations for future contributions and uses as identified in the Servicing and Financing studies, with an interim report to be provided in February 2019 outlining the steps towards a final recommended Regional Long-Term Financial Planning Strategy prior to the 2020 business planning and budget deliberations; and

- C) That copies of Report #2019-F-1 be forwarded to the Durham Regional Police Services Board, Durham Region Transit Commission, Conservation Authorities, Durham Regional Local Housing Corporation and other Outside Agencies to guide the development of detailed 2019 Business Plans and Budgets.
3. 2019 Current and Capital Business Plans and Budgets and Nine-Year Capital Forecasts for the Water Supply and Sanitary Sewerage Systems (2019-F-2)
[CARRIED]
- A) That the 2019 Current and Capital Business Plans and Budgets for the Water Supply System, with a total gross expenditure of \$182.21 million (net user rate supported expenditure of \$107.93 million) and related financing as set out below, be approved:

[SEE NEXT PAGE]

	2018 Gross Budget (\$ 000's)	2019 Gross Budget (\$ 000's)	Variance Incr/(Decr) (\$ 000's)
<u>EXPENDITURES</u>			
Operations:			
Watermain Cleaning and Repairs	3,649	3,572	(77)
Valves and Hydrants	3,208	3,211	3
Water Connections	4,217	4,370	153
Water Meters	755	666	(89)
Depot Operations	5,724	5,758	34
Plants East	2,780	2,926	146
Plants Central	13,118	13,263	145
Plants North	2,879	3,026	147
Sunvalley	28	29	1
Engineering and Staff Support	6,676	7,335	659
Facilities Management	6,532	6,603	71
Administration	304	315	11
Headquarters Shared Costs	1,050	1,073	23
Utility Finance	3,440	3,658	218
Share of Regional Corporate Costs	6,347	6,145	(202)
Contribution to Asset Management Reserve Fund	4,985	5,234	249
Subtotal Operations	<u>65,692</u>	<u>67,184</u>	<u>1,492</u>
Capital/Debt Charges:			
TCA Capital	2,359	3,361	1,002
TCA Construction	114,533	109,973	(4,560)
Debt Charges	-	1,694	1,694
Subtotal Capital/Debt Charges	<u>116,892</u>	<u>115,028</u>	<u>(1,864)</u>
TOTAL EXPENDITURES	<u>182,584</u>	<u>182,212</u>	<u>(372)</u>
<u>FINANCING</u>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	27,245	57,358	30,113
Commercial Development Charges - Growth Related Capital	2,417	1,769	(648)
Industrial Development Charges - Growth Related Capital	1,400	-	(1,400)
Industrial Development Charges - Debt Charges	-	536	536
Institutional Development Charges - Debt Charges	-	28	28
Water Rate Stabilization Reserve Fund	-	2,000	2,000
Asset Management Reserve	4,509	4,985	476
Fees and Service Charges	2,708	2,791	83
Financing From Others:			
Region of York - TCA Construction	1,550	325	(1,225)
Oversizing Costs Related to Seaton/Federal Lands	18,785	4,488	(14,297)
Debenture Proceeds:			
Newcastle Water Supply Plant, Clarington	17,580	-	(17,580)
Financing From Non-User Revenue Sources	<u>76,194</u>	<u>74,280</u>	<u>(1,914)</u>
User Revenues Financing (including frontage charges)	<u>106,390</u>	<u>107,932</u>	<u>1,542</u>
TOTAL FINANCING	<u>182,584</u>	<u>182,212</u>	<u>(372)</u>

- B) That the Nine-Year Capital Forecast for 2020 to 2028 inclusive, in the amount of \$1.05 billion as detailed in the Water Supply System Capital Budget, be received for information;
- C) That the 2019 Current and Capital Business Plans and Budgets for the Sanitary Sewerage System with a total gross expenditure of \$235.10 million (net user rate supported expenditure of \$102.12 million) and related financing as set out below, be approved:

[SEE NEXT PAGE]

	2018 Gross Budget (\$ 000's)	2019 Gross Budget (\$ 000's)	Variance Incr/(Decr) (\$ 000's)
<u>EXPENDITURES</u>			
Operations:			
Cleaning, Repairs and Maintenance Holes	2,025	2,112	87
Sewer Connections	2,882	2,944	62
Depot Operations	3,091	3,198	107
WPCPs and Pumping Stations	22,786	23,236	450
Duffin Creek WPCP	35,353	35,551	198
Regional Environmental Laboratory	2,413	2,571	158
Engineering and Staff Support	6,261	6,769	508
Facilities Management	6,810	7,075	265
Administration	307	318	11
Headquarters Shared Costs	1,050	1,073	23
Utility Finance	3,440	3,658	218
Share of Regional Corporate Costs	5,894	5,687	(207)
Contribution to Asset Management Reserve Fund	8,234	8,646	412
Subtotal Operations	100,546	102,838	2,292
Capital/Debt Charges:			
Duffin Creek WPCP - TCA Capital	1,880	1,480	(400)
Regional Environmental Lab - TCA Capital	480	172	(308)
TCA Capital	2,582	2,409	(173)
TCA Construction	49,518	106,437	56,919
Debt Charges	21,434	21,761	327
Subtotal Capital/Debt Charges	75,894	132,259	56,365
TOTAL EXPENDITURES	176,440	235,097	58,657
<u>FINANCING</u>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	8,625	11,859	3,234
Residential Development Charges - Debt Charges	11,167	11,499	332
Commercial Development Charges - Growth Related Capital	737	1,266	529
Commercial Development Charges - Debt Charges	1,440	1,439	(1)
Industrial Development Charges - Growth Related Capital	1,800	1,000	(800)
Asset Management Reserve	6,900	8,234	1,334
Regional Environmental Lab Equipment Replacement Reserve	460	135	(325)
Fees and Service Charges	6,066	6,811	745
Financing From Others:			
Region of York - TCA	1,468	1,132	(336)
Region of York - TCA Construction	11,498	23,514	12,016
Developer Contribution	-	13,080	13,080
Region of York - Operating	26,964	27,109	145
Debenture Proceeds:			
Courtice Trunk Sanitary Sewer, Clarington	-	25,900	25,900
Financing From Non-User Revenue Sources	77,125	132,978	55,853
User Revenues Financing (including frontage charges)	99,315	102,119	2,804
TOTAL FINANCING	176,440	235,097	58,657

- D) That the Nine-Year Capital Forecast for 2020 to 2028 inclusive, in the amount of \$1.32 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 2019 capital projects detailed within the 2019 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 2019 Current and Capital Business Plans and Budgets for the Water Supply and Sanitary Sewerage Systems be presented to Regional Council.
4. Proposed End-User Maintenance Agreement with INIT Innovations in Transportation, Inc. (INIT) (2019-F-3)
[CARRIED]
- A) That an End-User Maintenance Agreement with INIT Innovations in Transportation, Inc. be negotiated in order to minimize risks associated with critical system failures, at a total cost not to exceed \$1,458,970 over five years (July 1, 2018 to June 30, 2023) before applicable taxes, increasing the current contract value from \$5,792,731 (before taxes) to \$7,251,700, with the estimated 2019 cost of \$265,571 to be included in DRT's 2019 Business Plan and Budget; and
 - B) That the Commissioner of Finance be authorized to execute the necessary agreements.
5. Recommendation to Leverage Ontario Education Collaborative Marketplace (OECM) – Production and Multi-Function Printing Equipment RFP (2019-F-4)
[CARRIED]
- A) That the current term of Xerox contract for the print shop equipment managed by the Finance Department as originally established through the Region's RFP-627-2014 be cancelled early effective April 1, 2019 at a cost of approximately \$19,000;
 - B) That the Production and Multi-Function Printing Equipment RFP issued by Ontario Education Collaborative Marketplace (OECM) and awarded through a competitively bid RFP to Xerox, be leveraged to replace the Region's existing Xerox print shop printing equipment Agreement for the provision of updated Xerox equipment for a period of 7 years beginning April 1, 2019 until 2026 at an estimated total cost of \$980,000 to be funded from individual Regional departments' printing budgets; and,
 - C) That the Commissioner of Finance be authorized to execute any applicable agreements.

6. Amendment to Vehicle Advance and Casual Travel Reimbursement Rates
(2019-F-5)

[CARRIED ON A RECORDED VOTE]

That the rates for reimbursement for the use of a personal vehicle while on Regional business be as set out in Attachment #1 to Report #2019-F-5, effective January 1, 2019.

7. Confidential Report of the Commissioner of Corporate Services – Labour
Relations/Employee Negotiations with respect to the Ontario Nurses Association
Local 92 – Hillsdale Estates (ONA 92-HE) (2019-A-1)

[CARRIED]

That the recommendations contained in Confidential Report #2019-A-1 of the Commissioner of Corporate Services be adopted.

Moved by Councillor McLean, Seconded by Councillor Leahy,

(15) That the recommendations contained in Items 1, 4 and 5 of the First Report of Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor McLean, Seconded by Councillor Leahy,

(16) That the recommendations contained in Item 2 of the First Report of Finance and Administration Committee be adopted.

CARRIED

ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Crawford
Councillor Dies
Councillor Foster
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 Roy
Councillor Ryan
Councillor Tyler Morin
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Smith

Declarations of Interest: None

Moved by Councillor McLean, Seconded by Councillor Leahy,
(17) That the recommendations contained in Item 3 of the First Report of
Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor McLean, Seconded by Councillor Leahy,
(18) That the recommendations contained in Item 6 of the First Report of
Finance and Administration Committee be adopted.

CARRIED

ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Crawford
Councillor Dies
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 Tyler Morin
Councillor Wotten

No

Councillor John Neal
Councillor Joe Neal

Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Ryan
Councillor Smith

Declarations of Interest: None

Moved by Councillor McLean, Seconded by Councillor Leahy,
(19) That the recommendations contained in Item 7 of the First Report of the
Finance & Administration Committee be adopted.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor Ashe,
(20) That the foregoing motion (19) of Councillors McLean and Leahy to adopt
the recommendations contained in Item 7 of the First Report of the
Finance & Administration Committee be deferred to the end of the
agenda.

CARRIED

[Refer to page 39 of these minutes]

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

1. Motion re: Cannabis Use in Public Places [CARRIED]

- A) Whereas the use of cannabis became legalized in Canada on October 17, 2018; and
- B) Whereas every time cannabis is used it can adversely affect learning and remembering, mental health, and mood and feelings; and
- C) Whereas regular cannabis use over a prolonged period of time can injure the lungs, adversely affect mental health, and lead to physical dependence or addiction; and
- D) Whereas cannabis use in public places combined with its known health effects can adversely affect community safety, such as through impaired driving, etc.; and

- E) Whereas Section 11 of Schedule 1 (*Cannabis Act, 2017*) of *The Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017*, S.O. 2017, c. 26 – Bill 174 prohibited the use of cannabis in public places; and
- F) Whereas Section 11 of Schedule 1 (Amendments to the Cannabis Act, 2017 and Other Acts) repealed Section 11 (Restrictions on places of consumption) of the *Cannabis Act, 2017*; and
- G) Whereas Section 12 of the *Smoke-Free Ontario Act, 2017* prohibits the smoking or holding of lighted cannabis in only enclosed public places and workplaces; and
- H) Whereas it is desirable to mitigate the human health effects of cannabis use and to de-normalize the use of cannabis in all public places, particularly with respect to children and youth; and
- I) Whereas it is also desirable to mitigate the community safety impacts of cannabis use in all public places; and
- J) Now therefore be it resolved that the Council of the Regional Municipality of Durham urges the Government of Ontario to amend the *Smoke-Free Ontario Act, 2017* such that the smoking or holding of lighted cannabis is prohibited in all public places; and
- K) Now be it further resolved that the Councils of Durham’s lower-tier municipalities are requested to endorse this resolution; and
- L) Now be it further resolved that the Premier of Ontario, Deputy Premier & Minister of Health and Long-Term Care, Attorney General of Ontario, Minister of Finance, Durham’s MPPs, Chief Medical Officer of Health, AMO, ALPHA and all Ontario Boards of Health be so advised.

Moved by Councillor Roy, Seconded by Councillor Pickles,
(21) That the recommendations contained in Item 1 of the First Report of the Health & Social Services Committee be adopted.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Nicholson, Seconded by Councillor Foster,
(22) That the main motion (21) of Councillors Roy and Pickles to adopt the recommendations contained in Item 1 of the First Report of the Health and Social Services Committee be in amended in Part I) by adding the words, “unless authorized for medical purposes” after the words, “public places”.

MOTION DEFEATED

The main motion (21) of Councillors Roy and Pickles was then put to a vote and CARRIED.

9.3 Report of the Planning and Economic Development Committee

1. Application to Amend the Durham Regional Official Plan, submitted by Mike Kennedy, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Uxbridge, File [OPA 2018-003 \(2019-P-1\)](#)

[CARRIED]

- A) That Amendment #173 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, be adopted as contained in Attachment #3 to Commissioner's Report #2019-P-1; and
- B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Township of Uxbridge, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.

2. Toronto Global Effectiveness Evaluation and Funding Renewal (2019-EDT-3)

[AMENDED]

- A) That Durham Region continue to partner with Toronto Global with respect to international investment attraction activities under a 5-year funding agreement, subject to satisfactory performance by Toronto Global and subject to funding being approved annually through the Region's annual Business Plans and Budget process;
- B) That funding of Toronto Global for 2019, in the amount of \$206,397, be approved through the 2019 Business Plans and Budget process;
- C) That the Regional Chair and Regional Clerk be authorized to execute the appropriate funding agreement with Toronto Global upon budget approval;
- D) That a copy of Report #2019-EDT-3 be forwarded to Toronto Global, the Area Municipalities, and all members of the Durham Economic Development Partnership for information; and
- E) That Toronto Global report to the Durham Region Planning & Economic Development Committee **in January 2020 and, each year thereafter**, or upon request, and to Regional Council upon request.

Moved by Councillor Ryan, Seconded by Councillor Lee,
(23) That the recommendations contained in Item 1 of the First Report of the Planning and Economic Development Committee be adopted.
CARRIED

Moved by Councillor Ryan, Seconded by Councillor Lee,
(24) That the recommendations contained in Item 2 of the First Report of the Planning and Economic Development Committee be adopted.
CARRIED AS AMENDED
LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor Lee,
(25) That the main motion (24) of Councillors Ryan and Lee to adopt the recommendations contained in Item 2 of the First Report of the Planning and Economic Development Committee be amended in Part E) by striking out the words "once a year" and replacing them with the words "in January 2020, and each year thereafter".
CARRIED

The main motion (24) of Councillors Ryan and Lee to adopt the recommendations contained in Item 2 of the First Report of the Planning and Economic Development Committee was put to a vote and CARRIED AS AMENDED.

9.4 **Report of the Works Committee**

1. Issuance of an Encroachment Agreement within the Road Allowance at the Corner of Westney Road North (Regional Road 31) and Kingston Road West (Regional Highway #2), in the Town of Ajax ([2019-W-1](#))

[CARRIED]

A) That an Encroachment Agreement with Durham Condominium Corporation 102 permitting the encroachment of a walkway located at 2 Westney Road North, in the Town of Ajax extending 7.5 metres (24.6 feet) within the Kinston Road (Regional Highway #2) road allowance be approved; and

B) That the Regional Chair and Clerk be authorized to execute all documents associated with this agreement.

2. Site Plan Agreement for the Construction of the Newcastle Water Supply Plant, in the Municipality of Clarington ([2019-W-2](#))

[CARRIED]

That the Regional Chair and Clerk be authorized to execute all documents associated with the site plan agreement and building permit process for the construction of the new Newcastle Water Supply Plant, in the Municipality of Clarington.

3. Report on Tenders and Additional Financing for Regional Municipality of Durham Contract D2018-005 for Townline Road (Regional Road 55) and Pebblestone Road Intersection Modifications in the City of Oshawa and Municipality of Clarington (2019-W-5)

[CARRIED]

- A) That the low compliant bid of Hard-Co Construction Ltd., in the amount of \$1,166,186*, be awarded for Regional Municipality of Durham Contract D2018-005 resulting in a total estimated project cost of \$2,124,000;
- B) That the previously approved project budget of \$1,662,000 be increased by \$462,000 to a revised total project budget of \$2,124,000;
- C) That the funding for the additional project commitments in the amount of \$462,000 be provided from the following source:

Reallocation from Contingencies within Project R1402 Taunton Road and Enfield Road Intersection Modifications:

Residential Development Charges	\$282,744
Commercial Development Charges	\$41,580
Roads Capital Reserve	<u>\$137,676</u>
Total Reallocated Financing	<u>\$462,000</u>

- D) That the Regional Chair and Clerk be authorized to execute Regional Municipality of Durham Contract D2018-005.
(* before applicable taxes)

4. Approval to Award Sole Source Engineering Services for Phase II of the Supervisory Control and Data Acquisition System and Process Optimization Data Integration Services for the York-Durham Duffin Creek Water Pollution Control Plant, in the City of Pickering (2019-W-6)

[CARRIED]

- A) That the Works Department be provided approval to award a sole source engineering agreement to Eramosa Engineering Inc. to provide Phase II of the Supervisory Control and Data Acquisition System and Process Optimization Data Integration Services for the York-Durham Duffin Creek Water Pollution Control Plant at an upset limit not to exceed \$125,000* to be contingent on approval of funding within the 2019 Duffin Creek Water Pollution Control Plant Budget; and

- B) That the Commissioner of Finance be authorized to execute the necessary engineering services agreement.
(*) before applicable taxes
5. New Community Safety Zone and Speed Limit Reduction – Simcoe Street Between Niagara Drive/Selleck Lane and the Campus Ice Centre Access – University of Ontario Institute of Technology and Durham College (2019-W-8)
[CARRIED]
- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law 44-2006, generally in the form included as Attachment #2 to Report #2019-W-8, for presentation to Regional Council for passage; and
- B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law 44-2006 as indicated in the form includes as Attachment #2 to Report #2019-W-8.
6. Purchase of Land Required for the Adelaide Avenue (Regional Road 58) Extension Project, in the Municipality of Clarington (2019-W-9)
[CARRIED]
- A) That the following purchase agreement be approved:
- Adelaide Avenue (Regional Road 58) Extension Project – Townline Road (Regional Road 55) to Trulls Road, Municipality of Clarington
- | | | |
|-------------------|--------------------------------------------------------------------------------------------|-----------|
| Estate of Barbara | 18 Lawson Road | \$476,500 |
| Anita Butters | Part of Lot 35, Concession 3
Municipality of Clarington
Identified as PIN 26707-0034 | |
- B) That additional costs, estimated to be \$35,000, for the demolition of the house be approved, if necessary;
- C) That financing for the acquisition be provided from the funds allocated in the approved project budget; and
- D) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.
- Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(26) That the recommendations contained in Items 1, 2, 5 and 6 of the First Report of the Works Committee be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(27) That the recommendations contained in Item 3 of the First Report of the Works Committee be adopted.
CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(28) That the recommendations contained in Item 4 of the First Report of the Works Committee be adopted.
CARRIED

9.5 Report of the Committee of the Whole

1. Provincial Consultation on Increasing Housing Supply in Ontario (2019-COW-1) [CARRIED]

- A) That Report #2019-COW-1 be endorsed and submitted to the Ministry of Municipal Affairs and Housing as Durham Region's response to Environmental Bill of Rights Registry #013-4190 regarding Increasing Housing Supply in Ontario, including the following key comments and recommendations:
- i) That the Province account for all factors impacting housing affordability in their action plan, including but not limited to, land costs, construction costs, housing demand by type, real interest rates, availability of mortgage financing, speculation, income levels, consumer confidence, government regulations and broader economic conditions. A narrow focus on supply is expected to produce only a limited set of options and potential solutions;
 - ii) That the Province recognize that all levels of government need to work in consultation together to develop solutions that achieve housing affordability, while respecting the limited revenue options for municipalities to recover the costs of infrastructure;
 - iii) That the Province work with the federal government to increase the total funding available for the development of affordable rental units and take additional measures to provide direct support for low to moderate income households to make rental housing more affordable;
 - iv) That the Province respect the following when making decisions that may impact municipal revenues:
 - a. The Development Charge framework is a cost recovery mechanism for growth-related infrastructure;

- b. That there are many factors that determine the cost of housing and development charges represent a relatively small component of overall housing costs;
- c. Development charges are the primary fiscal tool available to municipalities to fund growth-related infrastructure;
- d. There should be flexibility for municipalities that wish to use development charges as a tool to promote a certain type or area of development in line with local circumstances (for example, Durham Region Council passed a new development charge by-law in June 2018 with modifications to promote the development of secondary units, infill apartment units and social and affordable housing);
- e. Increases in development charges are driven by general cost escalation, and new provincial legislation and regulations;
- f. Economic growth in the housing sector relies on municipal investment in infrastructure required to service land. Any discount or waiver of municipal development charges may defer these municipal investments in infrastructure needed to accommodate future development;
- g. Municipal investment in infrastructure contributes to economic growth and job creation via the purchase of material and utilization of contractors to improve the road, water supply, sanitary sewerage, police, paramedic and transit infrastructure;
- h. Any discount or waiver of municipal development charges would undermine the concept of “growth-pays-for-growth” and would continue to impact housing affordability, as one-time growth-related costs would be passed on to existing and future homeowners and businesses through higher property taxes and user rates on an ongoing basis to fund the municipal revenue shortfall, as well as delay servicing; and
- i. There is no mechanism to ensure that any reduction in development charges will be reflected in lower housing prices;
- v) That the Province maintain the Non-Resident Speculation Tax and consider increasing the rate above the current 15% as another way to further control increases in home prices in the future if necessary;
- vi) That the Province reaffirm its commitment to extend GO Rail service to Bowmanville and build the critical infrastructure along the Lakeshore East GO line, including new stations in Oshawa, Courtice and Bowmanville;

- vii) That the Province allow municipalities to have discretion to determine what actions to take, including implementing financial and planning tools to increase housing supply where it is needed;
- viii) That the Province consider further changes to the Building Code to make it less onerous for developers to rough in secondary units during the construction of new homes, without compromising the safety of future residents;
- ix) That the Province maintain rent control and vacancy decontrol for all rental housing units, but review rent control guidelines and caps to be more reflective of actual operating costs such as maintenance, property taxes, heat and electricity rates;
- x) That the Province increase resources at the Landlord and Tenant Board (LTB) and make further process improvements, including:
 - a. Allowing landlords to pursue unpaid utility arrears and related costs at the LTB;
 - b. Encouraging mediation as a first step in LTB action;
 - c. Providing for dedicated mediation resources at the LTB to support smaller landlords;
 - d. Requiring tenants to disclose to the landlord any issues they intend to raise at rental arrears eviction hearings and provide reasonable time for the landlord to address these issues;
 - e. Allowing a stay of eviction only if all arrears have been paid; and
 - f. Simplifying LTB forms so landlords and tenants can better understand rights, responsibilities and LTB processes;
- xi) That the Province consider the following when evaluating innovative housing options:
 - a. Shared ownership - Government investment in shared ownership will not increase the housing supply or otherwise contribute to a social benefit. Shared ownership has always been permissible;
 - b. Shared equity models, such as Trillium Housing, have a second mortgage tied to appreciation which is repayable when the property is sold, or when the mortgage is refinanced;
 - c. Shared rental – roommate matching services should be operated outside of landlord or municipal government environment; and

- d. Investing in the non-profit housing sector will provide affordable units in perpetuity through funding of financial incentives to offset development costs, regeneration initiatives, and operational subsidies to support reduced rents; and
 - B) That a copy of Report #2019-COW-1 of the Commissioners of Planning and Economic Development, Finance and Social Services be forwarded to Durham’s area municipalities.
2. 2019 Transportation Servicing and Financing Study (2019-COW-2)
[CARRIED ON A RECORDED VOTE]

- A) That the 2019 Transportation Servicing and Financing Study be received and forwarded to the 2019 Business Planning and Budget deliberations including the practice of using the existing special reserves for growth related and rehabilitation projects, based on asset management best practices to address the needs of Regional transportation infrastructure;
- B) That the Region’s higher order Type “A” Arterial roads outlined in the table below be acknowledged as priority corridors for road expansion investments over the 2019 to 2028 period:

Table 1: Proposed Investments for Expansion Projects on Regional Type “A” Arterial Road Corridors (\$000’s)

Capital Projects	Municipality	Proposed Year of Construction	Proposed 2019-2028 Gross Costs ¹
Brock Road (Reg. Rd. 1)	Pickering/Uxbridge	2020-Beyond 2028	57,300
Simcoe Street (Reg. Rd. 2)	Scugog	2027	4,250
Taunton Road (Reg. Rd. 4)	Pickering/Ajax/Whitby/Clarington	2020 - Beyond 2028	54,900
Bayly/Victoria/Boor Street (Reg. Rd. 22)	Pickering/Ajax/Whitby/Oshawa/Clarington	2019 - Beyond 2028	89,320
Lake Ridge Road (Reg. Rd. 23)	Ajax/Whitby	2019 - 2022	12,500
Thickson Road (Reg. Rd. 26)	Whitby	2020 - Beyond 2028	49,400
Harmony Road (Reg. Rd. 33)	Oshawa	2019 - Beyond 2028	5,900
Whites Road (Reg. Rd. 38)	Pickering	2024 - Beyond 2028	21,800
Bowmanville Avenue (Reg. Rd. 57)	Clarington	2019 - 2025	37,450
Region Hwy. 47	Uxbridge	2022 - 2026	12,500
TOTAL			345,320

¹ Proposed 2019-2028 gross costs do not include funding from prior years.

- C) That the following structures program be acknowledged as a priority over the 2019 to 2028 forecast period:

Table 2: Structures Program 2019-2028 (\$000's)

Capital Projects	Municipality	Proposed Year of Construction	Proposed 2019-2028 Gross Costs ¹
Structures (i.e. bridges) replacements/rehabilitations	Pickering/Ajax/ Whitby/Clarington/ Uxbridge/Brock	2019 - Beyond 2028	115,780

¹ Proposed 2019-2028 gross costs do not include funding from prior years

- D) That the Federal Gas Tax funding allocation for the rehabilitation of roads increase by \$2.7 million, from \$4.8 million in 2018 to \$7.5 million for the 2019 capital program.
- E) That the Region write to the Minister of Transportation with all Durham MPPs being copied, requesting that the Province proceed with the Region's interim solution for the Harmony-401 Interchange as Durham's top roads related project under provincial jurisdiction and a copy of this resolution be forwarded to the Cities of Clarington and Oshawa.
3. 2019 Solid Waste Management Servicing and Financing Study (2019-COW-3)
[PARTS REFERRED BACK AND AMENDED]
Committee of the Whole referred back Recommendation C) of Report #2019-COW-3 for staff to report back on the results of the multi-thousand tonne pre-sort testing to confirm the tonnage drivers for the pre-sort anaerobic digester (AD) as an alternative to expanding the Durham York Energy Centre (DYEC); and that it be a project by Durham Region alone.
- A) Whereas the Regional Municipality of Durham's current Long-Term Waste Management Strategy Plan expires in 2020:
- That staff be authorized to commence a process in 2019 to update the Regional Municipality of Durham's Long-Term Waste Management Strategy;
 - That a consultant be retained through a competitive procurement process for a two-year assignment to develop and support the consultation and communication components of a Long-Term Waste Management Strategy 2021 – 2040, with the cost of this assignment not to exceed \$200,000, subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets; and
 - That Regional Council endorse a vision **when produced** for the Long-Term Waste Management Strategy 2021 – 2040 that continues and enhances the reduce, reuse, recycle principles and incorporates the vision of waste as a resource as a foundation of the plan.

- B) That staff be authorized to pursue an administrative amendment with the Ministry of Environment, Conservation and Parks (MECP) to revise the existing Environmental Compliance Approval for Durham York Energy Centre (DYEC) processing limit of 140,000 tonnes per year to 160,000 tonnes per year to reduce the need to utilize other disposal options and to optimize the operation of the facility;
[REFERRED BACK]
- ~~C) That staff be authorized to commence the Environmental Assessment (EA) for the DYEC expansion to process 250,000 tonnes per year, including retaining consulting assistance at a cost not to exceed \$60,000, subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets;~~
- C) That the Region continue with the second stack test which has been conducted in May.**
- D) That whereas the Region's Request for Pre-Qualification 1095-2018 for the receipt, transfer and haulage and processing of organics from the Region's source separated green bin collection program resulted in only one bidder, being Miller Waste Systems, that staff be authorized to enter into negotiations for a sole source contract with Miller Waste Systems for this service, with up to a five-year term and that the Commissioner of Finance, in consultation with the Commissioner of Works, the Region's Solicitor and CAO, be authorized to execute the contract to be funded from the 2019 and subsequent annual Waste Management Business Plan and Budget;
- E) That whereas the Oshawa Waste Management Facility (WMF) has exceeded its design capacity to accommodate the increased users of the site, that staff be authorized through a competitive procurement process to install an additional inbound weigh scale at the Oshawa Waste Management Facility at a cost not to exceed \$100,000 subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets;
- F) That staff be authorized to retain a consultant to optimize the Oshawa Waste Management Facility to accommodate the future needs of the Region, at a cost not to exceed \$60,000 subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets;
- G) That the 2019 Business Plan and Budget include effective July 1, 2019, a new \$250 per tonne charge for fill material (such as soils, concrete and mixed construction materials) and mixed loads containing fill material at Regional WMFs to manage the fill material received on a full cost recovery basis (a cost \$125 per tonne higher than the current mixed load fee);

- H) That whereas the *Waste Free Ontario Act, 2016* will require changes or replacements to existing program plans and revised agreements for municipalities to participate in the programs for Tires and for Waste Electrical and Electronic Equipment (WEEE), that the Regional Chair and Regional Clerk, in consultation with the Commissioners of Works and Finance, be authorized to amend or replace existing contracts, as applicable, for the Region to be able to participate in the new programs and obtain any available funding; and
 - I) That a consultant be retained to explore alternate beneficial uses and markets for problematic blue box materials (such as glass, plastics and paper) within the Region of Durham at a cost not to exceed \$60,000 subject to the finalization of the 2019 Solid Waste Management Business Plans and Budgets.
4. 2019 Regional Social Housing Servicing and Financing Study ([2019-COW-4](#))
[CARRIED]
- A) That the federal and provincial governments be requested to expedite long-term, predictable and sustainable funding to municipalities – i.e. non-application-based funding similar to the Federal and Provincial Gas Tax – in order to support long-term housing plans, like At Home in Durham, the Durham Housing Plan 2014-2024;
 - B) That in order to address local needs and incorporate more flexibility to maintain the Region’s legislated service level standard of 4,446 Rent-Geared-to-Income (RGI) units, staff develop a Portable Housing Benefit (PHB) framework to support the introduction and implementation of a total of 70 PHBs, consisting of 35 PHBs within the Region’s legislated service level standard and 35 PHBs above the Region’s service level standard, at no additional cost to the Region with a report to Regional Council on the outcomes of this pilot by fall 2019;
 - C) That the existing authority of the Commissioner of Social Services and Commissioner of Finance be extended to include the execution of Durham Rent Supplement – Shared Delivery agreements to support Housing First programs administered by community partners, with funding previously approved by Regional Council (Report #2017-COW-257);
 - D) That in order to maximize provincial funding for the Strong Communities Rent Supplement (SCRS) program and to address the affordable housing needs of people who are homeless or at high risk of homelessness, the current level of 151 SCRS units be maintained until 2020 at a total annual cost of approximately \$1.44 million funded by the Province, and that staff report back to Regional Council in the 2020 Regional Social Housing Servicing and Financing Study on a strategy to address end of program in 2023;

- E) That the Province of Ontario be requested to provide permanent sustainable funding of approximately \$1.44 million annually for 151 households to maintain the current SCRS Program beyond March 31, 2023 to safeguard tenancies of those at high risk of homelessness;
 - F) That Regional Council endorse the implementation of non-smoking policies throughout the Durham Regional Local Housing Corporation (DRLHC) portfolio in 2019; and
 - G) That the Regional Chair and Regional Clerk be authorized to enter into a service agreement with the Government of Canada to flow 100 per cent federal funding in an annual estimated amount of \$418,000 under the Reaching Home initiative to approved community programs to assist people who are homeless or at risk of becoming homeless.
5. Durham Region Comments on the “Preserving and Protecting our Environment for Future Generations A Made-in-Ontario Environment Plan” (2019-COW-5)
[CARRIED]
- A) That Report #2019-COW-5 of the Chief Administrative Officer be submitted to the Provincial government in response to Preserving and Protecting our Environment for Future Generations: a made-in-Ontario Environment Plan; and
 - B) That a copy of Report #2019-COW-5 be forwarded to Durham MPPs and area municipalities for their information.
6. Durham’s Response to Bill 66, Restoring Ontario’s Competitiveness Act, 2018 (2019-COW-6)
[CARRIED]
- A) That Report #2019-COW-6 of the Chief Administrative Officer be forwarded to the relevant ministry contacts following the Committee of the Whole on January 16, 2019 with a cover letter indicating these recommendations will not be ratified by Council until January 30, 2019;
 - B) That with respect to Schedule 2 of Bill 66, which would repeal the Pawnbrokers Act, that the Attorney General be encouraged to explore an alternative provincial policy approach to reduce the criminal activity related to pawnshops and sale of second-hand goods;
 - C) That with respect to Schedule 7 of Bill 66 relating to the Technical Standards and Safety Act, the Region recommends that the Minister of Government and Consumer Services ensure:

- i) That appropriate consultation and advanced communications to affected sectors should be the first step in the introduction of “alternate rules”; and
 - ii) Oversee and reinforce that the principle of protection of public safety is the key goal in the design of Technical Standards and Safety Authority inspection and compliance regimes;
- D) That with respect to Schedule 10 of Bill 66 and proposed Open-for-Business Planning By-law tool, the following recommendations be made to the Minister of Municipal Affairs:
- i) That an open-for-business planning by-law proposed under Bill 66 not be exempt from Section 3(5) of the Planning Act requiring consistency with the Provincial Policy Statement;
 - ii) That pre-consultation should be a requirement to ensure timely information sharing. Similarly, applications filed under this process should include complete information as determined by the area municipality to enable informed decision making;
 - iii) That open for business by-laws remain subject to the provisions of the Great Lakes Protection Act, the Lake Simcoe Protection Act, Clean Water Act and Source Protection Plans to ensure public health and safety;
 - iv) That the Province clarify how the summary site plan review process would enable a municipality to require or implement off-site development related conditions, in the absence of the use of Holding (H) provisions;
 - v) That the Province afford either the Minister or the local municipality the ability to require employment performance measures on the developments approved under an open-for-business planning by-law and monitor its effectiveness;
 - vi) That there should be a mechanism for the open-for-business planning by-law to automatically lapse without having to formally repeal the by-law (e.g. if a building permit is not issued for the project within a specified time such as 24 months);
 - vii) The Province clarify how Greater Golden Horseshoe municipalities should plan for these open-for-business planning by-laws within the context of the required Employment Strategy, that upper tier municipalities must undertake to implement the Growth Plan;

- viii) That the Province strengthen the restrictions on permissible secondary uses to only employment-generating uses to ensure that the focus is maintained on targeted employment uses; and
 - ix) That the Province impose a time limit on the open-for-business planning tools and require a formal review within three years of them coming into full force and effect; and
- E) That the Regional Clerk notify Durham MPPs, the local area municipalities, and the Association of Municipalities of Ontario of the adoption of these recommendations by Regional Council and forward them a copy of Report #2019-COW-6 and recommendations.
- F) And further:
- That the Province be requested to dispense with Class Environmental Assessments with regards to the expansion of existing roads.

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(29) That the recommendations contained in Items 1, 4 and 5 of the First Report of the Committee of the Whole be adopted.

CARRIED

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(30) That the recommendations contained in Item 2 of the First Report of the Committee of the Whole be adopted.

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 Crawford	
Councillor Dies	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor Marimpietri	
Councillor McLean	
Councillor Mitchell	
Councillor Mulcahy	
Councillor John Neal	

Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Tyler Morin
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Ryan
Councillor Smith
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(31) That the recommendations contained in Item 3 of the First Report of the
Committee of the Whole be adopted.

CARRIED AS AMENDED
LATER IN THE MEETING
(See Following Motions)

Moved by Councillor Pickles, Seconded by Councillor Anderson,
(32) That the main motion (31) of Councillors Mitchell and Marimpietri be
divided in order to allow voting on Part B) separately from the remainder.

CARRIED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

No

Councillor Marimpietri
Councillor McLean
Councillor Mitchell

Councillor Pickles
Councillor Roy
Councillor Tyler Morin
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Ryan
Councillor Smith
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Pickles, Seconded by Councillor Anderson,
(33) That Part B) of the recommendations contained in Item 3 of the First Report of the Committee of the Whole be referred back to staff for a report on additional emissions resulting from the increase to the next Regional Council meeting scheduled for February 27, 2019.

CARRIED

The main motion (31) of Councillors Mitchell and Marimpietri [with the exception of Part B)] was then put forward for consideration.

Moved by Councillor Joe Neal, Seconded by Councillor Nicholson,
(34) That the main motion (31) of Councillors Mitchell and Marimpietri to adopt the recommendations in Item 3 of the First Report of the Committee of the Whole be amended by adding the following as a new Part C):

C) That the Region continue with the second stack test which has been conducted in May.

CARRIED

ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Crawford
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor Lee
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Kerr
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy

Councillor Tyler Morin
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Ryan
Councillor Smith
Councillor Wotten

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(35) That the main motion (31) of Councillors Mitchell and Marimpietri to adopt the recommendations contained in Item 3 of the First Report of the Committee of the Whole be amended in Part D) by adding the words, "with the contract to be approved by Council" after the words, "with up to a five-year term".

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor Crawford
Councillor Dies
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Tyler-Morin
Councillor Yamada
Regional Chair Henry

No
Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Roy
Councillor Ryan
Councillor Smith
Councillor Wotten

Declarations of Interest: None

The main motion (31) of Councillors Mitchell and Marimpietri to adopt the recommendations contained in Item 3 of First Report of the Committee of Whole **[with the exception of Part B]** was then put to a vote and CARRIED AS AMENDED.

Moved by Councillor Mitchell, Seconded by Councillor Marimpietri,
(36) That the recommendations contained in Item 6 of the First Report of the Committee of the Whole be adopted.
CARRIED

10. Unfinished Business

10.1 OPG Resolution [RECEIVED FOR INFORMATION]

Whereas Ontario Power Generation's (OPG) Pickering nuclear station is one of Durham Region's largest employers with operations scheduled to end in 2024 when the reactor will be decommissioned; and

Whereas a full federal environmental assessment of the OPG Pickering site will allow governments to gather information and recommend measures to mitigate or eliminate potential environmental, social and economic impacts of the decision to close; and

Whereas reactor decommissioning was excluded from the list of projects required to undergo an environmental assessment under the revised 2012 Canadian Environmental Assessment Act (CEAA); and

Whereas Durham Region has asked the Canadian Nuclear Safety Commission (CNSC) to be engaged in an environmental assessment for the decommissioning of the Pickering nuclear station, but neither CNSC nor OPG are legally required to carry out such an assessment; and

Whereas the federal government is currently revising Canada's environmental assessment legislation with a public comment period in fall 2018 on what projects should be subject to an environmental assessment under the proposed Impact Assessment Act;

Therefore be it resolved:

That Durham Regional Council requests the Minister of Environment and Climate Change (Canada) designate reactor decommissioning, and, in particular, the decommissioning of the Pickering nuclear station, as a project requiring assessment under the proposed Impact Assessment Act; and

That a copy of this motion be sent to:

- Hon. Catherine McKenna, Minister of the Environment and Climate Change
- Hon. Amarjeet Sohi, Minister of Natural Resources
- Members of Parliament
 - Colin Carrie (Oshawa)
 - Celina Caesar-Chavannes (Whitby)
 - Jamie Schmale (Haliburton-Kawartha Lakes-Brock)
 - Hon. Mark Holland (Ajax)
 - Jennifer O'Connell (Pickering-Uxbridge)
 - Erin O'Toole (Durham)
 - Kimberly Rudd (Northumberland-Peterborough South)
- Hon. Rod Phillips, Minister of the Environment, Conservation and Parks
- Members of Provincial Parliament
 - Hon. Peter Bethlenfalvy (Pickering-Uxbridge)
 - Laurie Scott (Haliburton-Kawartha Lakes-Brock)
 - Lindsey Park (Durham)
 - Lorne Coe (Whitby)
 - David Piccini (Northumberland-Peterborough South)
 - Jennifer French (Oshawa)
- Canadian Environmental Assessment Agency
- Canadian Nuclear Safety Commission
- Ontario Power Generation

Moved by Councillor Foster, Seconded by Councillor Joe Neal,
(37) That Item 1 of Unfinished Business be received for information.
CARRIED

11. Other Business

- 11.1 Community Member Appointment to the Durham Regional Police Services Board (2019-A-4)
[CARRIED]

That Karen Fisher be appointed as the community member on the Durham Regional Police Services Board for the term of Council or until such time as her successor is appointed.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,
(38) That the recommendation contained in Item 11.1 of Other Business be adopted.

CARRIED

11.2 Transit Executive Committee Resolution Re: Composition of Transit Executive Committee
[CARRIED AS AMENDED]

- A) That the composition of the Transit Executive Committee be amended so that the Regional Chair can appoint a Regional designate to the Committee, and that the designate shall be the Chair of the Executive Committee; and
- B) That the Regional Clerk be directed to prepare the requisite by-law for approval by Regional Council.

Moved by Councillor Chapman, Seconded by Councillor Lee,
(39) That the recommendations contained in Item 11.2 of Other Business be adopted.

CARRIED AS AMENDED
(SEE FOLLOWING MOTION)

Moved by Councillor Chapman, Seconded by Councillor Carter,
(40) That the main motion (39) of Councillors Chapman and Lee to adopt the recommendations contained in Item 11.2 of Other Business be amended in Part A) so that the Regional Chair may be the Chair of the Executive Committee, or may choose to designate a Chair from amongst the members.

CARRIED

The main motion (39) of Councillors Chapman and Lee was then put to a vote and CARRIED AS AMENDED.

11.3 Measures to Reduce the Waiting List for Subsidized Daycare

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(41) That the Rules of Procedure be suspended in order to introduce a motion regarding measures available to reduce the waiting list for subsidized daycare, including whether there are surplus funds from the 2018 operating budget which could be utilized.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:
(A 2/3rds VOTE WAS NOT ATTAINED)

Yes
Councillor Anderson
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Leahy
Councillor Lee

No
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Highet
Councillor Kerr

Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Tyler-Morin
Councillor Yamada

Councillor McLean
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew
Councillor Roy
Councillor Ryan
Councillor Smith
Councillor Wotten

Declarations of Interest: None

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

7. Confidential Report of the Commissioner of Corporate Services – Labour Relations/Employee Negotiations with respect to the Ontario Nurses Association Local 92 – Hillsdale Estates (ONA 92-HE) (2019-A-1)
[CARRIED]

That the recommendations contained in Confidential Report #2019-A-1 of the Commissioner of Corporate Services be adopted.

Moved by Councillor Joe Neal, Seconded by Councillor Marimpietri,
(42) That the meeting be closed to the public in order to discuss a matter subject to Labour Relations/Employee Negotiations with respect to Nurses Association Local 92 – Hillsdale Estates.

CARRIED

(Refer to the closed Council meeting minutes of January 30, 2019.)

Moved by Councillor Joe Neal, Seconded by Councillor Foster,
(43) That Council rise from the Closed meeting and report.

CARRIED

Regional Chair Henry advised that during the closed meeting session there was an exchange of information between Council and staff pertaining to employee negotiations and solicitor client privilege as it relates to Item 7 of the First Report of the Finance and Administration Committee.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(44) That the recommendations contained in Item 7 of the First Report of
Finance and Administration be adopted.

CARRIED

12. By-laws

- 01-2019** Being a by-law to adopt Amendment #173 to the Durham Regional Official Plan.
This by-law implements the recommendations contained in Item #1 of the 1st Report of the Planning & Economic Development Committee presented to Regional Council on January 30, 2019.
- 02-2019** Being a by-law to approve and adopt the 2019 Business Plans and Budgets for Water purposes in the amount of \$182,212,245.
This by-law implements the recommendations contained in Item #3 of the 1st Report of the Finance & Administration Committee presented to Regional Council on January 30, 2019.
- 03-2019** Being a by-law to approve and adopt the 2019 Business Plans and Budgets for Sanitary Sewage purposes in the amount of \$235,096,506.
This by-law implements the recommendations contained in Item #3 of the 1st Report of the Finance & Administration Committee presented to Regional Council on January 30, 2019.
- 04-2019** Being a by-law to constitute and appoint a Land Division Committee.
This by-law implements the recommendations contained in Item #11.1 of Other Business presented to Regional Council on December 19, 2018.
- 05-2019** Being a by-law to appoint a community member to serve as a member of the Durham Regional Police Services Board.
This by-law implements the recommendations contained in Item #11.1 of Other Business presented to Regional Council on January 30, 2019.

06-2019 Being a by-law to amend By-law #44-2006 which regulates traffic and parking on roads under the jurisdiction of the Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #5 of the 1st Report of the Works Committee presented to Regional Council on January 30, 2019.

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(45) That By-law Numbers 01-2019 to 06-2019 inclusive be passed.

CARRIED

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(46) That the Rules of Procedure be suspended in order to introduce a By-law to amend By-law Number #27-2017, being a by-law to establish the Durham Region Transit Commission for the purposes of operating the regional transit system known as Durham Region Transit (DRT).

CARRIED on a 2/3rds Vote

07-2019 Being a by-law to amend By-law #27-2007, being a by-law to establish the Durham Region Transit Commission for the purpose of operating the regional transit system known as Durham Region Transit (DRT).

This by-law implements the recommendations contained in Item 11.2 of Other Business presented to Regional Council on January 30, 2019.

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(47) That By-law Number #07-2019 being a by-law to amend By-law #27-2007 to establish the Durham Region Transit Commission for the purposes of operating the regional transit system known as Durham Region Transit (DRT), be passed.

CARRIED

13. Confirming By-law

08-2019 Being a by-law to confirm the proceedings of Regional Council at their meeting held on January 30, 2019.

Moved by Councillor Ashe, Seconded by Councillor Anderson,
(48) That By-law Number 08-2019 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on January 30, 2019 be passed.

CARRIED

14. Adjournment

Moved by Councillor Marimpietri, Seconded by Councillor Leahy,
(49) That the meeting be adjourned.

CARRIED

The meeting adjourned at 4:43 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk