



OFFICIAL NOTICE

Meeting of Regional Council Agenda

Wednesday, November 29, 2023, 9:30 a.m.

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

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2054.

Note: This meeting will be held in a hybrid meeting format with electronic and in-person participation. Committee meetings may be [viewed via live streaming](#).

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There are no presentations	
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There are no delegations	
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There are no communications to be considered	
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There are no Reports related to Delegations/Presentations	
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11.	Notice of Motions	
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12.	Unfinished Business There is no Unfinished Business	
13.	Announcements	
14.	By-laws	
14.1	66-2023 Being a by-law to adopt Amendment #194 to the Durham Regional Official Plan. This by-law implements the recommendations contained in Item #2 of the 9th Report of the Planning & Economic Development Committee presented to Regional Council on November 29, 2023.	
14.2	67-2023 Being a by-law to adopt Amendment #195 to the Durham Regional Official Plan. This by-law implements the recommendations contained in Item #1 of the 9th Report of the Planning & Economic Development Committee presented to Regional Council on November 29, 2023.	
14.3	68-2023 Being a by-law to stop up and close as a public highway, that portion of Simcoe Street (Regional Road 2) legally described as Part of the Road Allowance between Lots 18 and 19, Concession 3 and Part of Lot 19,	

Concession 3, described as Parts 1 and 5 on Registered Plan 40R-32342, Township of Scugog (the “lands”).

This by-law implements the recommendations contained in Item #2 of the 9th Report of the Works Committee presented to Regional Council on November 29, 2023.

15. Confirming By-law

15.1 69-2023

Being a by-law to confirm the proceedings of the Council of The Regional Municipality of Durham at its meeting on the 29th day of November, 2023.

16. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

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

The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, October 25, 2023

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:33 AM. Electronic participation was offered for this meeting.

Regional Chair Henry assumed the Chair.

1. Traditional Territory Acknowledgment

Regional Chair Henry read the following land acknowledgement:

We are currently located on land which has long served as a site of meeting and exchange among the Mississaugas Peoples and is the traditional and treaty territory of the Mississaugas of Scugog Island First Nation. We honour, recognize and respect this nation and Indigenous Peoples as the traditional stewards of the lands and waters on which we meet today.

A. Harras, Regional Clerk, introduced Councillor Cria Pettingill, who was in attendance as the alternate Council member for the Township of Brock.

2. Roll Call

Councillor Anderson left the meeting at 6:18 PM

Councillor Ashe* left the meeting at 11:48 AM and attended the meeting at 1:08 PM

Councillor Barton

Councillor Brenner*

Councillor Carter

Councillor Collier, left the meeting at 11:48 AM and attended the meeting at 2:43 PM

Councillor Cook*

Councillor Crawford

Councillor Dies, left the meeting at 11:48 AM

Councillor Foster*

Councillor Garrod

Councillor Jubb

Councillor Kerr

Councillor Leahy

Councillor Lee*

Councillor Marimpietri

Councillor McDougall left the meeting at 11:48 AM and attended the meeting at 12:41 PM

Councillor Mulcahy

Councillor Neal* left the meeting at 2:30 PM

Councillor Nicholson

Councillor Pettingill

Councillor Pickles

Councillor Roy

Councillor Shahid

Councillor Woo* left the meeting at 11:48 AM and attended the meeting at 2:43 PM

Councillor Wotten

Councillor Yamada

Regional Chair Henry

*** indicates members who participated electronically, all other members participated in person**

All members of Council were in attendance with the exception of Councillors Chapman and Schummer.

Councillor Pettingill appeared as the alternate member for the Township of Brock.

3. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest made.

4. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Shahid, (181) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on September 27, 2023;
- Regular Committee of the Whole meeting held on October 11, 2023.

CARRIED

5. Presentations

5.1 Recognition of Local Athlete and Sport Team Achievements

- Pierce LePage, first Canadian to win gold in the decathlon at the 2023 World Athletics Championships
 - Whitby Rush, winner of regular season and 2023 Women's Major Series Lacrosse Championship
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Chair Henry recognized Pierce LePage, Whitby resident, as the first Canadian ever to win a decathlon gold medal at the World Athletics Championships. Chair Henry advised that Pierce was also the 2022 World Athletics Championships silver medalist; the 2018 Commonwealth silver medalist, and the 2019 Pan American bronze medalist; and represented Canada at the 2020 Summer Olympics, finishing in fifth place.

Chair Henry acknowledged the Whitby Rush Women's Major Series Lacrosse team for winning the A Division gold medal game and noted that 17 of the players, the manager and all four coaches reside in Durham Region. Chair Henry recognized team members who were in attendance including Lynn Swindells, Manager; Donelle Latimer, Assistant Coach and players Kaitlyn Schuetzkowski, Chloe Tapper, Victoria Halliday, Katie Smith and Jaimie Wright.

Chair Henry extended appreciation to the community volunteers and families who supported the athletes being recognized this morning.

6. Delegations

- 6.1 Saad Ashraf, Whitby resident, (In-Person Attendance) re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Saad Ashraf, Whitby resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

S. Ashraf appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. S. Ashraf provided a PowerPoint presentation and expressed concern with respect to costs; safety of residents and the community; proximity of the shelter to the Greenfield neighbourhood, daycares, schools, ravines and parks; distance to hospitals; lack of affordable housing; lack of rehabilitation programs; issues associated with other shelters; negative social media and news media regarding the shelter system; statistics regarding violence in shelters and property crime in neighbourhoods with shelters; and the ineffectiveness of temporary/bandaids solutions.

S. Ashraf responded to questions from members of Council.

- 6.2 Windhy Susanto, Whitby resident, (In-Person Attendance) re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Windhy Susanto, Whitby resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

W. Susanto appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. W. Susanto expressed concern with respect to a lack of information and transparency on the project, in particular the funds being used, and the release of the appraisal to Council members and not the public; the type of shelter (low-barrier) and whether it serves the community needs; and investing taxpayers money in a project that may not give the best results for the community without community consultation.

W. Susanto responded to questions from members of Council.

- 6.3 Karen Huska, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Karen Huska, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

K. Huska appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. K Huska expressed concern with respect to the proximity of the shelter to the Greenfield neighbourhood including safety concerns. K. Huska completed their delegation later in the meeting. (See Item 6.3 on Page 5)

- 6.4 April Alexander, Durham resident (In-Person Attendance), re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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April Alexander, Durham resident, appeared with respect to Notice of Motions Items 11.1 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

A. Alexander appeared in opposition to the shelter at 1635 Dundas Street in Whitby. A. Alexander expressed concern with respect to keeping the community safe from unpredictable behaviours associated with those suffering from mental health and addiction issues; addressing drug addiction issues before providing shelter; the lack of forced interventions to assist those with issues associated with addiction; concerns expressed by law enforcement officers in other areas with shelters; and concerns expressed in Timmins regarding the shelter there.

A. Alexander responded to questions from members of Council.

- 6.3 Karen Huska, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Karen Huska, Durham resident, completed their delegation by speaking individually with Regional Chair Henry regarding their concerns. Chair Henry requested that K. Huska meet later in the week, with the Clerk in attendance, to hear their concerns and incorporate their comments into the meeting record.

- 6.5 Pratik Sagar, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Pratik Sagar, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

P. Sagar appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. P. Sagar expressed concern with respect to the lack of public input on the location of the low-barrier shelter; public safety; not taking into account the residential and business community that might be impacted by the project; emergency medical service requirements for the shelter; looking at concerns around other shelters; Regional employees making decisions that should be made by elected officials who have a responsibility to the community; and a lack of research being conducted prior to making a decision on the project.

P. Sagar responded to questions from members of Council.

- 6.6 Thomas Hawken, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Thomas Hawken, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

T. Hawken appeared in opposition to the shelter at 1635 Dundas Street in Whitby. T. Hawken expressed concern with respect to their family's safety and the need to protect the Greenfield neighbourhood from those who may use the shelter that pose a threat; the Report from June 14th which did not include an assessment of need or suitability for the shelter; the cost to make the facility habitable; avoiding obligations to the community; and not taking into account the issues with a similar shelter in Timmins.

T. Hawken responded to questions from members of Council.

- 6.7 Stratton Findlay, Oshawa resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Stratton Findlay, Oshawa resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

S. Findlay appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. S. Findlay expressed concern with respect to the lack of shelter spaces that accept men with children; the lack of safe spaces to shelter with children; and the need for a family shelter with a focus on domestic abuse with wrap around services and community supports.

S. Findlay responded to questions from members of Council.

Moved by Councillor Carter, Seconded by Councillor Shahid,
(182) That Council recess for lunch.

CARRIED

Council recessed at 11:48 AM and reconvened at 12:30 PM.

The Clerk conducted a roll call following the recess and all members of Council were present with the exception of Councillors Ashe, Chapman, Collier, Dies, McDougall, and Woo.

Councillor Ashe attended the meeting at 1:07 PM

Councillor McDougall attended the meeting at 12:42 PM

- 6.8 Russell Leffler, Whitby resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Russell Leffler, Whitby resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

R. Leffler appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. R. Leffler expressed concern with respect to the use of the shelter (low-barrier) including a lack of due diligence; the need for harm reduction, compassion and inclusivity; need for housing strategy plans; the lack of plans for wrap around resources; lack of transparency and community involvement; not providing success rate metrics; the safety of the neighbours and the homeless community; lack of planning for emergency medical services and policing; and a need for an internal audit of staffing and resources.

R. Leffler responded to questions from members of Council.

- 6.9 Mike Leufkens, Durham resident (In-Person Attendance), re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Mike Leufkens, Durham resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

M. Leufkens appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. M. Leufkens expressed concern with respect to the shelter potentially housing convicts; high crime rates; the dangers to those staying in the shelter; the cost of wrap-around services; using skewed data to make decisions on the type of shelter; the financial strain on constituents to fund the shelter; the lack of a sound, financially sustainable plan with community support and safety concerns incorporated; and the need to consider a different approach with steps to overcome addiction and support for those with mental health concerns.

M. Leufkens responded to questions from members of Council.

- 6.10 Elaine Leufkens, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Elaine Leufkens, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

E. Leufkens appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. E. Leufkens expressed concern with respect to the need to look at the homelessness problem in a different way by considering the community's need for safety; that low-barrier shelters could lead to increased violent crime, drug use, private property crimes; the Housing First model only works if a municipality has millions of dollars to keep it running; there is an addiction and mental health crisis which does not work with the Housing First model; and the need for a shelter in a location that is more suitable and has intervention services to help those who cannot help themselves.

E. Leufkens responded to questions from members of Council.

- 6.11 Victoria Bozinovski, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Victoria Bozinovski, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

V. Bozinovski appeared with respect to the shelter at 1635 Dundas Street in Whitby. V. Bozinovski expressed concern with respect to the lack of communication around the project; feeling that staff are ignoring resident concerns; the incorrect narrative that residents lack awareness of legislation or do not care; mental health and addiction issues in low-barrier shelters; crime in low-barrier shelters; the lack of rehabilitation and mental health services; the need for personalized and specialized care and treatment; neglecting those who require assistance the most; the need for those with lived experiences to be asked for their opinions; and the need to embrace the idea of smaller shelters with services, closer to hospitals and downtown cores to effectively address individual needs.

V. Bozinovski responded to questions from members of Council.

- 6.12 Swapnil Sundarkar, Whitby resident (Virtual Attendance), re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Swapnil Sundarkar, Whitby resident, did not appear.

- 6.13 Stephanie Leblanc, Whitby resident, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Stephanie Leblanc, Whitby resident, withdrew their request to speak.

- 6.14 Oliver Augustus, Durham resident (In-Person Attendance), re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Oliver Augustus, Durham resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

O. Augustus appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. O. Augustus expressed concern with respect to the lack of public consultation; feeling that staff are not listening to what the residents are saying; a shelter not being suitable for this location because of a lack of policing, lack of medical professionals in proximity, it being in a residential neighbourhood with no where for those who are turned away to go; and a lack of paramedic services.

O. Augustus responded to questions from the members of Council.

- 6.15 Bob Hartley, Whitby resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Bob Hartley, Whitby resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

B. Hartley appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. B. Hartley expressed concern with respect to similar shelters not working; issues with policing; a need to address the homelessness problem in the right way, not trying a model that hasn't worked elsewhere; and looking at providing hospital services to those with addiction or mental health issues.

B. Hartley responded to questions from the members of Council.

- 6.16 Gary Dunsmuir, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Gary Dunsmuir, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

G. Dunsmuir appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. G. Dunsmuir expressed concern that the shelter should be repurposed to a safer type of shelter, and not operated as a low-barrier shelter.

G. Dunsmuir responded to questions from the members of Council.

- 6.17 Sandy Hodder, Whitby resident (In-Person Attendance), re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Sandy Hodder, Whitby resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

S. Hodder appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. S. Hodder expressed concern with respect to the facility being low-barrier and suggested other types of shelters and uses for the facility such as a hospice, 24-hour hub daycare, or assisted living facility; negative reports from the shelter in Timmins; not listening to the needs of those with lived experience; and having a hard time finding assistance for a homeless individual.

S. Hodder responded to questions from the members of Council.

- 6.18 Bernie Leufkens, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Bernie Leufkens, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

B. Leufkens appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. B. Leufkens expressed concern that a low-barrier/Housing First model will not work for those trying to get over substance abuse issues as it is not a safe environment for them being with people who are actively using illegal substances; the danger of safe injection sites in neighbourhoods; the need to protect those in the community and those homeless people who are trying to improve their lives; and the need to remove drugs and provide treatment and not make it easier and more comfortable for addicts by putting them into a low-barrier shelter.

B. Leufkens responded to questions from the members of Council.

Moved by Councillor Kerr, Seconded by Councillor Leahy,
(183) That Council recess for 10 minutes.

CARRIED

Council recessed at 2:32 PM and reconvened at 2:43 PM

The Clerk conducted a roll call following the recess and all members were present with the exception of Councillors Chapman, Dies, Marimpietri, Neal, and Nicholson.

Councillor Marimpietri attended the meeting at 2:56 PM

Councillor Nicholson attended the meeting at 2:57 PM

- 6.19 Cassim Esmail, Oshawa resident (Virtual Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Cassim Esmail, Oshawa resident, appeared later in the meeting. See Item 6.19 on Pages 17 and 18.

- 6.20 Taylor Uden, Director of Housing Service, The Refuge Youth Outreach Centre, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Taylor Uden, Director of Housing Service, The Refuge Youth Outreach Centre, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

T. Uden appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. T. Uden discussed the need to meet clients “where they are at”; the lack of capacity in local shelters; barriers that stop people from obtaining shelter, prolonging homelessness and taking resources from others; the need for housing focused, wrap-around supports in a low-barrier shelter; discriminating against who gets available beds; the responsibility to work with evidence based research models like Housing First; and the need for the resources to adequately staff the project and ensure services are in place before the shelter opens.

T. Uden responded to questions from the members of Council.

- 6.21 Adam Smith, Durham resident, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Adam Smith, Durham resident, withdrew their request to speak.

- 6.22 Sasha Gatchalian, Durham resident, re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
-

Sasha Gatchalian, Durham resident, did not appear.

- 6.23 Margaret Eskins, Durham resident, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
-

Margaret Eskins, Durham resident, Manager of DARS, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

M. Eskins appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. M. Eskins discussed the need to support those with addiction and mental health issues; homelessness becoming a concern in Durham Region which cannot be ignored; homelessness needing to be tackled; not discriminating against those who may need assistance; the need for a low-barrier setting to reduce homelessness; the need to secure a service provider to operate the facility who will welcome all; the Housing First model works; and it is cheaper to provide housing than to support those who are homeless.

M. Eskins responded to questions from the members of Council.

- 6.24 Paul Stekel, Whitby resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Paul Stekel, Whitby resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

P. Stekel appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. P. Stekel expressed concern with respect to helping the homeless in the right way, in the right facility with the right supports; low-barrier shelters in residential areas not working; wanting a solution that works; residents being afraid; the need to listen to the residents; the potential for those in the shelter to watch the neighbours on Greenfield and be aware of their comings and goings; the police response time in the neighbourhood; and the need for public safety.

P. Stekel responded to questions from the members of Council.

- 6.25 Denise Boudreau, Durham resident, (In-Person Attendance) re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Denise Boudreau, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

D. Boudreau appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. D. Boudreau expressed concern with respect to fears in the community; the need for a long-term solution for homelessness; issues that happened around the micro-homes in Oshawa; insufficient security measures; the need to protect the community; not missing the opportunity to use the space for a long-term solution for homelessness; using this opportunity to attract community volunteers and assist those in need; and to consider using smaller, more spread-out spaces for low-barrier shelters.

D. Boudreau responded to questions from the members of Council.

- 6.26 Marla Walters, Durham resident, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Marla Walters, Director of Homelessness Initiatives and Community Outreach Programs, and Heather McMillan, Manager, Homelessness Initiatives, Christian Faith Outreach Center, operators of Doors of Compassion shelter, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

M. Walters appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. M. Walters expressed concern with respect to the perception that there are no rules in a low-barrier shelter and stated that low-barrier shelters reduce obstacles that prevent people from accessing shelter; provide much needed services; increase accessibility; provide an initial point of contact for those in need; improve health outcomes; provide access to substance use treatment and mental health support; reduce instances of illegal encampments and public disturbances; address underlying causes of homelessness; provide social opportunities and give people a sense of belonging and self-worth; most individuals accessing shelters are working diligently to improve their life situations; individuals cannot access assistance if there are too many barriers; and low-barrier shelters reflect a compassionate, comprehensive approach to addressing homelessness.

M. Walters and H. McMillan responded to questions from the members of Council.

- 6.27 Caleb Dingman, Durham resident (Virtual Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Caleb Dingman, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

C. Dingman appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. C. Dingman expressed concern with respect to those experiencing homelessness being a marginalized group of people who are trying to survive; homeless individuals are human beings with human dignity and rights; to suggest they will be a danger to the community is nothing but conjecture; the facility will change their lives for the better; and do not deny others the chance at a better life.

- 6.28 Douglas Dyck, Whitby resident, (Virtual Attendance) re: Releasing Designated Substance Survey for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.1], Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public [Refer to Notice of Motions Item 11.2], Releasing the Appraisal for 1635 Dundas Street East to Council Members [Refer to Notice of Motions Item 11.3] and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Douglas Dyck, Whitby resident, appeared with respect to Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 regarding Releasing Designated Substance Survey for 1635 Dundas Street East to the Public; Releasing the Invoice for Appraisal for 1635 Dundas Street East to the Public; Releasing the Appraisal for 1635 Dundas Street East to Council Members; and Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

D. Dyck appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. D. Dyck owns multiple properties in the area and expressed concern with respect to how the shelter will be managed; the lack of notification provided to owners in the area about the proposed shelter; community safety; existing challenges with moving homeless people away from the properties and drug use; and the issue of homeless individuals loitering around the local businesses where vulnerable individuals, including children, will be.

D. Dyck responded to questions from the members of Council.

- 6.29 Christopher Simms, Whitby resident, (Virtual Attendance) re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]
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Christopher Simms, Whitby resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

C. Simms appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. C. Simms expressed concern with respect to those who need help with addictions not being qualified to enter a shelter unless it is low-barrier; the importance of not excluding those who need help the most by putting up barriers; it is less expensive to house homeless individuals than to support them on the street; the importance of including supports in shelters to assist those who want it such as twelve step programs; the importance of recognizing that each individual needs different supports; and that homelessness and addiction are a crisis that needs to be solved now.

C. Simms responded to questions from the members of Council.

- 6.30 Daniel Hepditch, Housing First for Youth Worker, BGC Durham (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Daniel Hepditch, Housing First for Youth Worker, BGC Durham, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

D. Hepditch appeared in favour of the low-barrier shelter at 1635 Dundas Street in Whitby. D. Hepditch expressed concern with respect to forcing individuals to be sober or prove that they are ready to access housing services; the need for a model which includes emergency response which includes shelters; the misconception that low-barrier does not include safety precautions; changing the demographics of the shelter would isolate who receives services; the shelter would assist with ending chronic homelessness by assisting those who experience it the most; services are nearby that the homeless would require; the location would allow individuals to feel like part of the community; by excluding populations we perpetuate stereotypes about homelessness; and the Region needs to continue to remove systemic barriers.

D. Hepditch responded to questions from the members of Council.

- 6.31 Shahadat Chowdhury, Whitby resident, re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Shahadat Chowdhury, Whitby resident, withdrew their request to speak.

- 6.32 Mistee Gladwell, Durham resident (Virtual Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Mistee Gladwell, Durham resident, did not appear.

- 6.33 Vanessa Snape, Durham resident (In-Person Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Vanessa Snape, Durham resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

V. Snape appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. V. Snape expressed concern with respect to not allocating suitable consideration to the appropriate use of the facility; resident safety; not rushing the decision on how to use the facility; increased drug use and crime as a result of the shelter; increased encampments; lack of security; not screening those using the facility; not being able to provide an example of a successful low-barrier shelter model; not taking into account fears from residents about their safety; issues experienced in other areas with low-barrier shelters; the need for positive results from tax dollars with community consultation; the issue of not considering the future when making decisions; not causing harm to the neighbours; and it would be better to use the facility to house vulnerable seniors.

V. Snape responded to questions from the members of Council.

Moved by Councillor Marimpietri, Seconded by Councillor Pettingill,
(184) That Council recess for 15 minutes in order to attempt to contact those delegates who were not in attendance when it was their turn to speak.
CARRIED

Council recessed at 5:13 PM and reconvened at 5:30 PM.

The Clerk conducted a roll call following the recess and all members of Council were present with the exception of Councillors Chapman, Dies, and Neal.

Cassim Esmail was in attendance and Council heard Cassim's delegation at this time.

- 6.19 Cassim Esmail, Oshawa resident (Virtual Attendance), re: Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East [Refer to Notice of Motions Item 11.4]

Cassim Esmail, Oshawa resident, appeared with respect to Notice of Motions Item 11.4 regarding Reconsidering Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East.

C. Esmail appeared in opposition to the low-barrier shelter at 1635 Dundas Street in Whitby. C. Esmail expressed concern with respect to the negative social impact to the community as a result of the low-barrier shelter; the shelter being a temporary/bandaid solution; degradation of the neighbourhood; impacts on children; shelter users not remaining in the shelter and instead loitering in the neighbourhood; increased crime due to shelter users; putting the shelter in a residential area creates a problem; and the need for a solution that helps people permanently.

C. Esmail responded to questions from the members of Council.

Moved by Councillor Marimpietri, Seconded by Councillor Anderson,
(185) That the order of the agenda be altered in order to consider Notice of Motions Items 11.1, 11.2, 11.3 and 11.4 at this time.

CARRIED

11. Notice of Motions

11.1 Motion to Release Designated Substance Survey for 1635 Dundas Street East to the Public

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Yamada, Seconded by Councillor Leahy,
(186) That the Region of Durham release the Designated Substance Survey for 1635 Dundas Street East to the public, outlining asbestos, mould and all issues with the property.

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

11.2 Motion to Release the Invoice of Appraisal for 1635 Dundas Street East to the Public

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Yamada, Seconded by Councillor Leahy,
(187) That the Region of Durham release the invoice for the appraisal for 1635 Dundas Street East to the public.

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

11.3 Motion to Release the Appraisal for 1635 Dundas Street East to Council Members

[CARRIED ON A RECORDED VOTE]

Moved by Councillor Leahy, Seconded by Councillor Yamada,
(188) That staff be directed to release to Council members the appraisal report prepared for 1635 Dundas Street East

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

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,
(189) That a vote on Notice of Motions Items 11.1, 11.2 and 11.3 be now taken.

CARRIED

The main motions (186), (187), and (188) of Councillors Leahy and Yamada were then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McDougall
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Shahid
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Brenner
Councillor Cook
Councillor Pettingill

Members Absent: Councillor Chapman
Councillor Dies
Councillor Neal

Declarations of Interest: None

11.4 Motion to Reconsider Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East
[DEFEATED ON A RECORDED VOTE]

Moved by Councillor Leahy, Seconded by Councillor Yamada,

(190) 1) That Part A) of the recommendations contained within Report #2023-COW-31, specifically the future use of the facility for Social Services purposes as a low-barrier shelter, be reconsidered on a two-thirds vote;

2) That subject to Part 1 of this motion being passed on a two-thirds vote, that staff be directed to revise the use of 1635 Dundas Street East to no longer include a low-barrier shelter, and instead include any combination of shelter types listed below:

- Family Shelter;
- LGBTQ2+ focused Shelter;
- Refugee Shelter; and/or
- Women & Children with a focus on domestic abuse.

Part 1) of the main motion (190) from Councillors Leahy and Yamada was put to a vote and DEFEATED ON THE FOLLOWING RECORDED VOTE (A 2/3rds VOTE WAS NOT ATTAINED):

Yes

Councillor Brenner
Councillor Cook
Councillor Jubb
Councillor Leahy
Councillor Marimpietri
Councillor Mulcahy
Councillor Shahid
Councillor Yamada

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Garrod
Councillor Kerr
Councillor Lee
Councillor McDougall
Councillor Nicholson
Councillor Pettingill
Councillor Pickles
Councillor Roy
Councillor Woo
Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Chapman
Councillor Dies
Councillor Neal

Declarations of Interest: None

Councillors Brenner and Cook reported technical difficulties to the Clerk during the recorded vote and noted their intention to vote yes to the reconsideration motion.

Part 2) of the main motion (190) from Councillors Leahy and Yamada was not considered as the motion to reconsider the item was defeated.

7. Communications

- 7.1 CC 53 Memorandum dated October 24, 2023 from Adnan Naeem, Solicitor, re: By-law to waive a condition to permit the sale of property located at the municipal address known as 1094 Cedar Street
-

Moved by Councillor Carter, Seconded by Councillor Leahy,
(191) That Council Correspondence Item CC 53 regarding a By-law to waive a condition to permit the sale of property located at the municipal address knows as 1094 Cedar Street be received for information.

CARRIED

8. Reports related to Delegations/Presentations

There were no reports related to Delegations/Presentations.

9. Committee Reports and any related Notice of Motions

9.1 Report of the Finance and Administration Committee

1. Prudent Investor: Options Analysis and Next Steps for Adoption (2023-F-23)
[CARRIED]

- A) That Council approve the adoption of the Prudent Investor Standard;
- B) That Council delegate authority to the Commissioner of Finance/Treasurer to work with interested local municipalities and ONE Investment to determine the most suitable governance structure for the Region of Durham and proceed with next steps as required with a report back on status as feasible;

- C) That the Commissioner of Finance and the Chief Administrative Officer be delegated authority to execute any documents or agreements that may be required to put the PI Standard into effect, as approved by Council and concurrent with applicable by-law approval, to the satisfaction of the Regional Solicitor; and
 - D) That the Commissioner of Finance have the discretion to finance varying costs of adopting the Prudent Investor standard based on the most suitable governance structure.
2. Water Meters and Related Equipment, Software and Services (2023-F-24)
[CARRIED]
- A) That the current Standing Agreement (C002817) with Neptune Technology Group (Canada) Limited for the provision of Water Meters and Related Equipment, Software and Services be extended for the period of October 31, 2023, to October 31, 2025;
 - B) That the Competitive Procurement Process be utilized for Water Meter Replacement Services for a new services agreement beyond October 31, 2025; and
 - C) That the Commissioner of Finance be authorized to execute all documents related to the contract.
3. Appeals to Regional Development Charge By-law #42-2023 (2023-F-25)
[CARRIED]
- A) That the consulting firm of Watson & Associates Economists Ltd. and legal firm of WeirFoulds LLP be retained, at an estimated cost not to exceed \$75,000, to provide technical and legal expertise to assist staff with the preliminary analysis of the five appeals to the Ontario Land Tribunal regarding Regional DC By-law #42-2023 and to support staff in meetings with the appellants;
 - B) That staff report back to Regional Council if any of the five appeals proceed to the Ontario Lands Tribunal which will require additional financial resources;
 - C) That the cost of this external consulting and legal services expenditures in the estimated amount of up to \$75,000 be funded at the discretion of the Commissioner of Finance; and
 - D) That the Commissioner of Finance be authorized to execute any necessary agreements.

4. Capital Budget Approval for Phase 1 of the Durham Region Transit Harmony and Windfields Farm Terminals (2023-F-26)
[CARRIED]
- A) That the Harmony Terminal (Phase 1) capital project budget in the amount of \$5,000,000 for land acquisition and associated costs be approved;
 - B) That the Windfields Farm Terminal (Phase 1) capital project in the amount of \$2,000,000 for land acquisition and associated costs be approved;
 - C) That a total of up to \$7,000,000 in debenture financing for the Harmony Farm Terminal (Phase 1) project (\$5,000,000) and the Windfields Farm Terminal (Phase 1) project (\$2,000,000) be approved; and
 - D) That the Commissioner of Finance/Regional Treasurer be authorized to execute all necessary agreements subject to the approval of the Regional Solicitor and the General Manager, Durham Region Transit.

5. Confidential Report of the Commissioner of Corporate Services – Labour Relations/Employee Negotiations with respect to Non-Unionized Management/Exempt Group (2023-A-16)
[CARRIED]

That the recommendations contained in Confidential Report #2023-A-16 of the Commissioner of Corporate Services be adopted.

Moved by Councillor Ashe, Seconded by Councillor Leahy,
(192) That the recommendations contained in Items 1 to 5 inclusive of Report #7 of the Finance and Administration Committee be adopted.

CARRIED

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

1. Standardization and Supply of Food Rethermalization Equipment for the Regional Municipality of Durham’s Long-Term Care Homes (2023-SS-11)
[CARRIED]

- A) That authorization be granted to award a sole source agreement to Burlodge Canada for the procurement of new and replacement Multigen rethermalization equipment and SDX ThermoBox meal delivery systems at a total estimated cost not to exceed \$411,914 and that the Multigen rethermalization equipment and SDX ThermoBox meal delivery systems be the Regional standard for a period of five (5) years effective January 1, 2024, at the Regional Municipality of Durham's Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budget;
 - B) That authorization be granted to award a sole source agreement to Burlodge Canada effective January 1, 2024, for a period of five (5) years for the ongoing preventative maintenance and service of Multigen rethermalization equipment and SDX ThermoBox meal delivery systems at a total estimated cost not to exceed \$44,300 at the Regional Municipality of Durham's Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budget; and
 - C) That the Commissioner of Finance be authorized to execute any necessary agreement.
2. Supply and Service of Lift Equipment for the Regional Municipality of Durham's Long-Term Care Homes (2023-SS-12)
[CARRIED]
- A) That authorization be granted to award a sole source agreement to Handicare Canada Ltd. for the procurement of new and replacement lift equipment at a total estimated cost not to exceed \$590,750 and that the Handicare Canada Ltd. lift equipment be the Regional standard for a period of five (5) years effective December 1, 2023 at the Regional Municipality of Durham's Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budget;
 - B) That authorization be granted to award a sole source agreement to Handicare Canada Ltd. effective December 1, 2023 for a period of five (5) years for the ongoing maintenance, service, annual lift inspection and load testing of lift equipment at a total estimated cost not to exceed \$1,170,000 at the Regional Municipality of Durham's Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budget; and
 - C) That the Commissioner of Finance be authorized to execute any necessary agreement.

Moved by Councillor Roy, Seconded by Councillor Carter,
(193) That the recommendations contained in Items 1 and 2 inclusive of Report
#7 of the Health and Social Services Committee be adopted.

CARRIED

9.3 Report of the Planning and Economic Development Committee

1. Pedal for Patients Charity Ride (2023-P-24)
[CARRIED]

That Report #2023-P-24 of the Commissioner of Planning and Economic Development be received for information; and that the Pedal for Patients Charity Ride be endorsed.

2. Durham Environment and Climate Advisory Committee re:
Perennial/Pollinator Plots Pilot
[CARRIED]

That staff be requested to investigate the possibility of a perennial/pollinator plots pilot on Regional lands and report back to the Durham Environment and Climate Advisory Committee (DECAC).

Moved by Councillor Pickles, Seconded by Councillor Shahid,
(194) That the recommendations contained in Items 1 and 2 inclusive of Report
#8 of the Planning and Economic Development Committee be adopted.

CARRIED

9.4 Report of the Works Committee

1. Update on the Regional Landfill Mining Program Pilot (2023-WR-7)
[CARRIED]

That Report #2023-WR-7 of the Acting Commissioner of Works be received for information.

2. Expropriation of Lands Required for the Whitby Zone 4 Reservoir and
Pumping Station Project at 8425 Duffs Road, in the Town of Whitby
(2023-W-38)
[CARRIED]

- A) That authority be granted to Regional Municipality of Durham (Region) staff to initiate expropriation proceedings where necessary for the property requirements at 8425 Duffs Road, located at the southeast corner of Duffs Road and Myrtle Road West (Regional Road 5), in the Town of Whitby, as depicted in Attachment #1 to Report #2023-W-38 of the Acting Commissioner of Works and such other property requirements as may be determined and identified by Regional staff for the Whitby Zone 4 Reservoir and Pumping Station Project;
 - B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act, R.S.O. 1990, c. E.26 to give effect to Recommendation C) of Report #2023-W-38, including the Notices of Application of Approval to Expropriate;
 - C) That authority be granted to Regional staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A) of Report #2023-W-38 and to forward to the Ontario Land Tribunal any requests for hearing received, to attend the hearings to present the Region's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
 - D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26 related to the Whitby Zone 4 Reservoir and Pumping Station Project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a full and final basis.
3. Approval of Unbudgeted Project Financing for the Harwood Avenue Water Pumping Station in the Town of Ajax and Sole Source Procurement of Pre-Purchase Equipment (2023-W-39)
[CARRIED]
- A) That unbudgeted capital financing in the amount of \$350,000* for the pre-purchase of equipment for the Harwood Avenue Water Pumping Station in the Town of Ajax be approved;

- B) That financing for the unbudgeted capital for the pre-purchase of equipment for the Harwood Avenue Water Pumping Station in the Town of Ajax be provided at the discretion of the Commissioner of Finance;
- C) That staff be authorized to negotiate and award a sole source agreement for the supply of Gould pump model 3410 L for Pump #2 from an authorized distributor for the selected Gould Pump make/model in the amount not greater than \$200,000*; and
- D) That the Commissioner of Finance be authorized to execute the necessary documents for the sole source agreement.
(*) before applicable taxes

Moved by Councillor Barton, Seconded by Councillor Marimpietri,
(195) That the recommendations contained in Items 1 to 3 inclusive of Report #8 of the Works Committee be adopted.

CARRIED

9.5 Report of the Committee of the Whole

1. 2023 Durham Region Equity Audit (2023-COW-36)
[CARRIED]

That Report #2023-COW-36 of the Chief Administrative Officer be received for information; and

That the Equity Audit be conducted again in three years and the results presented to Council.

2. Modified Payment Schedule for the Brooklin North Landowner Group under the 2012 Regional Official Plan Amendment 128 Minutes of Settlement (2023-COW-35)
[CARRIED]

- A) That the payment of \$10.7 million by the Brooklin North Landowners Group under the Regional Official Plan Amendment 128 Minutes of Settlement, due by December 31, 2023 (with interest from November 4, 2019) be extended, subject to the following:
 - i. A clause be included in future subdivision agreements for the Brooklin Landowners who are signatory to the ROPA 128 Minutes of Settlement that their share of the \$10.7 million obligation for that plan of subdivision be paid prior to execution;

- ii. The \$10.7 million obligation less the amount collected through the subdivision agreements, be provided by the Trustee representing the Brooklin North Landowners Group by December 31, 2024;
 - iii. The Trustee be advised that no further modifications to payment terms will be considered; and
- B) That the Regional Solicitor be authorized to execute any necessary agreements.

Moved by Councillor Kerr, Seconded by Councillor Pickles,
(196) That the recommendations contained in Items 1 and 2 inclusive of Report #8 of the Committee of the Whole be adopted.

CARRIED

10. Departmental Reports & Other Resolutions

- 10.1 Application to Amend the Durham Regional Official Plan, submitted by Bridgebrook Corp. to redesignate lands from Special Study Area #6 to Living Areas to facilitate the development of a plan of subdivision, in the Township of Uxbridge, Files OPA 2021-005, OLT 22-002958 (2023-P-25)
-

[CARRIED]

Moved by Councillor Barton, Seconded by Councillor Leahy,
(197) A) That the Commissioner of Planning and Economic Development be authorized to settle the appeal of the applications before the Ontario Land Tribunal (OLT) on the terms set out in the confidential memorandum attached to Report #2023-P-25 from the Commissioner of Planning and Economic Development and the Regional Solicitor.

B) That the Commissioner of Planning and Economic Development be authorized to execute any agreement and documents necessary to implement the settlement of the appeal to the satisfaction of the Regional Solicitor.

C) That the Minister of Municipal Affairs and Housing be notified of the OLT decision of the appeal once it is issued and the Minister be requested to modify the newly adopted Durham Regional Official Plan, as required, so that the decision of the OLT is carried forward and properly reflected in the Region's new Official Plan which is currently pending approval by the Minister.

CARRIED

11. Notice of Motions

- 11.1 Motion to Release Designated Substance Survey for 1635 Dundas Street East to the Public
[CARRIED ON A RECORDED VOTE]

This item was dealt with earlier in the meeting. See Item 11.1 on Pages 18 and 19.

- 11.2 Motion to Release the Invoice of Appraisal for 1635 Dundas Street East to the Public
[CARRIED ON A RECORDED VOTE]

This item was dealt with earlier in the meeting. See Item 11.2 on Pages 18 and 19.

- 11.3 Motion to Release the Appraisal for 1635 Dundas Street East to Council Members
[CARRIED ON A RECORDED VOTE]

This item was dealt with earlier in the meeting. See Item 11.3 on Pages 18 and 19.

- 11.4 Motion to Reconsider Part A) of the Recommendations Contained in Report #2023-COW-31 to Change the Intended Use of 1635 Dundas Street East
[DEFEATED ON A RECORDED VOTE]

This item was dealt with earlier in the meeting. See Item 11.4 on Pages 20 and 21.

12. Unfinished Business

There was no unfinished business to be considered.

13. Announcements

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

14. By-laws

61-2023 Being a by-law to delegate Regional Council's Land Division responsibilities and authority to grant consents under the Planning Act to each of the Region's area municipalities.

This by-law implements the recommendations contained in Item #3 of the 7th Report of the Planning & Economic Development Committee presented to Regional Council on September 27, 2023

62-2023 Being a by-law to waive a condition to permit the sale of property located at the municipal address known as 1094 Cedar Street.

This by-law implements the recommendations contained in Council Correspondence 53, Item #7.1 presented to Regional Council on October 25, 2023

Moved by Councillor Ashe, Seconded by Councillor Barton,
(198) That By-law Number 61-2023 be passed.

CARRIED

Moved by Councillor Ashe, Seconded by Councillor Barton,
(199) That By-law Number 62-2023 be passed.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Cook
Councillor Crawford
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Marimpietri
Councillor McDougall
Councillor Mulcahy
Councillor Pettingill
Councillor Pickles
Councillor Roy
Councillor Shahid
Councillor Yamada
Regional Chair Henry

No

Councillor Nicholson

Members Absent: Councillor Anderson
Councillor Chapman
Councillor Collier
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Lee
Councillor Neal
Councillor Woo
Councillor Wotten

Declarations of Interest: None

Councillor Cook reported technical difficulties to the Clerk during the recorded vote and noted their intention to vote yes to the motion.

15. Confirming By-law

63-2023 Being a by-law to confirm the proceedings of the Council of The Regional Municipality of Durham at its meeting on the 25th day of October, 2023.

Moved by Councillor Ashe, Seconded by Councillor Barton,
(200) That By-law Number 63-2023 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on October 25, 2023 be passed.

CARRIED

16. Adjournment

Moved by Councillor Pettingill, Seconded by Councillor Yamada,
(201) That the meeting be adjourned.

CARRIED

The meeting adjourned at 6:33 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Alexander Harras, Regional Clerk

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

The Regional Municipality of Durham

MINUTES

COMMITTEE OF THE WHOLE

Wednesday, November 15, 2023

A regular meeting of the Committee of the Whole was held on Wednesday, November 15, 2023 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:31 AM. Electronic participation was offered for this meeting.

Councillor Ashe assumed the Chair.

1. Roll Call

Present: Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter*
Councillor Chapman*
Councillor Collier*
Councillor Cook*
Councillor Crawford
Councillor Dies*
Councillor Foster*
Councillor Garrod
Councillor Jubb*
Councillor Kerr
Councillor Leahy
Councillor Lee*
Councillor Marimpietri
Councillor McDougall
Councillor Mulcahy
Councillor Neal*
Councillor Nicholson*
Councillor Pickles
Councillor Roy
Councillor Schummer*
Councillor Shahid
Councillor Woo
Councillor Wotten*
Regional Chair Henry*
*** denotes Councillors participating electronically**

Present: All members of Committee were present with the exception of Councillor Yamada.

Staff

Present: S. Austin, E. Baxter-Trahair, B. Bridgeman, A. Burgess, T. Cheseboro, A. Chung, S. Ciani, S. Danos-Papaconstantinou, S. Dessureault, C. Dunkley, A. Evans*, H. Finlay, B. Goodwin, A. Harras, B. Holmes, M. Hubble*, L. Huinink, J. Hunt, R. Jagannathan, I. McVey, G. Muller, N. Pincombe, A. Robins, N. Taylor, and V. Walker
***denotes staff participating electronically**

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Statutory Public Meetings

There were no statutory public meetings.

4. Presentations

There were no presentations.

5. Delegations

There were no delegations.

6. Correspondence

There were no communications items to be considered.

7. Reports

7.1 Durham Region's Response to the Proposed GO Transit Station Funding Act, which is a Section within Bill 131: Transportation for the Future Act, 2023 (2023-COW-38)

Report #2023-COW-38 from N. Taylor, Commissioner of Finance, and B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Discussion ensued with respect to whether the Region will receive a full cost recovery for the monies paid to fund the station, and whether there will be any impacts to taxpayers as a result of this project.

Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(58) That we recommend to Council:

- A) That the letter from the Acting CAO to the Province of Ontario as contained in Attachment 2 to Report #2023-COW-38 of the Commissioners of Finance and Planning and Economic Development, be endorsed as Durham

Region's response to Ontario's Regulatory Registry post regarding the proposed GO Transit Station Funding Act, 2023 which identifies the Region's strong support for this legislation and recommends that the Province consider the following amendments to the proposed legislation:

- i) That section 3(3) of the draft legislation be amended to allow for the Minister's discretion to determine the definition of "construction" to ensure that prescribed municipalities are able to recover costs related to a GO Transit station, that have been incurred prior to the passing of the by-law; and
 - ii) That a consequential amendment to the definition of applicable law under section 1.1.4.3.(1) of the Ontario Building Code be enacted by the Province to permit municipal Chief Building Officials from withholding building permits if the required Transit Station Charge has not been paid, pursuant to section 9 of the GO Transit Station Funding Act, 2023, consistent with other similar charges; and
- B) That a copy of Report #2023-COW-38 and Council resolution be sent to the Municipality of Clarington and the City of Oshawa.

CARRIED

7.2 Region of Durham Paramedic Services Linen Laundry Service (2023-COW-39)

Report #2023-COW-39 from R.J. Kyle, Commissioner & Medical Officer of Health, was received.

Discussion ensued with respect to the number of times the Region has awarded a sole source agreement for this service; if there is an intention to look at the market and go to tender at the expiry of this agreement; and whether this same vendor would be considered for the Region's long-term care facilities and if a preferred rate may be offered.

Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(59) That we recommend to Council:

That authorization be granted to award a sole source agreement to Ecotex Healthcare Linen Services effective January 1, 2024, for a period of five (5) years to provide linen pick-up, laundering and delivery services, as well as contingency storage and heat transfer linen identification services, at an annual estimated cost of \$180,000 to be funded from the annual Paramedic Services Business Plans and Budget.

CARRIED

8. Confidential Matters

- 8.1 Confidential Report of the Commissioners of Works, Finance and Social Services – Closed matter regarding information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them as it relates to Durham Regional Local Housing Corporation (DRLHC) Seniors Housing Project Scope Update and Request for Additional Financing (2023-COW-40)
-

Confidential Report #2023-COW-40 from R. Jagannathan, Acting Commissioner of Works, N. Taylor, Commissioner of Finance, and S. Danos-Papaconstantinou, Commissioner of Social Services, was received.

Moved by Councillor Mulcahy, Seconded by Councillor Brenner,
(60) That we recommend to Council:

That the recommendations contained in Confidential Report #2023-COW-40 of the Commissioners of Works, Finance and Social Services be adopted.

CARRIED

9. Adjournment

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

The meeting adjourned at 9:41 AM

Respectfully submitted,

John Henry, Regional Chair

V. Walker, Committee Clerk

Report #8 of the Finance & Administration Committee

For consideration by Regional Council

November 29, 2023

The Finance & Administration Committee recommends approval of the following:

1. Appointment of new member to the Durham Accessibility Advisory Committee (AAC) ([2023-A-17](#))

That the following person be appointed to the Durham Accessibility Advisory Committee:

Ms. Meghann Lloyd – Professional from the stakeholder community.

2. Extension of the Agreement with Community Development Council Durham for Settlement Services for Asylum-Seekers and Refugees ([2023-F-27](#))

A) That Regional staff be delegated authority, for purposes of the Region's Humanitarian response to asylum-seekers and refugees, to extend the Region's agreement with Community Development Council Durham, execute any transfer payment agreements, expend funds up to a maximum of \$6.0 million in accordance with the program guidelines, make any modifications to the program(s) to ensure desired outcomes are achieved, receive any federal and/or provincial funds for this response, and waive the Region's Purchasing By-law and Budget Management Policy as required for this response; and

B) That any costs associated with the extension of this agreement not reimbursed under the federal Interim Housing Assistance Program or the provincial Homelessness Prevention Program be funded at the discretion of the Commissioner of Finance.

3. Debt Strategy update ([2023-F-28](#))

A) That Council approve the transition to the issuance of Sinking Fund debentures, where warranted, to support borrowing needs of the Region and local municipalities;

B) That staff report back on a Debt Management Policy to formalize the standards and controls of the capital financing and debt issuance activities for the Region of Durham; and

C) That staff report back on an updated Statement of Investment Policy and Goals which incorporates investment objectives for Sinking Fund investments managed internally by the Region.

4. Authorization to Undertake a Review and Update of the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law and to Proceed with the Public Process for the Passage of a new Development Charge By-law (2023-F-29)
- A) That a review and update of the Seaton Water Supply and Sanitary Sewerage Service Area Specific Development Charge By-law, be undertaken;
 - B) That the Statutory Public Meeting of Regional Council, as required by the Development Charges Act, 1997 (DCA) be held on March 27, 2024 in the Regional Council Chambers at the beginning of the regular Regional Council meeting to consider the proposed Area Specific Development Charge By-law and Background Study for water supply and sanitary sewerage services in the Seaton area;
 - C) That the proposed Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law and Background Study, as required by the DCA be released to the Public at no charge upon request to the Regional Clerk's Department and posted on the Region's website, commencing March 12, 2024;
 - D) That staff be authorized to place appropriate notification in newspapers of sufficiently general circulation in Durham Region and the Regional web-site setting forth the date, time, location and purpose of the Statutory Public Meeting, and the date and contact for the release of the proposed Seaton Water Supply and Sanitary Sewerage Area Specific Development Charge By-law and Background Study no later than March 6, 2024;
 - E) That the consulting firm of Watson & Associates Economists Ltd. and legal firm of WeirFoulds LLP be retained to assist staff with this Development Charge review and preparation of the Development Charge Background Study and By-law at a cost up to \$100,000, to be financed from the Seaton project management / capital reserve; and
 - F) That the Commissioner of Finance be authorized to execute the necessary agreements.
5. Durham Region's response to the proposed Affordable Homes and Good Jobs Act (Bill 134) (2023-F-30)
- A) That Report #2023-F-30 of the Commissioner of Finance be endorsed as Durham Region's response to the Environmental Registry of Ontario (ERO) posting regarding the proposed Affordable Homes and Good Jobs Act, 2023 with the following key comments and recommendations that the Province:

- i. refine the definition of “affordable residential unit” to consider affordability across various unit types (i.e., single-detached, semi-detached, townhomes, and apartments by number of bedrooms);
 - ii. update the definition of “affordable residential unit” to ensure that affordable residential units are only available to households that meet and maintain certain income thresholds;
 - iii. allow municipalities to structure the affordable residential unit exemption to address timing of when DCs are collected relative to when the final purchase price or rental rate is known; and
 - iv. make municipalities whole by fully funding the shortfalls created by the affordable residential unit exemption to avoid transferring the cost of this exemption to the existing property tax, and water and sewer user rate base.
- B) That a copy of Report #2023-F-30 of the Commissioner of Finance and Council resolution be sent to all area municipalities in Durham Region and Durham members of Provincial Parliament (MPPs).

Respectfully submitted,

K. Ashe, Chair, Finance & Administration Committee

Report #9 of the Planning & Economic Development Committee

For consideration by Regional Council

November 29, 2023

The Planning & Economic Development Committee recommends approval of the following:

1. Decision Meeting Report – Application to Amend the Durham Regional Official Plan, submitted by CBM Aggregates, to permit the expansion of Aggregate Resource Extraction Area No. 2 in the Township of Brock, File: OPA 2022-003 ([2023-P-26](#))

 - A) That Amendment #195 to the Durham Regional Official Plan to permit the expansion of an existing Aggregate Resources Extraction Area, as detailed in Attachment #3 to Report #2023-P-26 of the Commissioner of Planning and Economic Development, be approved, and
 - B) That a “Notice of Adoption” be sent to the applicant, the Township of Brock, the Lake Simcoe Region Conservation Authority, the Ministry of Municipal Affairs and Housing, the Ministry of Natural Resources and Forestry, and to all persons or public bodies who made a submission or requested notification of the decision.

2. Decision Meeting Report – Application to Amend the Durham Regional Official Plan, submitted by Wooden Sticks Golf Inc., to permit a hotel and expanded parking area ancillary to the existing golf course in the Township of Uxbridge, File: OPA 2022-006 ([2023-P-27](#))

 - A) That Amendment #194 to the Durham Regional Official Plan, to permit a hotel and expanded parking area ancillary to the existing golf course, be adopted as contained in Attachment 2 to Report #2023-P-27 of the Commissioner of Planning and Economic Development;
 - 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 of public bodies who requested notification of the decision; and
 - C) That the Minister of Municipal Affairs and Housing be requested to modify the newly adopted Durham Regional Official Plan as shown on Attachment 3 to Report #2023-P-27 so that the approvals granted by Regional Council through Amendment #194 are carried forward and properly reflected in the Region’s new Official Plan which is currently pending approval by the Minister.

3. Durham Region’s response to Environmental Registry of Ontario Postings #019-7735 and #019-7739 related to a Proposed Act regarding the Duffins Rouge Agricultural Preserve and Proposed Act to return lands to the Greenbelt – Greenbelt Statute Law Amendment Act, 2023 ([2023-P-28](#))
- A) That Report #2023-P-28 of the Commissioner of Planning and Economic Development be endorsed as the Region’s formal comments supporting Environmental Registry of Ontario Postings #019-7735 and #019-7739 related to a Proposed Act regarding the Duffins Rouge Agricultural Preserve and Proposed Act to return lands to the Greenbelt – Greenbelt Statute Law Amendment Act, 2023, as consistent with Regional Council's December 21, 2022, position that the province return environmental and Greenbelt protections to all of the areas being removed;
 - B) That the proposed policy and mapping modifications to the adopted Regional Official Plan, as amended, as contained in Attachments #2 and #3 to Report #2023-P-28 be endorsed to support the return of lands to the Greenbelt;
 - C) That Regional staff be directed to work with Provincial staff in their consideration of the proposed modifications in an effort to obtain approval of the new Regional Official Plan; and
 - D) That a copy of Report #2023-P-28 be sent to the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the MPPs in Durham and the area municipalities.
4. Durham Environment and Climate Advisory Committee re: Letter of Support for the Second Marsh in the City of Oshawa

That whereas the Oshawa Second Marsh is an important part of Durham’s natural environment, that the Durham Environment and Climate Advisory Committee (DECAC) send a letter supporting the protection and preservation of the Marsh through the Love the Marsh! campaign initiated by the Friends of Second Marsh and that the DECAC Chair be authorized to sign the letter of support.

Respectfully submitted,

B. Chapman, Chair, Planning & Economic Development Committee

Report #9 of the Works Committee

For consideration by Regional Council

November 29, 2023

The Works Committee recommends approval of the following:

1. Update on Phase 2 Construction of the Regional Road 18 Pilot Reconstruction Project using Recycled Materials and Approval to Tender and Construct Future Projects ([2023-W-42](#))

 - A) That the update on Phase 2 Construction of the Regional Road #18 pilot project be received;
 - B) That the Clarington resolution in Attachment #2 of Report #2023-W-42 of the Acting Commissioner of Works regarding the Newtonville Road Pilot Project be received for information; and
 - C) That the Regional Municipality of Durham Council authorize staff to advance design, tender and construction of additional road segments with Recycled Materials, as identified in Report #2023-W-42, to be financed from the 2024 Business Plans and Budget.
2. Closure of a Portion of Simcoe Street (Regional Road 2) in the Township of Scugog for the Proposed Construction of the Port Perry Drinking Water Treatment Plant ([2023-W-40](#))

 - A) That the Regional Municipality of Durham pass a by-law to stop up and close as a public highway, the portion of the Regional Right of Way on Simcoe Street (Regional Road 2) legally described as Part of the Road Allowance between Lots 18 and 19, Concession 3 and Part of Lot 19, Concession 3, Township of Scugog being Parts 1 and 5 on Registered Plan 40R-32342; and
 - B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms associated with this partial road closure.
3. Additional Financing for Preliminary and Detail Design for the Replacement of Existing Watermains at Park Road South and Cubert Street in the City of Oshawa ([2023-W-43](#))

That financing for preliminary and detailed design for the replacement of existing watermains at Park Road South and Cubert Street in the City of Oshawa be provided as follows:

Approved 2023 Water Supply Capital Budget

Item No. 39 Watermain Replacement on Park Rd. S and Cubert St. Oshawa, in conjunction with the MTO, Project ID: D2323

User Revenue \$300,000*

Additional Financing

From 2023 Water Supply surplus (operational and savings on completed capital projects), with the balance from any other source at the discretion of the Commissioner of Finance

User Revenue 260,000*

Total Revised Financing **\$560,000***

(*) includes disbursements and are before applicable taxes

4. Additional Financing for the Award of Request for Proposal #1064-2023 for Engineering Services for the upgrades of Plant One, the Waste Gas Burner and Supervisory Control and Data Acquisition (SCADA) System for the Port Darlington Water Pollution Control Plant (WPCP), in the Municipality of Clarington (Bowmanville) ([2023-W-44](#))
-

A) That the approved project budget and additional financing for the upgrades of Plant One, the waste gas burner and Supervisory Control and Data Acquisition (SCADA) system for the Port Darlington Water Pollution Control Plant, in the Municipality of Clarington (Bowmanville) be provided from the approved project budget and the reallocation of funds as follows:

Approved Project Budget \$1,750,000

Additional Financing from 2023 Sanitary Sewer surplus (operational and savings on completed capital projects), with the balance from any other source at the discretion of the Commissioner of Finance

User Revenue 2,200,000

Total Financing **\$3,950,000**

B) That the previously approved project budget of \$1,750,000 for Request for Proposal #1064-2023 be increased by \$2,200,000 to a revised total project budget of \$3,950,000.

5. Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-26 for the Lord Elgin Trunk Sanitary Sewer Rehabilitation

from Harwood Avenue South through Lord Elgin Park in the Town of Ajax
[\(2023-W-45\)](#)

- A) That the compliant bid of Capital Sewer Services Inc., in the amount of \$4,888,452*, be awarded for Regional Municipality of Durham Contract D2023-26 for the Lord Elgin Trunk Sanitary Sewer Rehabilitation, from Harwood Avenue South through Lord Elgin Park in the Town of Ajax, resulting in a total project cost of \$6,747,450*;
- B) That the previously approved project budget of \$3,305,000* for Regional Municipality of Durham Contract D2023-26 be increased by \$3,442,450* to a revised total project budget of \$6,747,450*; and
- C) That the additional financing of \$3,442,450* be provided from the following sources:

Previously approved Financing:

Sanitary Sewer Capital Budget (Project ID: A1706)

Sanitary Sewer Asset Management Fund \$3,300,000

Sanitary Sewer User Rate 5,000

Total Previously Approved Financing \$3,305,000

Additional Financing

From the 2023 Sanitary Sewer surplus
(operational and savings from completed capital projects),
with the balance from any other source at the
discretion of the Commissioner of Finance \$3,442,450

Total Revised Project Financing \$6,747,450

(* before applicable taxes)

- 6. Lease Extension and Amendment Agreement with Durham Aviation Services Ltd. for Space located at 1190 Keith Ross Court, in the City of Oshawa, for use by Durham Regional Police Services [\(2023-W-46\)](#)
-

- A) That the Lease Extension and Amendment Agreement with Durham Aviation Services Ltd for the premises located at 1190 Keith Ross Court, in the City of Oshawa, containing 383 square feet of office space and 492 square feet of hangar space, be approved with the following terms and conditions:
 - i) The lease is to be extended for a period of five (5) years and 14 days commencing December 17, 2023, and ending on December 31, 2028; with the option to extend the lease for an additional five-year term

under the same terms and conditions except the rental rate, which is to be negotiated;

- ii) The annual gross rent for the first year of the lease renewal term will be \$30,405.53* per annum based on the gross annual rate of \$34.75* per square foot per annum; \$31,013.64* per annum for the second and third year based on the gross annual rate of \$35.44* per square foot per annum; and \$31,633.91* per annum for the fourth and fifth year based on the gross annual rate of \$36.15* per square foot per annum; and

- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Renewal.

(* exclusive of applicable taxes)

7. Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-50 for the Aeration System Upgrades at the Lake Simcoe Water Pollution Control Plant in the Township of Brock (Beaverton) (2023-W-47)

- A) That the lowest compliant bid of ASCO Construction (Toronto) Ltd., in the amount of \$11,813,443*, be awarded for Regional Municipality of Durham Contract #D2023-50 for the Aeration system upgrades at the Lake Simcoe Water Pollution Control Plant in the Township of Brock (Beaverton), resulting in a total project cost of \$17,538,000;
- B) That the previously approved project budget of \$15,720,000 for Regional Municipality of Durham Contract #D2022-50 be increased by \$1,818,000 to a revised total project budget of \$17,538,000; and
- C) That the additional financing of \$1,818,000 be provided from the 2023 Sanitary Sewer surplus (operational and savings on completed capital projects), with the balance from any other source at the discretion of the Commissioner of Finance, as follows:

Previously Approved Project Financing	Sanitary Sewer Asset Management Fund	Sanitary Sewer User Revenue	Total
Lake Simcoe WPCP Replacement of Clarifier Mechanisms (D1835)	\$420,000	\$100,000	\$520,000
Lake Simcoe WPCP Diffused Air System (D1716)	11,900,000	3,300,000	15,200,000
Total Previously Approved Project Financing	12,320,000	3,400,000	15,720,000

Additional Funding	-	-	-
From 2023 Sanitary Sewer surplus (operational and savings on completed capital projects), with the balance from any other source at the discretion of the Commissioner of Finance	0	1,818,000	1,818,000
Total Project Financing	\$12,320,000	\$5,218,000	\$17,538,000

(* before applicable taxes)

8. Sole Source of Engineering Services Partnership Contracts related to the Primary System Components and Durham Secondary System Components of the York Durham Sewage System (2023-W-48)
- A) That the Regional Municipality of Durham (Durham) commits to finance its share of the cost of engineering services performed by Jacobs Consultancy Canada Inc. (Jacobs) and Revay & Associates Ltd. (Revay) related to the Primary System components of the York Durham Sewage System (YDSS);
 - B) That the initial agreement for services related to the YDSS Primary System components that has been negotiated by the Regional Municipality of York (York) with Jacobs for a contract duration of 10 years, with an upset limit of \$50,000,000*, of which Durham’s share of this agreement is dependent on the approved cost allocations for each project, be financed through the annual Sanitary Sewerage Capital Budget;
 - C) That the initial agreement for services related to the YDSS Primary System components that has been negotiated by York with Revay for a contract duration of 10 years, with an upset limit of \$2,000,000*, of which Durham’s share of this agreement is dependent on the approved cost allocations for each project, be financed through the annual Sanitary Sewerage Capital Budget; and
 - D) That Durham Region staff be authorized to negotiate and execute a direct assignment to Jacobs for engineering services related to the Durham Secondary System components of the YDSS, with a contract duration of 10 years and an upset limit of \$5,000,000* to be provided from within the annual Sanitary Sewerage Capital Budget.
- (* before applicable taxes)

9. Sole Source Procurement of Fujiwara Monorail Technology for Secondary Clarifiers at the Uxbridge Brook Water Pollution Control Plant in the Township of Uxbridge ([2023-W-49](#))
-
- A) That staff be authorized to enter into a sole source agreement with Fujiwara Industry Co. Ltd. for the provision of the Fujiwara monorail technology for the secondary clarifiers at the Uxbridge Brook Water Pollution Control Plant as part of upgrade and rehabilitation project D2336, in the amount of \$2,487,000* to be financed from within the approved project budget; and
- B) That the Commissioner of Finance or designate be authorized to execute the required agreements.
(* before applicable taxes

Respectfully submitted,

D. Barton, Chair, Works Committee

Report #9 of the Committee of the Whole

For consideration by Regional Council

November 29, 2023

The Committee of the Whole recommends approval of the following:

1. Durham Region's response to the proposed GO Transit Station Funding Act, which is a section within Bill 131: Transportation for the Future Act, 2023 (2023-COW-38)
 - A) That the letter from the Acting CAO to the Province of Ontario as contained in Attachment 2 to Report #2023-COW-38 of the Commissioners of Finance and Planning and Economic Development, be endorsed as Durham Region's response to Ontario's Regulatory Registry post regarding the proposed GO Transit Station Funding Act, 2023 which identifies the Region's strong support for this legislation and recommends that the Province consider the following amendments to the proposed legislation:
 - i) That section 3(3) of the draft legislation be amended to allow for the Minister's discretion to determine the definition of "construction" to ensure that prescribed municipalities are able to recover costs related to a GO Transit station, that have been incurred prior to the passing of the by-law; and
 - ii) That a consequential amendment to the definition of applicable law under section 1.1.4.3.(1) of the Ontario Building Code be enacted by the Province to permit municipal Chief Building Officials from withholding building permits if the required Transit Station Charge has not been paid, pursuant to section 9 of the GO Transit Station Funding Act, 2023, consistent with other similar charges; and
 - B) That a copy of Report #2023-COW-38 and Council resolution be sent to the Municipality of Clarington and the City of Oshawa.
2. Region of Durham Paramedic Services Linen Laundry Service (2023-COW-39)

That authorization be granted to award a sole source agreement to Ecotex Healthcare Linen Services effective January 1, 2024, for a period of five (5) years to provide linen pick-up, laundering and delivery services, as well as contingency storage and heat transfer linen identification services, at an annual estimated cost of \$180,000 to be funded from the annual Paramedic Services Business Plans and Budget.

3. Confidential Report of the Commissioners of Works, Finance and Social Services – Closed matter regarding information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them as it relates to Durham Regional Local Housing Corporation (DRLHC) Seniors Housing Project Scope Update and Request for Additional Financing (2023-COW-40)
-

That the recommendations contained in Confidential Report #2023-COW-40 of the Commissioners of Works, Finance and Social Services, be adopted.

Respectfully submitted,

J. Henry, Regional Chair and CEO

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Durham Region Transit Report

To: Durham Region Transit Executive Committee
From: General Manager, Durham Region Transit and Treasurer, Durham Region Transit
Report: #2023-DRT-26
Date: November 8, 2023

Subject:

U-Pass Agreement Extension

Recommendation:

That the Transit Executive Committee recommends to Regional Council:

That the existing U-Pass agreement with Durham College, Ontario Tech University and Trent University (Durham Campus) be extended through the 2024-2025 academic year, including a 1.9 per cent increase in the fee per eligible student from \$150 per semester to \$152.85 per semester for the period of September 1, 2024, to August 31, 2025.

1. Purpose

1.1 This report updates Transit Executive Committee (TEC) on the status of DRT's U-Pass agreement with Durham College, Ontario Tech University and Trent University including seeking authorization for a one-year extension to the U-Pass agreement from September 1, 2024 to August 31, 2025 with a 1.9 per cent increase in the fee.

2. Background

2.1 DRT entered into the current U-Pass agreement with Durham College, Ontario Tech University and Trent University effective for the period May 1, 2017, through August 31, 2019. The parties have since executed several extensions to the original agreement, based on an on-going collaborative effort to increase transit ridership and provide students with an equitable and environmentally friendly transportation option.

- 2.2 The 2023-2024 academic year U-Pass rate is \$150.00 per eligible student per semester providing unlimited trips on DRT throughout each four-month semester. This rate is charged to all full-time students of participating institutions as an ancillary fee to their tuition costs. On a monthly basis the U-Pass rate per student is \$37.50, \$9.40 less than DRT's Transit Assistance Program (TAP) available to Ontario Works and Ontario Disability Support Program clients (\$46.90 per month) and less than the cost of six adult round trips (i.e., 12 rides) per month. The U-Pass rate is equivalent to 31 per cent of an adult monthly pass or 39 per cent of a youth monthly pass.
- 2.3 The U-Pass accounted for 19 per cent of DRT's annual ridership in 2022. For 2023, the U-Pass is forecast to generate approximately \$6.9 million in revenue for DRT, approximately 24 per cent of DRT's total fare-related revenue.
- 2.4 In 2019, the Ministry of Training, Colleges and Universities issued a new Tuition Fee Framework and Ancillary Fee Guidelines stating that where an institution has a compulsory ancillary fee for student transit passes established prior to January 17, 2019, those fees can continue to be charged for the duration of the agreement and to any subsequent renewals. Renewals are considered to be subsequent contracts between the same parties creating uninterrupted service to students. No compulsory fees may be charged for a student transit pass for new agreements and can only be implemented on an opt-out basis. Subsequently student association groups successfully appealed the ancillary fee guidelines. There is currently no impact from the ancillary fee guidelines, or their appeal, on the Upass program and Durham Region Transit will continue to monitor for new developments.

3. Previous Reports and Decisions

- 3.1 At its meeting of January 8, 2020, TEC authorized a one-year extension to the existing U-Pass agreement with Durham College, Ontario Tech University and Trent University (Durham Campus), including a two per cent increase in the fee per eligible student from \$139.00 per semester to \$141.75 per semester for the period of September 1, 2020 to August 31, 2021 (Report #2020-DRT-02).
- 3.2 Subsequently, at its meeting of July 8, 2020, TEC authorized a temporary suspension of the one-year extension to the U-Pass agreement for the fall 2020 semester at the request of the three post secondary institutions due to the impacts of COVID-19 on the delivery of academic programming (Report #2020-DRT-15).

- 3.3 At its meeting of December 2, 2020, TEC approved the continued suspension of the U-Pass through the winter and summer 2021 semesters (Report #2020-DRT-23). The extension of the temporary suspension of the U-Pass agreement does not preclude Durham College, Ontario Tech University or Trent University from execution of a further extension to the existing agreement with DRT. On this basis, TEC also approved an additional one-year extension to the U-Pass agreement through August 31, 2022, including a 1.9 per cent increase in the U-Pass rate to \$144.50 per semester effective September 1, 2021.
- 3.4 At its meeting of December 8, 2021, TEC approved the extension of the U-Pass agreement through the 2022-2023 academic year (Report #2021-DRT-30), including a 1.9 per cent increase in the fee per eligible student from \$144.50 per semester to \$147.25 per semester for the period of September 1, 2022 to August 31, 2023 conditional upon Finance and Administration Committee approval.
- 3.5 The extension of the U-Pass agreement through the 2023-2024 academic year, including a 1.9 per cent increase in the fee per eligible student from \$147.25 per semester to \$150.00 per semester for the period of September 1, 2023 to August 31, 2024 was authorized by staff in the fall of 2022 under the delegated authority provided by Regional Council through Report #2022-F-4.

4. Current status

- 4.1 Durham Region Transit Staff and representatives from each post-secondary institution (Durham College, Ontario Tech University and Trent University), along with staff from Metrolinx meet regularly to discuss technical challenges, communications strategies, technology change and improvements and other items of interest. This working group allows for excellent collaboration and ensures that we all work together to provide students a positive transit experience. In addition, DRT's Community Engagement and Change Management Team has been a regular participant and with advice from the post-secondary institutions has set up booths and other touchpoints on-campus where students can drop by and ask questions about the transit system. This type of collaboration is planned to be expanded, particularly around the start of the fall and winter semester each year.
- 4.2 Per the terms of delivery of the PRESTO E-Ticket solution by Metrolinx, DRT pays a six per cent commission fee on all U-Pass PRESTO revenues. This compares to the current nine per cent commission fee on all PRESTO card transactions as established in the PRESTO operating agreement negotiated between the 905 transit agencies and Metrolinx.

- 4.3 All parties remain committed to continuing the U-Pass arrangement and to negotiating a new longer-term extension in 2024 for the 2025-2026 school year and beyond.

5. Financial Implications

- 5.1 Additional 2024 revenues of approximately \$60,000 are expected as a result of a 1.9 per cent increase in the U-Pass fee from \$150.00 per semester to \$152.85 effective September 1, 2024, based on comparable post-secondary enrollment in 2023. The annualized revenue impact through August 2024 is estimated at \$140,000.

6. Next Steps

- 6.1 This report, seeking authority for the U-Pass increase, will be presented to Council.
- 6.2 Upon approval of the recommendations, DRT will work with Finance and Legal to execute an amendment to the U-Pass Agreement to implement the one-year extension beginning September 2024.
- 6.3 Upon execution of the agreement extension, The Region's fees and charges schedule will be updated to reflect the increased fee.

7. Relationship to Strategic Plan

- 7.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Goal 1: Environmental Sustainability – By providing convenient and cost-effective public transit, we can reduce reliance on single occupancy passenger vehicles directly minimizing carbon emissions as well as reducing congestion on the road network overall.
 - b. Goal 4: Social Investment – Students represent a vulnerable community that is more sensitive to general inflation and cost of living increases. Inexpensive and convenient public transit helps mitigate against these issues and ensures students can travel between their residence and campus, as well as to employment opportunities within the Region.
 - c. Goal 5: Service Excellence – Durham Region Transit is always looking to expand its service offerings, and with the 10-year approved service growth plan, public transit within the Region will continue to provide exceptional value to students and customers in general. The ongoing commitment to the U-pass

Program is an example of continued service excellence in the face of difficult budgetary considerations.

8. Conclusion

- 8.1 DRT's U-Pass Agreement has benefited all parties in a variety of ways. For DRT it has contributed to strong ridership growth amongst post secondary students, thereby contributing to overall fare revenues as well as mitigating congestion if the same trips were completed using single occupancy passenger vehicles. For Durham's post secondary institutions, it has provided students with an affordable option for school and personal travel, while assisting the institutions in managing parking and traffic pressures on campus and in the surrounding community. In addition, for the Region overall, promoting transit is a cost-effective mechanism for reducing localized emissions thereby contributing to our collective environmental sustainability and health outcomes.

Respectfully submitted,

Original signed by

Bill Holmes
General Manager, DRT

Original signed by

Nancy Taylor
Treasurer, DRT

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

**Notice of Motion Requesting The Region of Durham to Begin the
Process of Conducting a Core Services Review**

Moved by: Councillor Schummer

Seconded by: Councillor Jubb

Whereas The Region of Durham has an operating budget of approximately \$2 Billion and a capital budget of hundreds of millions more; and

Whereas The Region of Durham continues to undergo the strains of budgetary pressures as indicated in Report 2023-F-22; and

Whereas the residents of The Region of Durham are suffering from ever increasing costs that threaten some of their abilities to continue to be residents of Durham Region; and

Whereas The Region of Durham has never engaged in a Core Services Review;

Therefore, be it resolved that The Region of Durham begin the process of conducting a Core Services Review so that a fulsome analysis of the operations, asset utilization, and possible efficiencies in delivering of the services within The Region may be performed.

**Notice of Motion Requesting The Region's Staff to Prepare Detailed
Report Outlining Incremental Operating and Capital Expenses
Incurred by The Region of Durham**

Moved by: Councillor Schummer

Seconded by: Councillor Jubb

Whereas The Region of Durham has burdened residents and taxpayers with property tax increases to fund capital and operating costs of facilities and services which are, by definition, the responsibilities and/or the direct cause of actions by either The Province of Ontario or The Government of Canada; and

Whereas the ongoing funding of these facilities and services are causing undue and unbalanced stress on the residents of Durham Region; and

Whereas by the continuing trend of this indirect downloading of provincial or federal responsibilities the property taxes of all Ontario residents are under undue and unbalanced stress;

Therefore, be it resolved that Council request staff to prepare a detailed report outlining incremental operating and capital expenses incurred by The Region of Durham on an annual basis since 2010 and furthermore that this resolution be forwarded to AMO to request all Ontario municipalities to prepare similar reports; and furthermore that AMO be asked to use this information to open and further discussions with The Province and Federal Government for a serious analysis and realignment of funding for non-municipal responsibilities in order to avert a possible financial crisis inflicted on municipalities and the property tax system as a whole as a result of indirect downloading of provincial or federal responsibilities.