



OFFICIAL NOTICE

Meeting of Regional Council Revised Agenda

Wednesday, April 24, 2024, 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](#).

	Pages
1. Call to Order & Traditional Territory Acknowledgement	
2. Roll Call	
3. Declarations of Pecuniary Interest	
4. Adoption of Minutes	
4.1 Regional Council meeting - March 27, 2024	6
4.2 Committee of the Whole meeting – April 10, 2024	45
5. Presentations	
*5.1 Ian McVey, Manager, Sustainability re: December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc. decision and Proposed Amendments to the Ontario Energy Board Act (2024-A-7) [Refer to Item #8.1 on the agenda]	58
6. Delegations	
*6.1 Wendy Bracken, Clarington resident (Virtual Attendance) re: 2024 Annual Climate Change Progress Report (2024-COW-12) [Refer to Item #9.5 on the agenda] Referred to Council from April 10, 2024 Committee of the Whole meeting	68
*6.2 Linda Gasser, Whitby resident (Virtual Attendance) re: 2024 Annual Climate Change Progress Report (2024-COW-12) [Refer	88

to Item #9.5 on the agenda]

Referred to Council from April 10, 2024 Committee of the Whole meeting

6.3 Keith Brooks, Programs Director, Environmental Defense
re: December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc.
decision and proposed amendments to the Ontario Energy Board Act
(2024-A-7) [Refer to Item #8.1 on the agenda]

6.4 Devanshi Kukadia, Communications Manager, Clean Air Partnership
re: December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc.
decision and proposed amendments to the Ontario Energy Board Act
(2024-A-7) [Refer to Item #8.1 on the agenda]

6.5 Lisa-Marie Wilson (Virtual Attendance) 97
re: Women of Ontario Say No

Referred to Council from April 9, 2024 Finance & Administration
Committee meeting

*6.6 Christine Drimmie (In-Person Attendance) 102
re: December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc.
decision and proposed amendments to the Ontario Energy Board Act
(2024-A-7) [Refer to Item #8.1 on the agenda]

*6.7 Alyssa Scanga, Youth Organizer, Climate JusticeDurham (Virtual
Attendance)
re: December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc.
decision and proposed amendments to the Ontario Energy Board Act
(2024-A-7) [Refer to Item #8.1 on the agenda]

7. Communications

7.1 CC 10 Correspondence from Alexander Harras, Director of Legislative
Services & Regional Clerk 105
re: Joint Nomination of a Candidate to the CTC Source Protection
Committee

Recommendation: Motion to nominate Tavis Nimmo, Manager of Water
Resource Monitoring & Protection to the CTC Source Protection
Committee

7.2 CC 11 Memorandum dated April 24, 2024 from Nancy Taylor,
Commissioner of Finance 111
re: Administrative Updates to Regional Surety Bond Acceptance Policy

Recommendation: Motion to adopt recommendations A) and B)
contained in CC 11.

8. Reports related to Delegations/Presentations

8.1 Report #2024-A-7 119
December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc. decision

9.	Committee Reports	
9.1	Finance and Administration Committee	131
9.2	Health and Social Services Committee	133
9.3	Planning and Economic Development Committee	134
9.4	Works Committee	136
9.5	Committee of the Whole	142
10.	Departmental Reports and Other Resolutions	
10.1	Call for nominations to the Federation of Canadian Municipalities (FCM) 2024 Board of Directors Recommendation: Motion to nominate a member for election	145
10.2	Report #2024-COW-17 Confidential Report of the Commissioners of Works and Finance, and General Manager of Transit – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it relates to the Future Windfields Farm Transit Terminal Under Separate Cover	
*10.3	Notice regarding Appointment of Representative to the Canadian National Exhibition Association (CNEA) Membership – 2024/2025Term Recommendation: Motion to appoint	152
11.	Notice of Motions There are no Notice of Motions	
12.	Unfinished Business There is no Unfinished Business	
13.	Announcements	
14.	By-laws	
14.1	2024-018 Being a by-law to adopt Amendment #198 to the Durham Regional Official Plan. This by-law implements the recommendations contained in Item #1 of the 4th Report of the Planning & Economic Development Committee presented to Regional Council on April 24, 2024.	
14.2	2024-019 Being a by-law to amend By-law Number 22-2018 by which the linear limits of the several roads comprising the Regional Road system are defined. This by-law implements the recommendations contained in Item #3 of	

the 4th Report of the Works Committee presented to Regional Council on April 24, 2024.

14.3 2024-020

Being a by-law to stop up and close as a public highway and to convey, that portion of Farewell Street (Regional Road 56) legally described as Part of Lot 5, Broken Front Concession, in the Geographic Township of East Whitby, now in the City of Oshawa, in the Regional Municipality of Durham, identified as part of PIN 16378-0001 (LT) and described further as Part 1 on Reference Plan 40R-32006 (the Lands).

This by-law implements the recommendations contained in Item #3 of the 4th Report of the Works Committee presented to Regional Council on April 24, 2024.

14.4 2024-021

Being a by-law to authorize The Regional Municipality of Durham to invest its money and investments that it does not require immediately in the Prudent Investment Program of ONE Joint Investment Board ("ONE JIB") pursuant to section 418.1 of the Municipal Act, 2001, to approve various documents, the entering into of specific agreements and the delegation of certain powers and duties.

This by-law implements the recommendations contained in Item #1 of the 3rd Report of the Finance & Administration Committee presented to Regional Council on April 24, 2024.

*14.5 2024-022

Being a by-law to establish a Reserve Fund to be known as the At Home Incentive Program Reserve Fund to assist in the provision of funding for affordable rental housing.

This by-law implements the recommendations contained in Item #1 of the 3rd Report of the Committee of the Whole presented to Regional Council on March 23, 2022.

*14.6 2024-023

Being a by-law to establish a Reserve Fund to be known as the Growth Related Sanitary Sewer Infrastructure Reserve Fund to assist in the provision of Regional sanitary sewer infrastructure.

This by-law implements the recommendations contained in Item #5 of the 9th Report of the Finance & Administration Committee presented to Regional Council on December 20, 2023.

*14.7 2024-024

Being a by-law to establish a Reserve Fund to be known as the Growth Related Water Infrastructure Reserve Fund to assist in the provision of

Regional water supply infrastructure.

This by-law implements the recommendations contained in Item #5 of the 9th Report of the Finance & Administration Committee presented to Regional Council on December 20, 2023.

***14.8 2024-025**

Being a by-law to establish a Reserve Fund to be known as the Growth Related General Infrastructure (Property Tax) Reserve Fund to assist in the provision of Regional General Infrastructure.

This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.

15. Confirming By-law

***15.1 2024-026**

Being a by-law to confirm the proceedings of the Council of The Regional Municipality of Durham at its meeting on the 24th day of April, 2024.

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.

The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, March 27, 2024

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

Regional Chair Henry assumed the Chair.

Chair Henry shared the news of two separate car accidents on March 19th and March 25th, which resulted in the passing of two employees from the Works Department. He also advised of the passing of an employee from the Social Services Department on January 30th and another employee from Hillsdale on March 3rd. He stated that these tragic losses have deeply affected employees at the Region and extended heartfelt sympathies to the families and friends of the colleagues who have passed. He asked Council members to take a moment to reflect on the memories of those colleagues and remember the positive influence that they have had.

1. Traditional Territory Acknowledgment

Regional Chair Henry read the following land acknowledgement:

The Region of Durham exists on lands that the Michi Saagiig Anishinaabeg inhabited for thousands of years prior to European colonization. These lands are the traditional and treaty territories of the Nations covered under the Williams Treaties, including the Mississaugas of Scugog Island First Nation, Alderville First Nation, Hiawatha First Nation, Curve Lake First Nation, and the Chippewa Nations of Georgina Island, Beausoleil and Rama.

We honour, recognize, and respect Indigenous Peoples as rights holders and stewards of the lands and waters on which we have the privilege to live. In our efforts towards reconciliation, we continue to build and strengthen relationships with First Nations, as well as the large Métis communities and growing Inuit communities here in Durham. We commit to learning from Indigenous values and knowledge, building opportunities for collaboration, and recognizing that we are all connected.

2. Roll Call

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Brenner

Councillor Butt
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 attended the meeting at 11:02 AM
Councillor Schummer*
Councillor Shahid
Councillor Woo
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 Councillor Roy

3. Declarations of Pecuniary Interest

Councillor Ashe made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 9.1 Report #2024-F-3: The 2024 Regional Business Plans and Budget for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Departmental Operations. He indicated that his son works in the Works Department.

Councillor Crawford made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 9.1 Report #2024-F-3: The 2024 Regional Business Plans and Budget for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Departmental Operations. She indicated that her son works in the Finance Department.

Councillor Woo made a declaration of interest under the Municipal Conflict of Interest Act with respect to Item 9.1 Report #2024-F-3: The 2024 Regional Business Plans and Budget for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit, as it pertains to Departmental Operations. He indicated that he has a relative that works in the Social Services Department.

At this time Regional Chair Henry announced the retirement of Alan Robins, Director, Housing Services and Lisa Fortuna, Director, Health Protection. He thanked them both for their years of dedication, outstanding service and leadership. He also announced that Anthony Di Pietro, Manager, Health Protection, will be L. Fortuna's successor.

4. Adoption of Minutes

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

- Regular Regional Council meeting held on February 28, 2024;
- Regular Committee of the Whole meeting held on March 20, 2024.

CARRIED

5. Presentations

5.1 Shaun Collier, Board Chair, DRPS and Peter Moreira, Chief of Police, DRPS re: Durham Regional Police Services Board – Quarterly Update to Council

Councillor Collier, Chair of the Durham Regional Police Services Board (DRPSB), was unable to present due to technical difficulties. Councillor Collier provided his written comments later in the meeting with regards to governance changes and the Community Safety and Policing Act as well as provided an official welcome to Deputy Chief Kirkpatrick and Deputy Chief Yeandle.

Chief Moreira, Durham Regional Police Service (DRPS), appeared before Council to provide a quarterly update. Highlights of the presentation included:

- Call for Service Stats
- Response and At-Scene Stats
- Arrests Made in 2023 Double Homicide
- Shootings & Firearm Discharges
- Persons Charged with Firearms Offences
- Violent Crime Stats
- The Inherent Dangers of Policing
- Project Washmill
- Property Crime Stats
- 2024 Auto Theft Summit

- Total Mental Health Act (MHA) Apprehensions by Individual & Subjects
- Roadway Safety
- Investments and Outcomes

Chief Moreira responded to questions from members of Council.

Moved by Councillor Neal, Seconded by Councillor Leahy,
(34) That Council recess for fifteen minutes.

CARRIED

Council recessed at 11:24 AM and reconvened at 11:41 AM.

A roll call was conducted following the recess and all members of Council were present.

Moved by Councillor Leahy, Seconded by Councillor Foster,
(35) That the order of the agenda be altered in order to hear the delegations listed under Items 6.3, 6.4, and 6.5, and to consider Item 11.1 Notice of Motion at this time.

CARRIED

6. Delegations

- 6.3 Brian Kelly (In-Person Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item 11.1]

Brian Kelly appeared in support of the decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand. Highlights of the presentation included:

- Context
- Why support the OEB decision
 - Enbridge subsidy is bad for existing customers
 - Enbridge subsidy is bad for new home buyers
 - Enbridge subsidy is bad for Durham
- Durham Greenhouse Gas (GHG) mitigation commitments
 - Durham Community Energy Plan, Low Carbon Pathway
 - Durham Climate Emergency Declaration
 - Regional Official Plan, May 25, 2023
- Questions

B. Kelly stated that the construction of new gas hookups for houses should not be subsidized as it results in higher energy bills for existing Enbridge customers, higher monthly expenses for new homeowners, and higher future costs to decarbonize/retrofit buildings in order to meet Durham Region's GHG reduction target.

B. Kelly responded to questions of Council.

- 6.4 Keith Brooks, Programs Director, Environmental Defense (Virtual Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item 11.1]
-

Keith Brooks was unable to delegate due to technical difficulties. K. Brooks was requested to provide written comments and was advised that they would be contacted when this item comes to a subsequent meeting.

- 6.5 Gaby Kalapos, Executive Director, Clean Air Partnership (Virtual Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item 11.1]
-

Gaby Kalapos was unable to delegate due to technical difficulties. G. Kalapos was requested to provide written comments and was advised that they would be contacted when this item comes to a subsequent meeting.

Moved by Councillor Garrod, Seconded by Councillor Crawford,
(36) That the rules of procedure be suspended in order to hear a delegation from Donna Popovic at this time.

CARRIED ON A 2/3rds VOTE

- 6.6 Donna Popovic, Senior Advisor Stakeholder, Enbridge Gas re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item 11.1]
-

Donna Popovic, Senior Advisor, Enbridge Gas appeared in opposition to the decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline subsidy and to ask the Ontario Government to allow the decision to stand.

D. Popovic stated that Enbridge's 2024 rate rebasing application was designed to provide their customers with safe and reliable natural gas at a reasonable cost, in addition to measured steps to help Ontario advance a practical transition to a sustainable energy future. D. Popovic stated that the December 2023 OEB decision conveys a strong bias against current and future use of natural gas and sets the course to eliminate it from Ontario's energy mix. D. Popovic further stated that this decision prescribes a path for Ontario's energy transition with no evidence to demonstrate that any other energy alternatives are available and ready to replace the energy supplied by natural gas, which has very deep and long-term economic implications for the entire energy sector and the future of Ontario's economic development.

Moved by Councillor Marimpietri, Seconded by Councillor Yamada,
(37) That D. Popovic be granted a two-minute extension to finish the delegation.

CARRIED

D. Popovic requested that the motion be referred back to staff to provide an opportunity to meet with all appropriate stakeholders and get a comprehensive industry perspective on essential feedback.

D. Popovic responded to questions from members of Council.

11. Notice of Motions

- 11.1 Motion to support the decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline subsidy and to ask the Ontario Government to allow the decision to stand

[REFERRED TO STAFF]

Moved by Councillor Leahy, Seconded by Councillor Foster,
(38) WHEREAS: Residents are struggling with energy bill increases and need relief;

AND WHEREAS: Natural gas is no longer the cheapest way to heat homes because electric heat pumps are now much more efficient, can provide all heating needs even in the cold climates, and result in far lower energy bills compared to gas heating;

AND WHEREAS: Natural gas is methane gas, which is a fossil fuel that causes approximately one-third of Ontario's GHG emissions, and must be phased out because it is inconsistent with all climate targets, while heat pumps result in the lowest GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS: The Ontario Energy Board (“OEB”) decided to end a subsidy for methane gas pipelines to be built in new construction developments, effective 2025, finding that this would lower energy bills for existing gas customers and improve affordability for new homebuyers, but this decision is at risk of being overturned by the provincial government;

AND WHEREAS: The OEB decision will help lower energy bills and encourage heating systems that are consistent with climate targets and plans;

AND WHEREAS: The construction of new methane gas pipelines, which have 60-year lifetimes, should not be subsidized because they are inconsistent with The Regional Municipality of Durham’s climate targets and will result in higher carbon emissions, higher energy bills, higher future decarbonization retrofit costs to get off fossil fuel heating, and a continued financial drain as dollars leave the province to pay for fossil fuels extracted in other jurisdictions.

NOW THEREFORE BE IT RESOLVED:

1. THAT the Council of The Regional Municipality of Durham expresses its support for the decision of the Ontario Energy Board to end the gas pipeline subsidy and ask the Ontario Government to allow the decision to stand.
2. THAT this resolution be circulated to Premier Doug Ford; the Minister of Energy, Todd Smith; the Minister of Finance, Peter Bethlenfalvy; the Minister of Municipal Affairs and Housing, Paul Calandra; the Associate Minister of Housing, Rob Flack; President of AMO, Colin Best, and all local Ontario municipalities requesting support of the proposed changes.

REFERRED TO STAFF ON THE
FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Brenner
Councillor Dies
Councillor Foster
Councillor Jubb
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Neal
Councillor Pickles

No

Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Garrod
Councillor Kerr
Councillor Marimpietri
Councillor McDougall
Councillor Nicholson

Councillor Roy
Councillor Schummer
Councillor Shahid
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

5. Presentations

- 5.2 Elaine Baxter-Trahair, Chief Administrative Officer, Nancy Taylor, Commissioner of Finance, and Nicole Pincombe, Director, Business Planning and Budgets re: The 2024 Regional Business Plans and Budget for Property Tax Purposes including General Purpose, Solid Waste Management and Durham Region Transit (2024-F-3)
-

E. Baxter-Trahair, N. Taylor, and N. Pincombe provided a detailed PowerPoint presentation on the 2024 Regional Business Plans and Budgets and the 2024 Strategic Property Tax Study.

Highlights from the presentation included:

- Overview of the 2024 Budget
- 2024 Property Taxes: Average Home
- 2024 Property Tax Impacts: Overall
- Base Budget Pressures
- Fiscal Sustainability – New Financial Framework
- Significant Investments in Critical Service Areas
 - Housing and Homelessness
 - Regional Transit
 - Paramedic Services
 - Police Services
 - Climate Action
 - Other
- Potential Social Housing Development/Redevelopment Projects
- 2024 Capital Budget and Nine-Year Forecast
- Bill 23 Impacts
- Items Deferred/Phased
- Looking forward: 2025 – 2033 Forecast
- Overview of the 2024 Budget

Staff responded to questions from members of Council.

6. Delegations

6.1 Statutory Public Meeting to Consider the Proposed Area Specific Development Charge By-law and Background Study re: Water Supply and Sanitary Sewerage Services in the Seaton Area

Chair Henry advised that this portion of the Council meeting will be for a public meeting regarding a new Seaton Water Supply and Sanitary Sewer Area Specific Development Charges By-law and Background Study.

This public meeting is required pursuant to Section 12 of the Development Charges Act, 1997 as part of the process that Council must follow before passing a development charge by-law. This process also included the release of the proposed by-law and background study to the public on March 12, 2024.

The purpose of the public meeting is twofold:

- first, to provide the public with information relating to the Seaton Area Specific Development Charge Background Study and proposed by-law through Report #2024-F-5 under “Departmental Reports and Other Resolutions” in today’s agenda; and
- second, to allow any person who attends the meetings to make representation relating to the proposed by-law and background study. Teleconference and video options have been made available to the public to facilitate public participation.

Written submissions received by the Regional Clerk by 5 p.m. on April 30, 2024, including those opinions expressed verbally at today’s public meeting, will be considered in the preparation of the final development charge recommendations and by-law scheduled to be presented to Regional Council on May 29, 2024.

The Chair called on Mary Simpson, Director of Risk Management, Economic Studies & Procurement Division, to provide a presentation with respect to the new Seaton Water Supply and Sanitary Sewer Area Specific Development Charge By-law.

Highlights of the presentation included:

- 2024 Seaton Area Specific DC Background Study and Proposed By-Law
- Purpose of Public Meeting
- Seaton Front-Ending Agreement
- Seaton Area Map
- Purpose of the Seaton Area Specific Development Charges (ASDCs)
- Seaton Area Specific Water and Sewer DCs
- Planning Forecast to 2039

- Proposed Capital Forecast
- Proposed Residential DC Rates (\$ per unit)
- Changes in Proposed Residential DC Rates
- Proposed Non-Residential DC Rates
- Changes in Proposed Non-Residential DC Rates
- Incorporating Additional Changes in the DCA
- Proposed Policy Changes to align with Region-wide DC By-law
- Summary
- Next Steps
- Public Input

Staff responded to questions from Council.

Regional Chair Henry advised that no members of the public have registered to speak on this matter, but in the interest of transparency he asked if there were any members of the public who wished to make a submission or ask any questions on this particular matter. He asked a second and third time. Being none, he advised the portion of the public meeting with regard to the proposed Seaton Water Supply and Sanitary Sewer Area Specific Development Charge By-law is closed.

6.2 Delegation(s) further to Public Notice regarding the 2024 Regional Property Tax Supported Business Plans and Budgets

The public has been given Notice via the public notice section of the on-line newspapers, the Region's website, and social media that Regional Council today is intending to review and adopt or amend the 2024 Regional Property Tax Supported Business Plans and Budgets including related fees and charges and the 2024 Regional Property Tax Rates.

Regional Chair Henry advised that no members of the public have registered to speak on this matter, but in the interest of transparency he asked if there were any members of the public who wished to make a submission or ask any questions on this particular matter. He asked a second and third time. Being none, he advised the portion of the public meeting with regard to the 2024 Regional Property Tax Supported Business Plans and Budgets including related fees and charges and the 2024 Regional Property Tax Rates is closed.

6.3 Brian Kelly (In-Person Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item #11.1]

B. Kelly appeared earlier in the meeting (see pages 4 and 5).

- 6.4 Keith Brooks, Programs Director, Environmental Defense (Virtual Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item #11.1]
-

K. Brooks was unable to delegate due to technical difficulties (see page 5).

- 6.5 Gaby Kalapos, Executive Director, Clean Air Partnership (Virtual Attendance) re: The decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline Subsidy and to ask the Ontario Government to allow the decision to stand [Refer to Notice of Motions Item #11.1]
-

G. Kalapos was unable to delegate due to technical difficulties (see page 5).

Moved by Councillor Neal, Seconded by Councillor Pickles,
(39) That Council recess for fifteen minutes.

CARRIED

Council recessed at 2:03 PM and reconvened at 2:20 PM.

A roll call was conducted following the recess and all members of Council were present with the exception of Councillors Collier, Schummer and Shahid

7. Communications

- CC 07 Correspondence dated March 22, 2024 from Shaun Collier, Board Chair, Durham Regional Police Services Board (DRPSB) re: Protocol for the Sharing of Information between the Durham Regional Police Services Board and The Durham Regional Council
-

Moved by Councillor Lee, Seconded by Councillor Marimpietri,
(40) That CC 07 Correspondence from Shaun Collier, Board Chair, Durham Regional Police Services Board regarding the execution of the Information Sharing Protocol between the Durham Regional Police Services Board and Regional Council be referred back to staff.

CARRIED

- CC 08 Correspondence dated March 26, 2024 from Wendy Bracken, Durham resident re: The 2024 Budget with regards to the District Heating related to the Durham York Incinerator
-

Moved by Councillor Foster, Seconded by Councillor Woo,
(41) That Correspondence CC 08 from Wendy Bracken, Durham resident re: The 2024 Budget with regards to the District Heating related to the Durham York Incinerator, be referred to consideration of Report #2024-F-3.

CARRIED

- CC 09 Correspondence dated March 26, 2024 from Robert Howe, Goodmans LLP re: Public Meeting Area Specific Development Charges for the Water Supply and Sanitary Sewerage Services in the Seaton Community of the City of Pickering

Moved by Councillor McDougal, Seconded by Councillor Chapman,
(42) That Correspondence CC 09 from Robert Howe, Goodmans LLP re: Public Meeting Area Specific Development Charges for the Water Supply and Sanitary Sewerage Services in the Seaton Community of the City of Pickering be referred to the consideration of Report #2024-F-5.
CARRIED

8. Reports related to Delegations/Presentations

- 8.1 Public Meeting Regarding Proposed Seaton Water Supply and Sanitary Sewer Area Specific Development Charges By-law and Background Study (2024-F-5)

Moved by Councillor Leahy, Seconded by Councillor Woo,
(43) A) That Report #2024-F-5 of the Commissioner of Finance be received for information; and
B) That all submissions received by Regional Council and the written submissions received by the Regional Clerk by 5:00 p.m. on April 30, 2024, including those opinions expressed verbally at the March 27, 2024 public meeting, be received and referred to Regional staff for consideration in the preparation of the final development charge recommendations and by-law scheduled to be presented to Regional Council for approval on May 29, 2024.
CARRIED

9. Committee Reports and any related Notice of Motions

9.1 Report of the Finance and Administration Committee

1. Motion Regarding Senior Government Funding
[CARRIED]

Whereas Durham Region along with other regional governments in Ontario were excluded from major new federal and provincial infrastructure programs to enable housing; namely the Housing Accelerator Fund and the Building Faster Fund;

Whereas regional governments are responsible to deliver costly infrastructure to enable growth such as water and sewer infrastructure and transit investments;

Whereas there is a homelessness, housing affordability and supply crisis;

Whereas there is currently a gap in senior government infrastructure funding programs and new funding commitments are required to close the gap in a timely fashion;

Whereas Durham Region residents deserve a fair share of investment from senior level government;

Be it therefore resolved that Durham Region request the federal and provincial government to include regional governments in any new infrastructure program to enable growth and that new major infrastructure programs are established urgently;

And further, that a copy of this resolution be sent to the Prime Minister, Premier of Ontario, Durham MPs and MPPs, the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM).

2. The Remuneration and Expenses in 2023 of Members of Regional Council and Regional Council Appointees to Local Boards, as Required by Section 284(1) of the Municipal Act, 2001, S.O. 2001, c.25 (2024-F-1)
[CARRIED]

That Report #2024-F-1 of the Commissioner of Finance be received for information.

3. Region of Durham Paramedic Services (RDPS) Logistics Vehicle to Support Community Programs (CP) (2024-F-4)
[CARRIED]

That the purchase of a new Logistics Delivery vehicle, at an estimated upset limit of \$95,000 and financed 100 per cent from reallocation of surplus Provincial funding, be approved to better assist with delivery of supplies to address the need of our enhanced workload related to Community Programs (CP).

4. 2024 Strategic Property Tax Study (2024-F-2)
[CARRIED ON A RECORDED VOTE]

A) That for the 2024 property taxation year, the municipal property tax ratios for the following property classes and subclasses for the Regional Municipality of Durham and its area municipalities be set as follows, consistent with the 2023 ratios, and the requisite by-law be prepared, and approval be granted,

Multi-Residential	1.8665
New Multi-Residential	1.1000
Landfill	1.1000

Pipelines	1.2294
Farmland	0.2000
Managed Forests	0.2500

Commercial Broad Class

(Including Shopping Centres, Office Buildings, Parking Lots and Residual)

Occupied	1.4500
Vacant Land	1.4500
Excess Land	1.4500
On Farm	1.4500

Industrial Broad Class

(Including Large Industrial and Residual)

Occupied	2.0235
Vacant Land	2.0235
Excess Land	2.0235
On Farm	2.0235

- B) That to achieve greater fairness and equity in the Current Value Assessment (CVA) system and property taxation policy, the Province be requested to:
- update the Provincial statutory rate applicable to nuclear generating facilities;
 - institute an annual mechanism to ensure the rate continues to be updated in the future, and;
 - redirect proxy property tax payments currently paid by the Region's two nuclear generating facilities to the Ontario Electricity Financial Corporation (OEFC) for the Ontario Hydro stranded debt to the host municipalities and the Region following retirement of the stranded debt.

5. The 2024 Regional Business Plans and Budget for Property Tax Purposes, including General Purpose, Solid Waste Management and Durham Region Transit (2024-F-3)

[CARRIED ON A RECORDED VOTE] [PARTS A) i) AND A) vii) WERE DIVIDED FROM THE REMAINDER AND VOTED ON SEPARATELY] [SEE MOTIONS 46 TO 50 ON PAGES 23 TO 28]

2024 General Purpose Property Tax Business Plans and Budget

- A) That the 2024 Business Plans and Property Tax Budget for General Purposes (excluding Durham Region Transit and Solid Waste Management) be approved, at a total net property tax requirement of \$746,567,000 as detailed within the 2024 Regional Business Plans and Budget, which are highlighted in this report and summarized as follows:

Regional Operations

- i) Departmental Operations - excluding Long-term Care
- ii) Departmental Operations – Long-term Care
- iii) Bill 23 – More Homes Built Faster Act Provision
- iv) Regional Roads Reserve – Growth
- v) Regional Roads – Rehabilitation Reserve Fund
- vi) Regional Bridges – Rehabilitation Reserve Fund

Total Regional Operations

vii) **Police Services**

viii) **Conservation Authorities**

Special Contributions:

- i) Land Conservation and Protection Reserve Fund
- x) Durham Region Community Investment Grant

Total Special Contributions

SUBTOTAL

- xi) Deferral for Seaton Assessment Growth

TOTAL GENERAL PROPERTY TAX PURPOSES

2024 Tax Requirements (\$000s)
333,627
69,416
5,558
12,549
26,050
5,525
452,725
267,966
9,383
394
6,220
6,614
736,688
9,879
746,567

- B) That the 2024 Capital Program for General Property Tax Purposes and financing (excluding Solid Waste, Durham Region Transit and Conservation Authorities' requirements), as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plans and Budget, in the amount of \$281,936,000 be approved including up to \$46,833,000 in debenture financing;

- C) That the 2025 to 2033 Capital Forecast for General Property Tax Purposes (excluding Solid Waste, Durham Region Transit and Conservation Authorities' requirements), as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plans and Budget in the amount of \$3,782,409,000 be received for information purposes only and be subject to future approvals.

Contributions for Regional Roads and Bridges

- D) That a 2024 contribution of \$12,549,000 to the Regional Roads Reserve – Growth be authorized to allow for financing of Road Capital Construction Projects;
- E) That a 2024 contribution of \$26,050,000 to the Regional Roads Rehabilitation Reserve Fund be authorized to assist with road rehabilitation requirements;
- F) That a 2024 contribution of \$5,525,000 to the Regional Bridges Rehabilitation Reserve Fund be authorized to assist with bridge rehabilitation requirements.

Durham Regional Local Housing Corporation

- G) That the 2024 Budget for the Durham Regional Local Housing Corporation be approved at a total net property tax requirement of \$14,991,550.

Conservation Authorities

- H) That funding totalling \$6,963,838 for 2024 operations be approved for the Region's five Conservation Authorities as summarized below:

Central Lake Ontario Conservation Authority (including transitioning the 2019-2023 Restoration pilot program to a permanent program in 2024)	\$4,620,240
Kawartha Region Conservation Authority	729,104
Ganaraska Region Conservation Authority	658,597
Toronto and Region Conservation Authority	724,800
Lake Simcoe Region Conservation Authority*	231,097
Total Conservation Authority Operations Funding	\$6,963,838

*The 2024 operating budget provision for Lake Simcoe Region Conservation Authority includes all Category 1 Corporate Services costs.

- I) That funding totalling \$1,679,259 for 2024 special projects be approved for the Region's Conservation Authorities as summarized below:

Kawartha Region Conservation Authority	\$146,100
Ganaraska Region Conservation Authority	249,559
Toronto and Region Conservation Authority	994,371
Lake Simcoe Region Conservation Authority	289,229
Total Conservation Authority Special Projects Funding	\$1,679,259

- J) That funding totalling \$200,000 for 2024 land management expenditures be approved for properties within Durham Region as outlined below:

Central Lake Ontario Conservation Authority	\$85,000
Kawartha Region Conservation Authority	15,000
Ganaraska Region Conservation Authority	37,000
Toronto and Region Conservation Authority	41,000
Lake Simcoe Region Conservation Authority	22,000
Total Conservation Authority Land Management Funding	\$200,000

- K) That the Oak Ridges Moraine Groundwater Program (ORMGP) Initiatives be continued in 2024 at a funding level of \$175,000 for ongoing groundwater protection initiatives jointly funded with the City of Toronto, Region of York and Region of Peel;
- L) That the special funding requests as outlined below be approved subject to the accountability of project costs incurred and project completion:
- a) Central Lake Ontario Conservation Authority for improvement to the entrance at Enniskillen Conservation Area and Russ Powell Nature Centre in the amount of \$120,000;
 - b) Kawartha Conservation Authority for updates to their Watershed Planning in the amount of \$30,500;
 - c) Kawartha Conservation Authority for phase five of five for the digitization of corporate records in the amount of \$5,446; and
 - d) Kawartha Conservation Authority for the implementation of their 10-year Environmental Monitoring Strategy in the amount of \$9,077;

- M) That the special funding request from the Central Lake Ontario Conservation Authority as outlined below be approved subject to securing the remainder of the project funding from the National Adaptation Strategy and Hydrologic Prediction and Innovation Program, project completion and accountability of project costs incurred:
 - a) LiDAR base mapping for the Central Lake Ontario Conservation Authority watershed to assist with floodplain mapping programs in the amount of \$80,000;
- N) That the approval for the special funding request from the Central Lake Ontario Conservation Authority for a Sustainable Neighbourhood Action Plan Pilot Project (SNAP) in the amount of \$120,000 be delegated to the Commissioner of Finance pending final review of the pilot project selected and its alignment with Regional responsibilities and priorities. The advancement of any funding approved for this special request will be subject to project completion and accountability of project costs incurred;
- O) That a contribution of \$393,977 to the Land Conservation and Protection Reserve Fund be authorized to assist in financing requests for funding received from the five Conservation Authorities to acquire environmentally sensitive lands within the Region, based on eligibility criteria per the approved Regional Land Acquisition Reserve Fund Policy.

Solid Waste Management 2024 Business Plan and Budget

- P) That the 2024 Business Plan and Budget for Solid Waste Management at a net property tax requirement of \$60,075,000 be approved as detailed in the 2024 Solid Waste Management Business Plan and Budget;
- Q) That the 2024 Capital Program for Solid Waste Management and financing, as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plan and Budget for Solid Waste Management, in the amount of \$4,732,000 be approved;
- R) That the 2025 to 2033 Capital Forecast for Solid Waste Management as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plans and Budget in the amount of \$242,030,000 be received for information purposes only and be subject to future approvals.

Durham Region Transit 2024 Business Plan and Budget

- S) That the 2024 Business Plan and Budget for Durham Region Transit be approved at a total net property tax requirement of \$92,816,000, as detailed in the 2024 Durham Region Transit Business Plan and Budget;
- T) That the 2024 Capital Program for Durham Region Transit and financing, as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plans and Budget, in the gross amount of \$342,336,000 be approved, including up to \$63,095,000 in debenture financing (including \$20,230,000 in long-term financing from the Canada Infrastructure Bank) subject to federal funding approval for applicable projects;
- U) That the 2025 to 2033 Capital Forecast for Durham Region Transit as outlined in Attachment #5 to Report #2024-F-3 of the Commissioner of Finance and as further detailed within the 2024 Regional Business Plans and Budget in the amount of \$1,028,132,000 be received for information purposes only and be subject to future approvals;
- V) That staff report back to the Transit Executive Committee and Finance and Administration Committee in advance of the 2025 Business Plan and Budget should sufficient senior government funding not be forthcoming to support the implementation of Durham Region Transit's fleet electrification strategy and forecasted service enhancements, with recommendations on updating the Transit Service and Financing Strategy (2023 – 2032) to reflect funding realities.

Financial Management and Accountability

- W) That the Listing of 2024 Regional Fees and Charges, as set forth in the 2024 Regional Business Plans and Budget be approved and made available to the public and all applicable by-laws be amended accordingly;
- X) That a transfer of \$450,000 to the Climate Change Mitigation and Environmental Reserve Fund from savings in the Region's natural gas hedging account be approved;
- Y) That a transfer of \$3,068,880 to the Equipment Reserve from the Capital Impact Stabilization Reserve Fund be approved to support the ongoing sustainability of the reserve for fleet equipment replacement;

- Z) That the Growth Related General Infrastructure (Property Tax) Reserve Fund be established to finance the shortfall in development charge receipts from the mandatory phase-in, freezing, exemptions and discounts introduced through Bill 23, More Homes Built Faster Act, 2022, Bill 134, Affordable Homes and Good Jobs Act, 2023 and related legislation, and that for 2023, any property tax surplus up to the maximum amount of the estimated 2023 development charge shortfall for property tax services be allocated to the Growth Related Property Tax Infrastructure Reserve Fund;
- AA) That the necessary By-laws for the establishment of the recommended Growth Related General Infrastructure (Property Tax) Reserve Fund be presented to Regional Council;
- BB) That the Region continue to advocate directly and jointly with our municipal partners and associations for senior government funding for shortfalls in development charge funding resulting from Bill 23, More Homes Built Faster Act, 2022, Bill 134, Affordable Homes and Good Jobs Act, 2023 and related legislation as well as for the unplanned and accelerated infrastructure needs to meet the provincial housing targets;
- CC) That Council support the Federation of Canadian Municipalities call on the Government of Canada for urgent investment in infrastructure and commitments to enhancements to the Canada Community Building Fund, establishing a permanent Public Transit Fund and enhanced investment in Reaching Homes funding;
- DD) That the Province of Ontario be requested to provide stability and certainty to the Provincial Gas Tax program to support transit operations and capital priorities;
- EE) That based upon the 2024 Regional Business Plans and Budget as recommended herein, the Commissioner of Finance be authorized to set 2024 Regional Property Tax Rates for General Purposes, Solid Waste Management and Durham Region Transit and approval be granted for the requisite By-laws;
- FF) That for any Regional program change or capital expenditure included within the 2024 Regional Business Plans and Budget which is proposed to be financed in whole, or in part, from Provincial/Federal subsidies, grants or related revenues, neither staffing, capital nor other related Regional expenditures can be committed until such time as adequate confirmation, to the satisfaction of the Commissioner of Finance/Treasurer, is received from the respective provincial/federal ministry to commit to the subsidy, grant or related revenues in accordance with the Regional Budget Management Policy;

- GG) That funding totalling up to \$83,250 be approved for the Pickering Auxiliary Rescue Association with the funding to be provided from within the Finance Department's 2024 Business Plan and Budget to be administered by the Finance Department in consultation with the Durham Regional Police Service, based upon services rendered;
- HH) That funding totalling up to \$52,160 be approved for COMRA Marine Rescue Association with the funding to be provided from within the Finance Department's 2024 Business Plan and Budget to be administered by the Finance Department in consultation with the Durham Regional Police Service, based upon services rendered;
- II) That the Commissioner of Finance 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 to June 30, 2024, execute any transfer payment agreements, expend funds up to a maximum of an additional \$5,528,000 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 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 or any other federal or provincial funds be funded at the discretion of the Commissioner of Finance;
- JJ) That the federal government be requested to urgently reimburse the Region of Durham for all costs incurred to date and anticipated to be incurred up to June 30, 2024 for the Region's Humanitarian response to asylum-seekers and refugees and establish an ongoing funding program from July 1, 2024 onward to cover the costs of providing settlement services for asylum-seekers and refugees to prevent the cancellation of any programs offered by the Region of Durham after June 30, 2024;
- KK) That the Region continue to advocate for sustained senior government funding for growth related capital infrastructure to support the housing goals within the Region of Durham;
- LL) That staff be directed to prepare a 10-year Housing Service and Financing Strategy to be brought forward to Council in conjunction with the 2025 Business Plans and Budget;

MM) That the reporting of the Impact of Excluded Expenses for tangible capital asset amortization, post-employment benefits and solid waste landfill closure/post-closure expenses be adopted, per requirements under the Ontario Regulation 284/09 of the Municipal Act, 2001 and the Public Sector Accounting Board (PSAB);

**Estimated Impact of Excluded Expenses on Accumulated Surplus
For the 2024 Business Plans and Budgets (\$,000's)**

	<u>2023</u>		<u>2024</u>		
	<u>Total</u>	<u>Property Tax</u>	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
<u>PSAS Additions to Budget</u>					
Tangible Capital Asset Amortization	164,648	104,174	29,860	36,776	170,810
Post-Employment Benefit Expense	27,301	43,820	738	890	45,448
Asset Retirement Obligation - Increase/(Decrease)	(248)	1,317	161	86	1,564
Transfers from Reserves and Reserve Funds	145,359	246,889	31,417	19,785	298,091
Proceeds of Debt issued for Regional Purposes	160,883	109,928	-	45,868	155,796
Total PSAS Additions	497,943	506,128	62,176	103,405	671,709
<u>PSAS Reductions to Budget</u>					
Gross Tangible Capital Asset Acquisitions	(784,858)	(628,307)	(143,006)	(215,158)	(986,471)
Less: Tangible Capital Asset Recoveries	40,691	-	-	60,172	60,172
Net Tangible Capital Asset Acquisitions	(744,167)	(628,307)	(143,006)	(154,986)	(926,299)
Debt Principal Payments	(18,643)	(18,589)	(695)	(2,802)	(22,086)
Transfers to Reserves and Reserve Funds	(155,268)	(152,579)	(9,836)	(20,773)	(183,188)
Contributed Tangible Capital Assets	(20,017)	(1,270)	(9,360)	(13,396)	(24,026)
Total PSAS Reductions	(938,095)	(800,745)	(162,897)	(191,957)	(1,155,599)
Net Impact - (Increase) to Accumulated Surplus	(440,152)	(294,617)	(100,721)	(88,552)	(483,890)

NN) That sections of this resolution be forwarded to each relevant party to inform them of their approved funding and/or Council's position on the appropriate matter.

Moved by Councillor Ashe, Seconded by Councillor Leahy,

(44) That the recommendations contained in Items 1, 2 and 3 inclusive of Report #2 of the Finance and Administration Committee be adopted.

CARRIED

Moved by Councillor Ashe, Seconded by Councillor Leahy,

(45) That the recommendations contained in Item 4 of Report #2 of the Finance and Administration Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton

No

Councillor Foster
Councillor Marimpietri

Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McDougall
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Councillor Neal
Councillor Nicholson

Members Absent: Councillor Anderson
Councillor Collier
Councillor Schummer
Councillor Shahid

Declarations of Interest: None

Moved by Councillor Ashe, Seconded by Councillor Leahy,
(46) That the recommendations contained in Item 5 of Report #2 of the
Finance and Administration Committee be adopted.

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

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,
(47) That the main motion (46) of Councillors Ashe and Leahy be amended by
directing that the projected property tax increase be reduced to 4.0% and
that the funds of \$29.9 million necessary to reduce this tax increase be
drawn from current Region of Durham reserve fund accounts as
determined by the Regional Treasurer.

MOTION DEFEATED ON A RECORDED
VOTE (See Following Motion)

Moved by Councillor Barton, Seconded by Councillor Foster,
(48) That a vote on the matter be now taken.

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

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Lee
Councillor McDougall
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Schummer
Councillor Shahid
Councillor Woo

No

Councillor Anderson
Councillor Carter
Councillor Chapman
Councillor Kerr
Councillor Leahy
Councillor Marimpietri
Councillor Neal
Councillor Nicholson
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

The amending motion (47) of Councillors Nicholson and Marimpietri was
put to vote and DEFEATED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Jubb
Councillor Marimpietri
Councillor Neal
Councillor Nicholson
Councillor Yamada

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McDougall

Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Shahid
Councillor Woo
Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Collier
Councillor Schummer

Declarations of Interest: None

Moved by Councillor Brenner, Seconded by Councillor Cook,
(49) That the main motion (46) of Councillors Ashe and Leahy be amended in Part S) to reflect an increase to transit tax levy funding of an additional 1.4% to the overall Regional levy or \$11,435 million; and that the related By-law numbers 2024-011 and 2024-015 be amended.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Brenner
Councillor Cook

No

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
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

Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Collier

Declarations of Interest: None

Moved by Councillor Marimpietri, Seconded by Councillor Mulcahy,
(50) That the main motion (46) of Councillors Ashe and Leahy to adopt the recommendations contained in Item 5 of Report #2 of the Finance and Administration Committee be divided in order to allow voting on Parts A) i) Departmental Operations – excluding Long-term Care, and A) vii) separately from the remainder.

CARRIED

Part A) i) was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE. Councillors Ashe, Crawford and Woo declared conflicts of interest on this item earlier in the meeting and did not vote on the item:

Yes

Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McDougall
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Shahid
Councillor Wotten
Regional Chair Henry

No

Councillor Anderson
Councillor Marimpietri
Councillor Neal
Councillor Nicholson
Councillor Schummer
Councillor Yamada

Members Absent: Councillor Collier

Declarations of Interest: Councillor Ashe
Councillor Crawford
Councillor Woo

Part A) vii) was then put to a vote and CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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 Pickles
Councillor Roy
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Nicholson
Councillor Schummer
Councillor Shahid

Members Absent: None

Declarations of Interest: None

The remainder of the main motion (46) of Councillors Ashe and Leahy
[with the exception of Parts A) i) and A) vii)] was then put to a vote and
CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier

No

Councillor Anderson
Councillor Marimpietri
Councillor Neal
Councillor Nicholson
Councillor Schummer
Councillor Yamada

Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McDougall
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Shahid
Councillor Woo
Councillor Wotten
Regional Chair Henry

Members Absent: None

Declarations of Interest: None

9.2 Report of the Planning and Economic Development Committee

1. Application to Amend the Durham Regional Official Plan, submitted by Clark Consulting Services, on behalf of Bethesda Ridge Farms, to permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties in the Municipality of Clarington, File: OPA 2023-001 (Regional Official Plan Amendment #197) (2024-P-6)

[CARRIED]

- A) That Amendment #197 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of nonabutting farm parcels, be adopted as contained in Attachment #3 to Report #2024-P-6 of the Commissioner of Planning and Economic Development;
- B) That “Notice of Adoption” be sent to the applicant, the applicant’s agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing, and all other person or public bodies who requested notification of this decision; and

- C) That the Minister of Municipal Affairs and Housing be requested to modify the Council adopted Durham Regional Official Plan as shown on Attachment #4 to Report #2024-P-6 so that the approvals granted by Regional Council through Amendment #197 are carried forward and properly reflected in the Region's new Official Plan which is currently pending approval by the Minister.

Moved by Councillor Chapman, Seconded by Councillor Pickles,

- (51) That the recommendations contained in Item 1 of Report #3 of the Planning and Economic Development Committee be adopted.

CARRIED

9.3 Report of the Works Committee

- 1. New Waste Management Services By-law (2024-WR-1)
[CARRIED]

- A) That By-law #46-2011, as amended, being a by-law to regulate the provision of Waste Management Services under the jurisdiction of the Regional Municipality of Durham, be repealed and replaced with a revised Waste Management Services By-law generally in the form included as Attachment #1 to Report #2024-WR-1 of the Acting Commissioner of Works, as modified and approved by the Regional Solicitor; and
- B) That staff be directed to submit a short form wording and set fines application, in a form satisfactory to the Regional Solicitor, to the Provincial Regional Senior Justice for approval, and such court order be attached to the by-law once received for reference.

- 2. Update on Small Business Recycling Post Blue Box Transition (2024-WR-2)
[CARRIED]

- A) That, effective January 1, 2026, the Regional Municipality of Durham cease to provide Blue Box recycling services to the small businesses currently receiving municipal waste collection services as listed in Attachments #1 and #2 of Report #2024-WR-2 of the Acting Commissioner of Works;
- B) That staff be directed to develop and implement a communication plan to advise these small businesses that, effective January 1, 2026, they will no longer receive municipal Blue Box recycling services;

- C) That staff be authorized to send a letter to the Premier of Ontario and the Minister of the Environment, Conservation and Parks strongly endorsing the creation of a Blue Box recycling regulation for Ontario's Industrial, Commercial and Institutional sector as it has done for Ontario's residential sector; and
 - D) That a copy of Report #2024-WR-2 be shared with the Regional Local Area Municipalities, the Premier of Ontario and the Minister of the Environment, Conservation and Parks.
3. The Regional Municipality of Durham's Drinking Water Systems 2023 Summary Report (2024-W-5)
[CARRIED]
- A) That the 2023 Summary Report for the Regional Municipality of Durham Drinking Water Systems be received for information;
 - B) That receipt of Report #2024-W-5 of the Acting Commissioner of Works be confirmed by resolution of Regional Council; and
 - C) That a copy of this resolution be forwarded to the Ontario Ministry of the Environment, Conservation and Parks' York-Durham District Office to indicate that the conditions of Schedule 22 of Ontario Regulation 170/03 have been fulfilled.
4. Lease Agreement with 555 Hastings Avenue Inc. for space for use by Durham Regional Police Service (DRPS), located at 555 Hastings Avenue and 556 Hastings Avenue, City of Oshawa (2024-W-7)
[CARRIED ON A RECORDED VOTE]
- A) That the Lease Agreement with 555 Hastings Avenue Inc. for the premises in the City of Oshawa, consisting of 8,784 square feet of office and Industrial space located at 555 Hastings Avenue and 0.22 acres of storage yard space at 556 Hastings Avenue, in the City of Oshawa, be approved with the following terms and conditions:
 - i) The lease term is for a period of five (5) years commencing April 1, 2024, and ending on March 31, 2029;
 - ii) The annual rent for the lease term will be \$228,384*, payable in equal monthly instalments of \$19,031*, based on a rate of \$26.00 per square foot per annum;
 - iii) The basic rent will be increased by 2.5 percent for each successive year of the lease term;

- iv) Additional rent is estimated at \$1.92 per square foot or \$16,865.28 per annum, including maintenance costs, property taxes and insurance;
 - v) The Region will have exclusive use of the 0.22-acre storage yard space at 556 Hastings Avenue, City of Oshawa. There is no additional cost for the use of this space;
 - vi) The Region will have the option to renew the lease for two additional terms of five (5) years under the same terms and conditions, with rent to be negotiated at the time of renewal;
 - vii) The Region will be responsible for all maintenance and repair to the leased space, snow and ice removal and lawn cutting;
 - viii) The Landlord will be responsible for all improvements, repairs, renovations and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC); and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease.
(*) exclusive of applicable taxes

5. Standardization and Sole Source Acquisition of Combination
Plow/Dump/Salter Trucks (2024-W-8)

[CARRIED]

- A) That the Regional Municipality of Durham continue to standardize Viking Cives Ltd. International Truck combination cab, chassis, and truck mounted plows/dump/salter bodies;
- B) That staff negotiate and award a sole source agreement with Viking Cives Ltd. for the supply, customization, and delivery of Viking Cives Ltd. International Truck combination cab, chassis, and truck-mounted plows/dump/salter bodies, parts and servicing of the units from January 1, 2024, to December 31, 2028, at an estimated cost of \$18,457,640* for the term, including \$2,890,000* for 2024; and
- C) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
(*) before applicable taxes

Moved by Councillor Barton, Seconded by Councillor Marimpietri,

- (52) That the recommendations contained in Items 1, 2, 3 and 5 inclusive of Report #3 of the Works Committee be adopted.

CARRIED

Moved by Councillor Barton, Seconded by Councillor Marimpietri,
(53) That the recommendations contained in Item 4 of Report #3 of the Works Committee be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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 Pickles
Councillor Roy
Councillor Schummer
Councillor Shahid
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Nicholson

Members Absent: None

Declarations of Interest: None

9.4 Report of the Committee of the Whole

1. Durham Meadoway Visioning Study – Project Outcome and Next Steps
(2024-COW-11)
[REFERRED BACK TO STAFF]
-

- A) That Regional Council endorse the Durham Meadoway Visioning Study as the framework and strategy to implement the active transportation corridor and linear park, forming Stage 1 of the project;
- B) That Regional Council authorize the Commissioner of Planning and Economic Development to negotiate and execute a Memorandum of Understanding between the Region and the City of Pickering, Town of Ajax, Town of Whitby and City of Oshawa, outlining a framework for the Region to cost-share 20 per cent (estimated at \$240,000) and the affected area municipalities cost-sharing 80 per cent of the Municipal Class Environmental Assessment study for the Durham Meadoway trail, subject to the approval of Commissioner of Finance and Regional funding through the Region's 2025 Business Planning and Budgets process; and
- C) That a copy of Report #2024-COW-11 of the Commissioners of Planning and Economic Development, Finance and Works, and Council resolution be sent to the City of Pickering, Town of Ajax, Town of Whitby, City of Oshawa, Durham OneNet Inc., Toronto and Region Conservation Authority, Central Lake Ontario Conservation Authority, Parks Canada, the City of Toronto, Infrastructure Ontario and Hydro One Networks Inc.

Moved by Councillor Yamada, Seconded by Councillor Woo,

- (54) That the recommendations contained in Item 1 of Report #2 of the Committee of the Whole be adopted.

REFERRED BACK TO STAFF LATER IN THE
MEETING (See Following Motions)

Moved by Councillor Crawford, Seconded by Councillor Roy,

- (55) That the main motion (54) of Councillor Yamada and Woo be amended by deleting Parts A) and B) and replacing them with the following:

- A) That Regional Council endorse the Durham Meadoway Visioning Study as the framework and strategy **to implement four unique but connected active transportation corridors and linear parks**, forming Stage 1 of the project;
- B) That Regional Council authorize the Commissioner of Planning and Economic Development **to negotiate and execute Memorandums of Understanding between Pickering, Ajax, Whitby and Oshawa** outlining a framework for the Region to cost-share **any required studies and assessments for each phase of the project with the affected municipalities**, subject to the approval of Commissioner of Finance and Regional funding through the Region's 2025 Business Planning and Budgets process.

**MOTION REFERRED BACK TO STAFF (See
Following Motion)**

Moved by Councillor Nicholson, Seconded by Councillor Chapman,
(56) That the amending motion (55) of Councillors Crawford and Roy and the main motion (54) of Councillors Yamada and Woo be referred back to staff for a report back to Committee and Council before the summer recess.

CARRIED

10. Departmental Reports & Other Resolutions

11. Notice of Motions

- 11.1 Motion to support the decision of the Ontario Energy Board (OEB) to end the Natural Gas Pipeline subsidy and to ask the Ontario Government to allow the decision to stand

[REFERRED TO STAFF]

This item was dealt with earlier in the meeting (see Pages 6 to 8)

Moved by Councillor Neal, Seconded by Councillor Schummer,
(57) That the rules of procedure be suspended in order to introduce an item of correspondence from the Township of Amaranth as contained in the March 22, 2024 Council Information Package, in order to endorse the resolution from the Township of Amaranth.

**CARRIED ON THE FOLLOWING
RECORDED VOTE (A 2/3rds VOTE WAS
ATTAINED):**

Yes

Councillor Anderson
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Dies
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McDougall
Councillor Mulcahy
Councillor Neal
Councillor Schummer

No

Councillor Ashe
Councillor Barton
Councillor Foster
Councillor Garrod
Councillor Nicholson
Councillor Roy

Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Collier
Councillor Pickles
Councillor Shahid

Declarations of Interest: None

- 11.2 Endorsement of Resolution from the Township of Amaranth Regarding Fair and Equivalent Operational Budget Funding Amounts from the Province to all Ontario Municipalities

(CARRIED)

Moved by Councillor Neal, Seconded by Councillor Schummer,
(58) That the following resolution from the Township of Amaranth be endorsed:

Whereas all Ontario municipalities are prohibited from running budget deficits for operating purposes, and;

Whereas all Ontario municipalities have similar pressures with respect to aging infrastructure and operating costs for policing, and;

Whereas the City of Toronto has recently received Provincial funding to cover a \$1.2 billion dollar operating shortfall and approximately \$12 million in Federal and Provincial funding for their Police operating budget, and;

Whereas the City of Toronto has the lowest tax rates in the Province, approximately 40% less than the average Dufferin rural municipal tax rate.

Be it Resolved That the Township of Amaranth call on the Province of Ontario to treat all municipalities fairly and provide equivalent representative operational budget funding amounts to all Ontario municipalities.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes
Councillor Anderson
Councillor Ashe
Councillor Brenner
Councillor Carter

No
Councillor Barton
Councillor Dies
Councillor Foster
Councillor Garrod

Councillor Chapman
Councillor Cook
Councillor Crawford
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McDougall
Councillor Mulcahy
Councillor Neal
Councillor Roy
Councillor Schummer
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Councillor Nicholson

Members Absent: Councillor Collier
Councillor Pickles
Councillor Shahid

Declarations of Interest: None

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.

Councillor Crawford was extended congratulations by Councillor Roy on behalf of the Council of the Town of Whitby on receiving the International Women's Day 2024 Woman of Impact Award.

14. By-laws

2024-008 Being a by-law to adopt Amendment #197 to the Durham Regional Official Plan.

This by-law implements the recommendations contained in Item #1 of the 3rd Report of the Planning & Economic Development Committee presented to Regional Council on March 27, 2024.

- 2024-009 Being a by-law to consolidate, repeal and replace the by-laws that regulate the provision of Waste Management Services under the jurisdiction of The Regional Municipality of Durham.
- This by-law implements the recommendations contained in Item #1 of the 3rd Report of the Works Committee presented to Regional Council on March 27, 2024.
- 2024-010 Being a by-law to approve and adopt the 2024 Business Plans and Budgets for General Purposes including the payment of all debt of the Regional Corporation falling due excluding current and capital expenditures and debts for Water Supply and Sanitary Sewage Works, Solid Waste Management and Durham Region Transit Commission.
- This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.
- 2024-011 Being a by-law to approve and adopt the 2024 Business Plans and Budgets for the Durham Region Transit Commission.
- This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.
- 2024-012 Being a by-law to approve and adopt the 2024 Business Plans and Budgets for Solid Waste Management.
- This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.
- 2024-013 Being a by-law to establish tax ratios for 2024 and to specify the percentage by which tax rates are to be reduced for prescribed property subclasses.
- This by-law implements the recommendations contained in Item #4 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.
- 2024-014 Being a by-law to set and levy rates of taxation for Regional General purposes for the year 2024.
- This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.

- 2024-015 Being a by-law to set and levy rates of taxation for the Durham Region Transit Commission for the year 2024.

This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.

- 2024-016 Being a by-law to set and levy rates of taxation for Regional Solid Waste Management purposes for the year 2024.

This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Finance & Administration Committee presented to Regional Council on March 27, 2024.

Moved by Councillor Ashe, Seconded by Councillor Barton,
(59) That By-law Numbers 2024-008 to 2024-016 inclusive be passed.

CARRIED LATER IN THE MEETING (See
Following Motions)

Moved by Councillor Nicolson, Seconded by Councillor Roy,
(60) That By-law Numbers 2024-010 to 2024-016 be divided in order to vote on them separately.

CARRIED

By-law Numbers 2024-008 and 2024-009 were put to a vote and CARRIED.

By-law Numbers 2024-010 to 2024-016 were put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Crawford
Councillor Dies
Councillor Garrod
Councillor Jubb
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McDougall
Councillor Mulcahy
Councillor Roy
Councillor Shahid
Councillor Woo

No

Councillor Anderson
Councillor Marimpietri
Councillor Neal
Councillor Nicholson
Councillor Schummer
Councillor Yamada

Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Collier
Councillor Cook
Councillor Foster
Councillor Pickles

Declarations of Interest: None

15. Confirming By-law

2024-017 Being a by-law to confirm the proceedings of the Council of The Regional Municipality of Durham at its meeting on the 27th day of March, 2024.

Moved by Councillor Ashe, Seconded by Councillor Barton,
(61) That By-law Number 2024-017 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on March 27, 2024 be passed.
CARRIED

16. Adjournment

Moved by Councillor Wotten, Seconded by Councillor Lee,
(62) That the meeting be adjourned.
CARRIED

The meeting adjourned at 4:34 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Cheryl Bandel, Deputy Regional Clerk

The Regional Municipality of Durham

MINUTES

COMMITTEE OF THE WHOLE

Wednesday, April 10, 2024

A regular meeting of the Committee of the Whole was held on Wednesday, April 10, 2024 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:32 AM. Electronic participation was offered for this meeting.

Regional Chair Henry assumed the Chair.

Chair Henry announced that Durham Region Transit (DRT) is holding a Public Information session in the lobby of Regional Headquarters between 10:00 AM and 1:00 PM and encouraged members to participate if time permits.

Chair Henry further advised that it is The International Day of Pink, a worldwide anti-bullying and anti-homophobia event where individuals are encouraged to wear the colour pink in support of the day.

1. Roll Call

Present: Councillor Anderson, left the meeting at 12:16 PM
Councillor Ashe*
Councillor Barton*
Councillor Brenner
Councillor Carter* attended the meeting at 11:11 AM
Councillor Chapman
Councillor Collier*, attended the meeting at 11:43 AM
Councillor Cook*
Councillor Crawford, left the meeting at 12:55 PM
Councillor Dies, left the meeting at 1:00 PM
Councillor Foster
Councillor Garrod
Councillor Jubb*
Councillor Kerr, left the meeting at 12:30 PM
Councillor Leahy*, left the meeting at 11:32 AM and attended the meeting at 12:13 PM
Councillor Lee*
Councillor Marimpietri, attended the meeting at 10:35 AM
Councillor McDougall
Councillor Mulcahy*, left meeting at 1:00 PM
Councillor Neal
Councillor Nicholson*
Councillor Pickles
Councillor Roy, left the meeting at 12:09 PM

Councillor Schummer*

Councillor Woo*

Councillor Wotten, left the meeting at 11:37 AM and attended the meeting at 12:54 PM

Councillor Yamada* attended the meeting at 9:55 AM

Regional Chair Henry

*** denotes staff participating electronically**

All members of Committee were present with the exception of Councillor Shahid due to the celebration of a religious holiday.

Staff

Present: A. Evans*, S. Austin, E. Baxter-Trahair*, B. Bridgeman, A. Burgess, S. Danos-Papaconstantinou, S. Dessureault, H. Finlay, S. Gill*, C. Goodchild, B. Goodwin, A. Harras, B. Holmes, J. Hunt, R. Inacio, R. Jagannathan, I. McVey, G. Muller*, N. Pincombe, C. Taylor, N. Taylor, E. Valant* 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

4.1 Climate Change Education Session

- a. Sandra Austin, Executive Director, Strategic Initiatives, Re: Climate Emergency Context – Imperative for Action

Sandra Austin, Executive Director, Strategic Initiatives provided introductory remarks for the Climate Change Education Session, and outlined the agenda for the education session.

- b. Bryan Purcell, Vice President Policy and Programs, The Atmospheric Fund, Re: Overview of Climate Mitigation Action in the GTHA – Regional Context

Bryan Purcell, Vice President Policy and Programs, The Atmospheric Fund provided a PowerPoint presentation regarding Overview of Climate Mitigation Action in the GTHA – Regional Context.

Highlights from the presentation included:

- Methodology Insights
- Greater Toronto and Hamilton Area Emissions Inventory
- Pathway to Net-Zero
- Durham Region Sector Emissions
- Durham Region
 - Transportation
 - Buildings
 - Electricity
- Sector Emissions
 - Durham Region: Electricity Emissions, 2016-2022
 - Ontario Electricity Emissions Forecast, 2015-2040
- Municipal Climate Policy Priorities

B. Purcell responded to questions in regards to the data on emissions generated by the Durham York Energy Centre incinerator; defining the difference between clean and dirty energy and what causes emission numbers to rise in the Region of Durham; the suitability of small modular reactors as replacements for natural gas generating plants; the difference in cost between a natural gas generating plant per kilowatt and other sources of electricity; trends in other municipalities in the Greater Toronto and Hamilton Area (GTHA) concerning the increases in emissions and steps they are taking to lower their emission numbers; the percent of the population that disputes the significance of climate change and the measures taken by municipalities in the GTHA to educate the public on this issue; and overcoming the concerns surrounding small modular reactors and their integration into communities in the Region of Durham.

Councillor Foster clarified that the small modular reactors in the Region of Durham will be integrated into the existing grid, with Ontario Power Generation (OPG) anticipating their readiness by 2029.

B. Purcell responded to questions in regards to the timeline to bring a new gas Peaker plan to the Region of Durham to increase electricity production; and the promotion of devices aimed at assisting homeowners in managing electricity demand during peak times.

Staff clarified Durham Region Transit ridership per month had surpassed pre-pandemic levels through the fall of 2023.

B. Purcell responded to questions regarding the feasibility of the Region of Durham's emissions reduction goals for 2030, considering various factors.

- c. Don Iveson, Co-Chair, Task Force for Housing and Climate, and Executive Advisor, Co-Operators Insurance, Re: Task Force for Housing & Climate – Blueprint for More and Better Housing

Don Iveson, Co-Chair, Task Force for Housing and Climate, and Executive Advisor, Co-Operators Insurance provided a PowerPoint presentation regarding Blueprint for More and Better Housing.

Highlights from the presentation included:

- Members
- Background
- 4 Goals for 5.8 Million Homes
- What's in the Blueprint
- 4 Gamechangers
 - Legalize Density
 - Implement Better Building Codes
 - Invest in Factory-Built Housing
 - Don't Build in High-Risk Areas
- Other Big Ideas
- Housing Spectrum
- Final Thoughts

D. Iveson responded to questions with regards to strategies for promoting density within established neighbourhoods; approaches for engaging with other levels of government to secure funding necessary for accommodating a higher density population; additional high-risk factors for residents residing in high-risk areas; and managing developers seeking to maximize profits on high-risk areas where future insurance coverage may be uncertain.

Moved by Councillor Neal, Seconded by Councillor Pickles,
(16) That the Committee recess for 5 minutes.

CARRIED

The Committee recessed at 11:11 AM and reconvened at 11:20 AM.

A roll call was conducted following the recess and all members of the Committee were present with the exception of Councillors Collier, Shahid, and Woo.

- d. Jennifer Alsop, Director Brilliant Energy Institute, Ontario Tech University and Sam Sadeghi, Vice President, Asset Management and Distribution Operations, Elexicon Energy, Re: Perspectives from the Durham Climate Roundtable on Electrification and the Energy Transition

Jennifer Alsop, Director Brilliant Energy Institute, Ontario Tech University and Sam Sadeghi, Vice President, Asset Management and Distribution Operations, Elexicon Energy provided a PowerPoint presentation regarding Perspectives from the Durham Climate Roundtable on Electrification and the Energy Transition.

Highlights from the presentation included:

- Durham Climate Roundtable Leadership Committee
- Overview of Elexicon Energy
- Regulatory Environment
- Sustainability Award
- Addressing Climate Change
- Energy Security Plan
- Asks of the Municipalities

S. Sadeghi responded to questions regarding raising awareness of power outage issues in the municipality of Clarington, specifically Newcastle, and the potential for grid modernization.

e. 15 Minute Break

There was no 15 minute break at this time.

f. Al Douglas, President, Climate Risk Institute, Re: Climate Adaptation 101 and Strategic Directions for Future Work

Al Douglas, President, Climate Risk Institute provided a PowerPoint presentation regarding Climate Adaptation 101 and Strategic Directions for Future Work.

Highlights from the presentation included:

- About Climate Risk Institute
- Part 1 – Climate Adaption 101
 - Reflection Questions
 - Climate Shift
 - Driving Climate Change
 - Canada's Changing Climate Key Findings
 - Climate in the Durham Region: Trends and Projections
 - Climate Events: Canadian Context
 - Climate Events: Durham Region Impacts
 - Climate Impacts in Durham Region
 - Increasing Flood Risk
 - Acute versus Chronic Climate Impacts
 - Response to Climate Crisis
 - Where Are We? Where Are We Going?
 - Financial Benefits of Adaptation
 - More Evidence of Cost-Benefit?
 - Climate Change and Cost of Living
 - What Can 'Adapting' Look Like?
 - Adaptation and Resilience Initiatives in Durham Region

- Adaption Addresses Equity
- How Climate Intersects with Local Issues
- Changing Mean to Changing Extremes
- Small Changes to Catastrophic Failure
- Unprepared vs Resilient Infrastructure Systems
- Infrastructure Interdependencies
- Codes and Standards
- Infrastructure
- Agriculture and Food Security
- Energy – Generation and Distribution
- Asset Management
- Health and Health System Impacts
- Better Outcomes Through Adaptation
- Greenspaces and Natural Assets
- Planning and Housing
- Reflection - Revisiting

A. Douglas responded to questions in regards to changing past practice where green space was more prevalent, with density emerging as the primary concern; working with residents who acknowledge climate change as an issue but are hesitant to invest in addressing it; distinguishing interim measures from long-term goals related to climate change; managing the impacts of density on the Region of Durham and strategies for addressing these challenges; and the challenges stemming from applying uniform climate change initiatives to all communities.

A. Douglas continued with the PowerPoint presentation regarding Climate Adaptation 101 and Strategic Directions for Future Work.

Highlights from the presentation included:

- Part II - Provincial Climate Change Impact Assessment
 - Project Overview
 - Key Project Elements
 - Geographic Regions
 - Project Participants
 - Project Objectives
 - Risk Roll-Up Approach
 - Area of Focus Delineation
 - Food and Agriculture
 - Cross-Sectoral Themes
 - Food and Agriculture Risk Levels
 - Apples and Climate Risk Results
 - Food Security
 - Adaptation Best Practices Report

- Directions – Findings of the Provincial Climate Change Impact Assessment (PCCIA)
- Principles and Pitfalls for Climate Change Adaptation
- Tangible Cross-Cutting Actions for Resilience
- Tangible Actions Within Sector
- Provincial Report – Take-Away Messages
- Activity - Explore the Reports
- Adaptation Best Practices – Exploration
- Community Function
- Part III - Strategic Direction for Future Climate Resilience Work
 - Resilience as a through-line
 - Policies and Policy Tools Interact
 - Mainstreaming
 - Adaptation is a Process
 - National Direction on Resilience
 - Provincial Directions on Resilience
 - Example – City of Windsor
 - Example – Whitby Resilience Analysis and Plans
 - Durham Region Resilience Planning
 - Directions – Knowledge, Skills and Implement Solutions
 - Legislation and Legal Obligations

A. Douglas responded to questions regarding the current provincial government's stance on climate adaptation, in light of the cancellation of a partially constructed renewable energy project in Prince Edward County; and how upcoming elections could alter the approach to addressing climate change.

Moved by Councillor Neal, Seconded by Councillor Marimpietri,
(17) That the Committee recess for lunch.

CARRIED

The Committee recessed for lunch at 1:00 PM and reconvened at 1:20 PM.

A roll call was conducted following the recess and all members of the Committee were present with the exception of Councillors Anderson, Crawford, Dies, Kerr, and Roy.

5. Delegations

- 5.1 Linda Gasser, Whitby Resident (Virtual Attendance), Re: 2024 Annual Climate Change Progress Report (2024-COW-12) [Item 7.1]
-

Linda Gasser, Whitby resident, did not appear due to technical difficulties.

Moved by Councillor Marimpietri, Seconded by Councillor Brenner,

- (18) That the delegation from Linda Gasser, Whitby resident re:2024 Annual Climate Change Progress Report be referred to Regional Council.
CARRIED

5.2 Wendy Bracken, Clarington Resident (Virtual Attendance), Re: 2024 Annual Climate Change Progress Report (2024-COW-12) [Item 7.1]

Wendy Bracken, Clarington resident, did not appear due to technical difficulties.

Moved by Councillor Marimpietri, Seconded by Councillor Brenner,

- (19) That the delegation from Wendy Bracken, Clarington resident re:2024 Annual Climate Change Progress Report be referred to Regional Council.
CARRIED

6. Correspondence

There was no correspondence.

7. Reports

7.1 2024 Annual Climate Change Progress Report (2024-COW-12)

Report #2024-COW-12 from E. Baxter-Trahair, Chief Administrative Officer, was received.

Moved by Councillor Foster, Seconded by Councillor Brenner,

- (20) That we recommend to Council:

- A) That Regional Council receive this 2024 Climate Change Progress Report for information; and
- B) That a copy of Report #2024-COW-12 of the Chief Administrative Officer be sent to all Durham MPs and MPPs, local area municipalities, Conservation Authorities, and local energy utilities, for their information and consideration.

CARRIED

7.2 Sole Source Procurement for the Economic Study to undertake the analysis necessary to prepare the Region of Durham for the future prescribed Bill 131 Background Study (2024-COW-13)

Report #2024-COW-13 from N. Taylor, Commissioner of Finance, and B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Foster, Seconded by Councillor Brenner,

- (21) That we recommend to Council:

- A) That a sole source contract for the preparation of an Economic Study to explore using the new Station Contribution Charge through the GO Transit

Station Funding Act, 2023, to deliver four new GO stations along the Lakeshore East GO Extension to Bowmanville, which will build on the work completed for the Region's Station Implementation Strategy by N. Barry Lyon Consultants (NBLC), be awarded to a consultant team led by NBLC and including Watson & Associates Economists Limited, with an upset limit of \$285,000, to be financed through the approved 2024 Transit Oriented Development Division budget or at the discretion of the Commissioner of Finance; and

- B) That the Commissioner of Finance be authorized to execute the necessary documents related to the contract.

CARRIED

7.3 The Region of Durham's response to the Ontario Regulatory Registry posting related to the "Proposal to create regulation to support implementation of the GO Transit Station Funding Act, 2023" (2024-COW-14)

Report #2024-COW-14 from N. Taylor, Commissioner of Finance and B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Foster, Seconded by Councillor Brenner,
(22) That we recommend to Council:

- A) That the letter from the CAO to the Province of Ontario as contained in Attachment 2 to Report #2024-COW-14 of the Commissioners of Finance and Economic Development, be endorsed as the Region of Durham's response to Ontario's Regulatory Registry post regarding the proposal to create regulation to support the implementation of the GO Transit Station Funding Act, 2023; and
- B) That a copy of Report #2024-COW-14 and Council resolution be sent to all area municipalities within the Region of Durham.

CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Chapman, Seconded by Councillor Pickles,
(23) That Part A) of the main motion (22) of Councillors Foster and Brenner be amended to read as follows:

- A) That the letter from Regional staff to the Ministry of Infrastructure as contained in Attachment 2 of the Report #2024-COW-14, be endorsed as the Region of Durham's response to Ontario's Regulatory post regarding the proposal to create regulation to support the implementation of the GO Transit Station Funding Act, 2023; and

CARRIED

7.4 Recommendations for Eligible Projects Under the At Home Incentive Program for

Affordable Housing (2024-COW-15)

Report #2024-COW-15 from B. Bridgeman, Commissioner of Planning and Economic Development, N. Taylor, Commissioner of Finance, S. Danos-Papaconstantinou, Commissioner of Social Services, and R. Jagannathan, Commissioner of Works, was received.

Discussion ensued with regards to withdrawing additional funds from the reserves for the At Home Incentive Program and whether this project might impact other potential projects funded by the reserve in the future.

Moved by Councillor Foster, Seconded by Councillor Brenner,
(24) That we recommend to Council:

- A) That Otter Creek Co-operative Homes Inc. located at 835 McQuay Boulevard in the Town of Whitby be supported through a re-allocation of the 2023 At Home Incentive Program funding in the amount of \$2,500,000 (or \$138,889 per affordable rental unit) to support the construction of 18 deeply affordable housing units which have been approved for funding under federal and provincial affordable housing programs and require additional funds from the Region due to construction cost escalation (Attachment #1 to Report #2024-COW-15);
- B) That the existing Municipal Housing Contribution Agreement with Otter Creek Cooperative Homes Inc. be amended to reflect the Municipal Capital Housing Facilities Bylaw requirements, and additional funding, and that the funding be advanced based on the following key construction milestones:
 - i) 50 per cent at the signing of the revised Municipal Housing Contribution Agreement and registration of security;
 - ii) 40 per cent at confirmation of fully enclosed building; and
 - iii) 10 per cent at confirmation of occupancy;
- C) That following affordable rental housing projects and allocations be approved under the At Home Incentive Program (AHIP):
 - i) Ledim Developments located at 310 Kingston Road East in the Town of Ajax in the amount of \$5,000,000 (or \$64,103 per affordable rental unit) to support the development and construction of 78 units of affordable rental housing in the Town of Ajax (Attachment #2 to Report #2024-COW-15) from the 2023 AHIP funds;
 - ii) Kindred Works located at 15-23 Main Street in the Township of Uxbridge in the amount of \$2,750,000 (or \$110,000 per affordable rental unit) to support the development and construction of 25 units of

affordable rental housing (Attachment #3 to Report #2024-COW-15)
from the 2024 AHIP funds;

- D) That financing for the projects listed in Recommendation C) be provided from the At Home Incentive Program Reserve Fund (AHIPRF) and advanced based on the following key construction milestones:
- i) 50 per cent at the signing of the Municipal Capital Housing Facilities and Contribution Agreement and registration of security;
 - ii) 40 per cent at confirmation of fully enclosed building; and
 - iii) 10 per cent at confirmation of occupancy;
- E) That the Region enter into a Municipal Capital Housing Facilities and Contribution Agreement with each of the recommended parties, at the appropriate time, to:
- i) maintain affordable rents for the specified affordability period;
 - ii) continue to use the eligibility requirements for tenants;
 - iii) to enable the use of capital grants for eligible purpose-built affordable rental housing projects; and
 - iv) provide accountability and reporting requirements; and
- F) That the Regional Solicitor be directed to prepare the necessary by-laws and any amendments required to the AHIP Reserve Fund By-law.

CARRIED ON THE FOLLOWING RECORDED
VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Cook
Councillor Foster
Councillor Garrod
Councillor Jubb
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McDougall

No

None

Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Schummer
Councillor Woo
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Anderson
Councillor Crawford
Councillor Dies
Councillor Kerr
Councillor Neal
Councillor Roy
Councillor Shahid

Declarations of Interest: None

7.5 Request for Funding from Kawartha Conservation Authority for the Acquisition of Land in the Township of Scugog (PT LT 19 Con 14, Reach; parts 2, 3, and 5, Plan 40R32476) (2024-COW-16)

Report #2024-COW-16 from N. Taylor, Commissioner of Finance, and B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Foster, Seconded by Councillor Brenner,
(25) That we recommend to Council:

- A) That in response to the request for funding from Kawartha Conservation Authority, that funding in the amount of \$3,971, representing 40 per cent of the estimated eligible acquisition costs for approximately 4.92 hectares (12.16 acres) of land located in the Township of Scugog (PT LT 19 Con 14, Reach; parts 2, 3 and 5, Plan 40R32476), be approved and financed from the Region's Land Conservation and Protection Reserve; and
- B) That the Commissioner of Finance be authorized to adjust the total payment amount to Kawartha Conservation Authority pending a review of the eligibility of final costs incurred pursuant to the Region's Land Acquisition Funding Policy.

CARRIED

8. Confidential Matters

There were no confidential matters to be considered.

9. Adjournment

Moved by Councillor Foster, Seconded by Councillor Chapman,
(26) That the meeting be adjourned.

CARRIED

The meeting adjourned at 1:35 PM

Respectfully submitted,

John Henry, Regional Chair

Sarah Dessureault, Committee Clerk

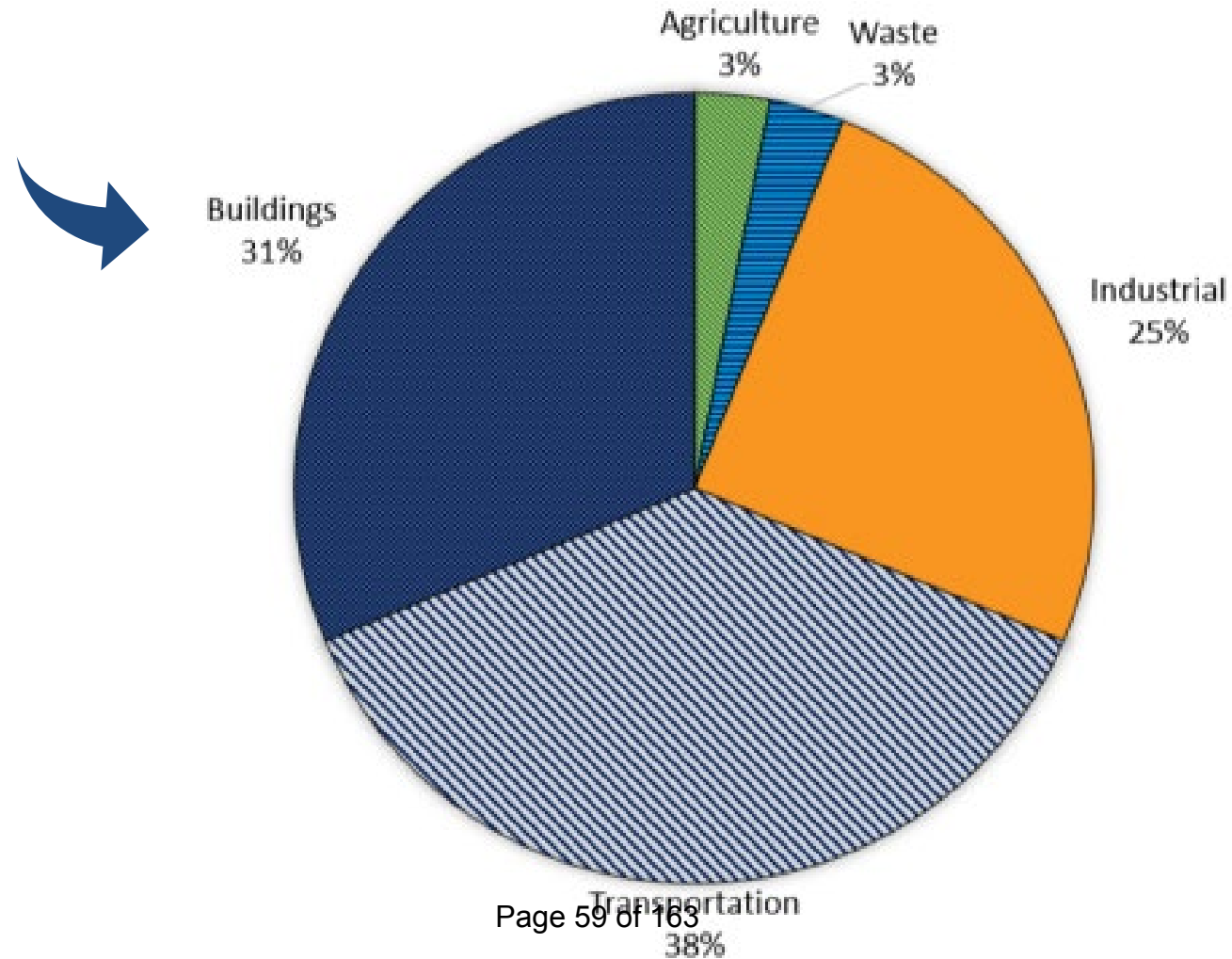


Ontario Energy Board (OEB) Decision on Enbridge Gas 2024 Rate Application, and Bill 165 – Keeping Energy Costs Lower Act (Report 2024-A-7)

Presentation to Regional Council Meeting - April 24th, 2024

Natural gas use in buildings is a major source of climate warming pollution in Durham Region

2022 Durham Community GHG Emissions by Sector (MtCO_{2e})

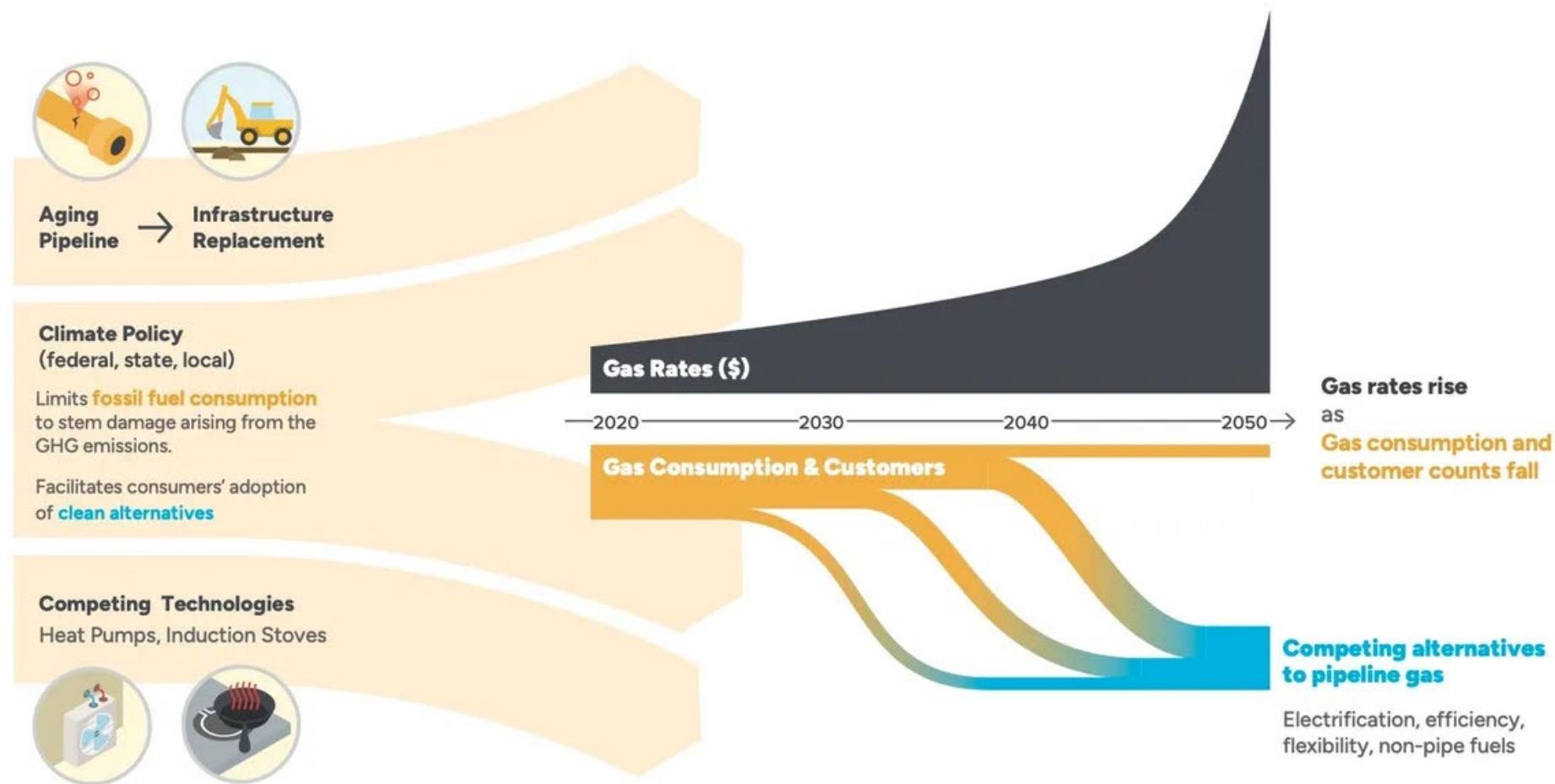


Energy transition is underway - driven by climate policy at all levels of government

Level of jurisdiction	Key details
International	Paris Agreement – binding international treaty on climate change adopted by 196 signatories. Calls for global carbon neutrality by mid-century to maintain climate stability – especially amongst developed Countries. Net zero pledges now cover more than 90 per cent of global GDP .
Federal	As a signatory to the Paris Agreement, Canada has committed to net zero by 2050, and has established the Canadian Net-Zero Emissions Accountability Act .
Provincial	Ontario Government has committed to achieve a 30 percent reduction in GHGs by 2030, and has documented plans for a clean energy future characterized by electrification and energy efficiency.
Regional / local	Regional and local area municipal councils have endorsed Durham's Low Carbon Pathway which calls for fuel switching from natural gas to heat pumps and district energy systems In endorsing settlement area boundary expansion as part of Envision Durham, Regional Council directed that new areas be served by low-carbon and smart energy systems.

The future of natural gas in Ontario?

Figure 5. Causes and effects of the self-reinforcing negative feedback loop on gas utilities and their ratepayers



Enbridge rate re-basing application

- Focused on residential and small commercial new natural gas connections (e.g. subdivisions). Does not impact industrial or agricultural gas connections
- First rate re-basing application in 10 years, and first to be considered by the OEB in the context of the energy transition
- Significant and increased capital spend to expand natural gas infrastructure based on a demand forecast that shows a small impact from the energy transition
- Maintains a 40-year depreciation period for new assets, arguing that there is no stranded asset risk for new natural gas distribution infrastructure
- If approved, this capital expansion would be added to Enbridge's asset base, on which it earns a regulated return on investment through rates paid by all customers within a given rate class

OEB decision summary

- Enbridge's proposal would lead to “an overbuilt, underutilized gas system” as the world moves from fossil fuels to renewable energy
- Natural gas customers face a risk of underused natural gas service delivery assets and associated stranded asset costs
- The current practice of providing no-cost natural gas service connections (e.g. to home builders) which shifts the risk of stranded assets to homeowners and future natural gas consumers is no longer appropriate
- Existing ratepayers in Durham can be protected from stranded asset risks by encouraging home builders to consider the cost of new natural gas service connections and associated heating equipment (e.g., furnaces and boilers) against alternatives like high efficiency cold climate heat pumps that use already-required electrical connections

OEB decision summary continued...

- The OEB decided that the cost of new natural gas service connections should be paid upfront, rather than over 40 years. In making this decision, the OEB considered key pieces of evidence:
 - The impact of a home builder choosing to include natural gas service and paying the connection charge up front would increase the cost of new build housing units by approximately \$4,400. However, the operating cost of the house would be reduced through lower natural gas rates (i.e., rates that do not include the cross-subsidization of new natural gas infrastructure)
 - Electrifying home heating through high efficiency cold climate heat pumps is expected to result in significantly lower energy use and operating costs over the useful life of the equipment
 - Requiring new connection costs to be paid upfront is expected to reduce Enbridge's capital costs and eliminate stranded asset risk, thus reducing natural gas delivery rates for all ratepayers into the future

But what about RNG or hydrogen?

- Gas utilities are moving aggressively on renewable natural gas and hydrogen as alternatives to fossil methane gas
- At most, RNG could displace around 16 percent of current fossil gas consumption, according to industry-supported research. Other studies suggest the share is much smaller
- Municipalities will be a key RNG supplier through waste and wastewater management
- Hydrogen can only be accommodated at low-blend concentrations using existing pipeline materials and appliances
- Both fuels are more valuable in hard-to-electrify sectors like heavy industry, agriculture, and long-haul freight transport

Staff analysis of OEB's Enbridge decision

- Decision is consistent with Regional Council direction as reflected in adoption of Durham's low carbon pathway, climate emergency declaration, and Envision Durham Official Plan
- Decision aligns with affordability agenda – if upheld it will minimize cost increases for existing residential gas ratepayers, and incentivize developers to consider efficient alternatives for new homes being built across Durham Region
- Stranded asset risk is significant, and if unmanaged will lead to significant cost escalation for gas customers which will impact low-income households the most



Questions?

Ian McVey, Manager of
Sustainability, CAO's Office –
Strategic Initiatives

Ian.McVey@durham.ca

durham.ca
[@RegionofDurham](https://www.instagram.com/RegionofDurham)



Delegation to Durham Regional Council

April 24, 2024

Durham Report #2024-COW-12

2024 Annual Climate Change Progress Report

Wendy Bracken

If you're serious about addressing climate change, move away from incineration.

- Incineration is bad for climate change and should not be promoted nor increased.
- GHG emissions from the DYEC are increasing.
- Council and Durham public haven't been given a complete picture of GHG emissions. Only non-biogenic emissions. Not accounting biogenic emissions underestimates climate impact.
- Globally countries are walking back support for incineration due to climate and other adverse impacts.

GHG Emissions at the DYEC: Biogenic and Non-Biogenic

- **Biogenic Emissions** are released from burning **biomass** -the organic fraction originating from plant and animal sources, including **food scraps, wood, paper, animal waste, leather.**
- **Non-Biogenic emissions** are released from burning the fossil fuel-based fraction -natural gas, plastics, synthetic rubber, solvents- and other materials .

DYEC Greenhouse Gas Emissions: Incineration is bad for climate change

2009 Durham York Environmental Assessment (EA) Estimate

140,000 tonnes of garbage burned = 139,000 tonnes CO₂_e emitted¹

2019 Data

140,000 tonnes of garbage burned = 159,545 tonnes CO₂_e emitted²

2021 Data

140,435 tonnes of garbage burned = 170,950 tonnes CO₂_e emitted^{3,4}

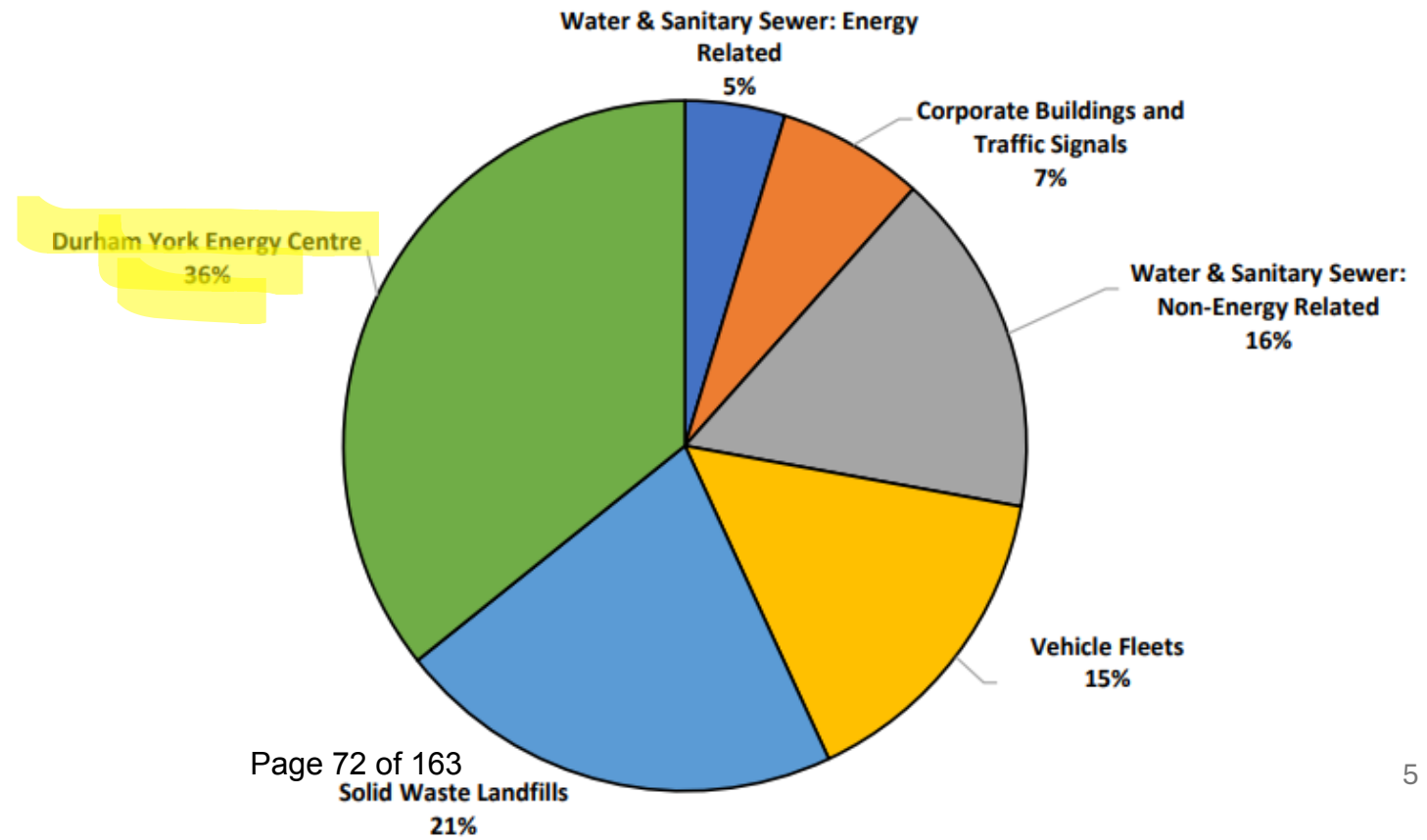
1. DURHAM YORK RESIDUAL WASTE STUDY, [Air Quality Assessment and Technical Study Report](#), December 4, 2009, Table 8-2, page 275
2. Durham and York Regions, [Durham York Energy Centre Environmental Screening Report](#), Dec 2021 (ESR), Section 3.8.6, Table 4, page 60, Section 4.3.2, page 94
3. [DYEC ECA 2021 Annual Report](#), Section 2.3, page 15
4. Ontario Ministry of Environment, Conservation and Parks, [Greenhouse Gas Emissions Reporting by Facility](#), for DYEC emissions use search term: durham york

GHG Emissions in Report #2024-COW-12 Differ from the Durham Environmental Screening Report (ESR), Dec 2021

3.2 Durham Region corporate GHG emissions inventory update:

- b. Based on preliminary estimates, 2023 corporate GHG emissions were approximately 178,000 tonnes (tCO₂e, rounded)

Figure 4: Corporate GHG Emissions by Operational Area for 2023 (Preliminary Estimate)



DYEC GHG emissions reported to Council in COW-12 are **less than half** of Total DYEC GHGs reported to Ontario.

COW-12 doesn't report DYEC biogenic GHG emissions to Council and residents at all.

The full picture is missing.

Report #2024-COW-12 reported to Durham Council & residents appears to be show Durham's share is

36% of 178,000 tonnes CO₂e = 64,800 tonnes CO₂e

BUT Total DYEC GHGs reported to Ontario is 174,544 tonnes CO₂e (in 2021); Durham's share would be

78.6% of 174,544 tonnes CO₂e = 137,192 tonnes CO₂e

Ignoring/Not Counting Biogenic Emissions Has Been Debunked by Numerous Studies

- Excerpt below from *Trash Incineration and Climate Change: Debunking EPA Misinformation*
<https://www.energyjustice.net/incineration/climate>

“Almost half of the municipal solid waste (trash) is considered to be “biogenic” –meaning that it’s ultimately made from plants such as food scraps, paper, wood, or even from animals, like leather.”

“For many years, EPA and others have assumed that CO2 released from burning the biogenic fraction should not be counted because it’s “carbon neutral” since plants and trees regrow. This has been thoroughly debunked in recent years. It depends on many flawed assumptions, such as the idea that new plants and trees are planted that wouldn’t otherwise be growing, and that this additional growth offsets incinerator CO2 emissions instantly.”

Excerpt Below from U.S. EPA's Science Advisory Board (SAB) Review
SAB Review of EPA's Accounting Framework for Biogenic CO2 Emissions from Stationary Sources (September 2011)

- *“...the agency should consider consistency between biogenic carbon accounting and fossil fuel emissions accounting. **Ideally both fossil fuels and biogenic feedstocks should be subject to the same emissions accounting.** While there are no easy answers to accounting for the greenhouse gas implications of bioenergy, further consideration of the issues raised by SAB ... could result in more scientific rigor in accounting for biogenic emissions.”*
- ***“Carbon neutrality cannot be assumed for all biomass energy a priori (Rabl et al. 2007; Johnson 2009; Searchinger et al. 2009).”***
- <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100RNZG.PDF?Dockey=P100RNZG.PDF>

Opinion of the European Environment Agency Scientific Committee

<http://www.eea.europa.eu/about-us/governance/scientific-committee/sc-opinions/opinions-on-scientific-issues/sc-opinion-on-greenhouse-gas>


**European Environment Agency
Scientific Committee**
15 September 2011

Opinion of the EEA Scientific Committee on Greenhouse Gas Accounting in Relation to Bioenergy

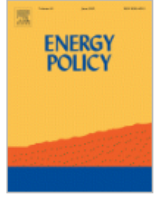
Important international and European efforts are under way to account for and reduce greenhouse gas (GHG) emissions and to increase the use of renewable energy. Several European Union energy directives encourage a switch from fossil fuels to renewable energy derived from plant biomass **based on the premise that biomass combustion, regardless of the source of the biomass, would not result in carbon accumulation in the atmosphere. This mistaken assumption results in a serious accounting error.**

The paper below (June 2012) discusses the scientific background of that Opinion on bioenergy published in September 2011 by the Scientific Committee of the European Environment Agency (EEA).

<https://www.sciencedirect.com/science/article/pii/S0301421512001681>





Energy Policy
Volume 45, June 2012, Pages 18-23



Viewpoint

Correcting a fundamental error in greenhouse gas accounting related to bioenergy

Helmut Haberl^a  , Detlef Sprinz^b, Marc Bonazountas^c, Pierluigi Cocco^d,
Yves Desaubies^e, Mogens Henze^f, Ole Hertel^g, Richard K. Johnson^h, Ulrike Kastrupⁱ
, Pierre Laconte^j, Eckart Lange^k, Peter Novak^l, Jouni Paavola^m, Anette Reenbergⁿ,
Sybill van den Hove^o, Theo Vermeire^p, Peter Wadham^q, Timothy Searchinger^r

Page 77 of 163

Excerpt from ***Correcting a Fundamental Error in greenhouse gas accounting related to bioenergy***

Section 3. Correct greenhouse gas accounting

“Many policies consider biomass combustion as ‘carbon-neutral,’ regardless of the source of the biomass ...

they omit the carbon dioxide (CO₂) released by the burning of the biomass itself ...

This is not correct.”

New Canadian Report Debunks “Climate-Friendly” Claims

<https://drive.google.com/file/d/1V5uhUcEnmnow0rKQgXDbhpwBmHLFTRNZ/view>

THE WHOLE PICTURE

Climate Impacts from Waste to Energy



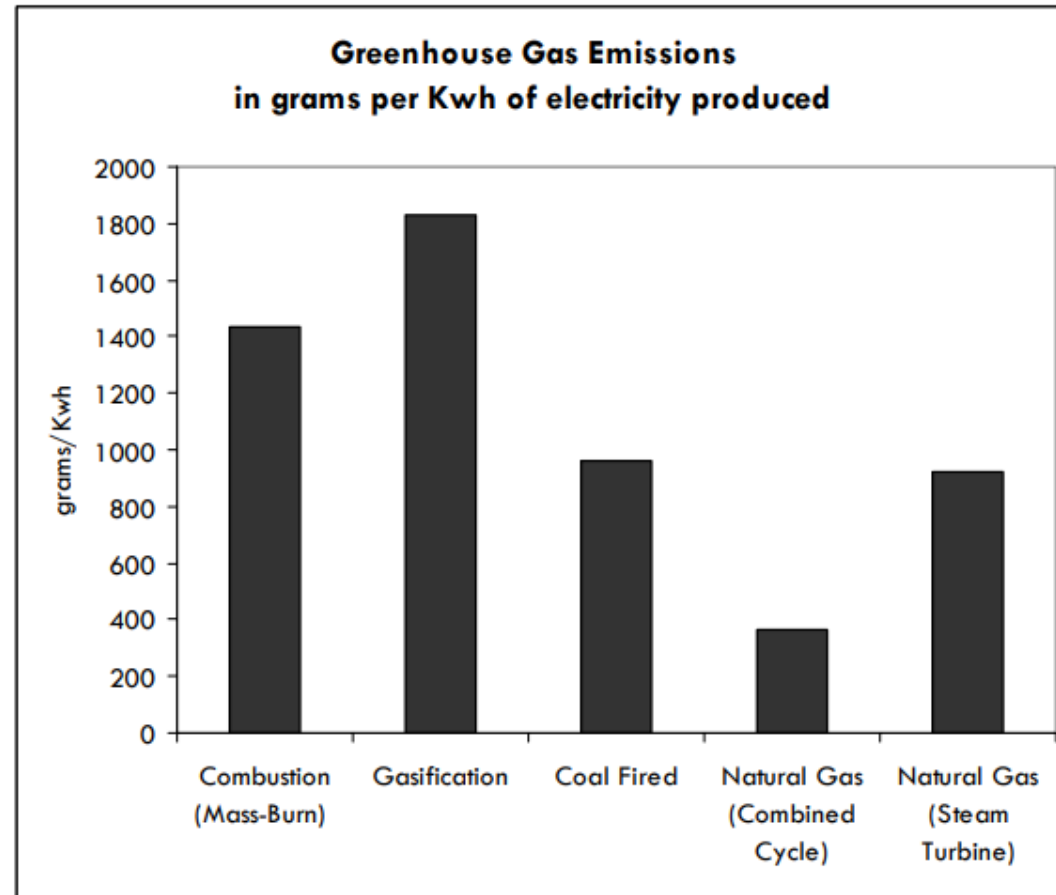
*“This study demonstrates **the need for full GHG emissions accounting (i.e., inclusion of biogenic CO₂)** and consideration of source reduction and diversion management options when conducting analyses of the potential climate change impacts of WTE”*

*“**When all GHG emissions are included, it is clear that WTE is responsible for more emissions than all other forms of waste management, including landfills.**”*

Incineration has higher GHG emissions than coal-fired plants

Incineration of Municipal Solid Waste Impact on Global Warming Fact Sheet

https://www.pembina.org/reports/Incineration_FS_Climate.pdf



Act to get full DYEC GHG accounting & reporting

Stop spending tax dollars on incineration that hurts our climate, our environment and our health

- Send back to staff for complete accounting of GHG emissions from the DYEC incinerator, proper description of all assumptions and rationale and evaluation of all assumptions
- Do your own research. Find out what is happening globally.
- Withdraw the application to increase incineration capacity.
- **Stop throwing good money after bad-** say no to district heating project tied to the incinerator. Incineration is bad on every front – district heating from it will be another ball and chain locking in Durham taxpayers for decades to this harmful facility

In Europe, a Backlash Is Growing Over Incinerating Garbage

For years, European countries have built “waste-to-energy” incinerators, saying new technology minimized pollution and boosted energy production. But with increasing concern about the plants’ CO₂ emissions, the EU is now withdrawing support for these trash-burning facilities.

BY BETH GARDINER • APRIL 1, 2021



For decades, Europe has poured millions of tons of its trash into incinerators each year, often under the green-sounding label “waste to energy.” Now, concerns about incineration’s outsized carbon footprint and fears it may undermine recycling are prompting European Union officials to ease their long-standing embrace of a technology that once seemed like an appealing way to make waste disappear.

Worries that incinerators sicken those who live near them – disproportionately poor, and people of color – have long dogged the industry. Wealthy nations such as Sweden and Denmark, which rely heavily on waste-to-energy plants, say their sophisticated emissions treatment systems mean such concerns are misplaced. But critics note many nations lack the resources for the best pollution-control systems. Dangerous emissions such as dioxin and particulate matter sometimes go unreported, and enforcement is often porous, environmentalists say.

Source: Politico, September 17, 2020

<https://www.politico.eu/article/denmark-devilish-waste-trash-energy-incineration-recycling-dilemma/>

Denmark's 'devilish' waste dilemma

Its state-of-the-art trash incinerators are sending its climate ambitions up in smoke.

Denmark is Europe's top waste burner. Incineration accounts for about a fifth of district heating and about 5 percent of its electricity.

But what just a few years ago seemed like a clever way to deal with garbage has now become a problem.

“Today, we import waste with a high content of plastic in order to [use the excess] capacity at the incineration plants, with increasing CO2 emission as a result” — Dan Jørgensen, Denmark's climate minister

As a result, Denmark intends to reduce its incineration capacity by 30 percent over the next decade under a June agreement to restructure the country's waste management. To cut overcapacity, it will need to close seven incinerators. The deal also includes plans to introduce a recycling system with 10 different streams of waste (glass, paper, textiles, etc.) and to slash the amount of garbage it imports.

“The process of burning trash is inherently polluting — you can put state-of-the-art pollution controls on an incinerator, but that doesn't make the facility clean,” said Jens Peter Mortensen, a waste expert at the Danish Society for Nature Conservation.

Overview of taxes on the incineration of municipal waste used in EU Member States, 2023



Source: European Environmental Agency
<https://www.eea.europa.eu/data-and-maps/figures/overview-of-taxes-on-the>

<https://www.recycling-magazine.com/2023/10/05/german-co2-tax-will-soon-change-european-waste-streams/#:~:text=The%20emissions%20from%20waste%20incineration,depending%20on%20certain%20content%20factors>

German CO2-tax will soon change European waste streams


The national BEHG-taxation on CO2 emissions brings new costs to the German EfW-industry from early next year.

05.10.2023

The new, national CO2-tax announced for the German EfW market will come into force from the 1. January 2024. The emissions from waste incineration will be subject to a CO2 tax that amounts to €40/t in 2024, and will increase to €50/t in 2025. The CO2 tax, which is charged to the incinerator, is paid on top of the existing incineration fee.

The new tax will be charged depending on certain content factors. The most important are the calorific value and the percentage of biogenic content in the waste, which is defined by given waste code numbers.

Scottish government institutes incineration moratorium

 **EUWID** + 28 June 2022 | Ann Kühlers | ⌚ ~ 2 min

 Bookmark



The Scottish government has issued a moratorium on waste incineration. In a mid-June statement, Circular Economy Minister Lorna Slater said that the government had accepted all twelve recommendations from an **independent review of waste incineration** released last month, among them that no further planning permission for incineration facilities be granted. A similar moratorium is already in place in Wales.

Ms Slater said, "By putting in place sensible measures to limit and gradually reduce Scotland's incineration capacity, we can make sure we can manage our waste today, while ensuring our future waste infrastructure aligns with our climate targets."

<https://www.euwid-recycling.com/news/policy/scottish-government-institutes-incineration-moratorium-290622/>

Permits for new waste to energy plants in England on hold

EUWID+ 08 April 2024 | Ann Kühlers | ~ 3 min

Bookmark



The Environment Agency has been directed not to issue any determinations on new waste to energy plants until 24 May.

The UK's minister responsible for waste incineration has ordered a "temporary pause" on the determination of environmental permits for new facilities. In a letter to the chief executive of the Environment Agency, Minister of State Mark Spencer explained that establishing a moratorium "for a short period lasting until 24 May 2024" would give officials at the Department for Environment, Food and Rural Affairs (Defra) time "to lead a piece of work considering the role of waste incineration in

the management of residual wastes in England". It was possible that the pause could be lifted earlier, Mr Spencer wrote.

<https://www.euwid-recycling.com/news/policy/england-hold-issued-on-environmental-permits-for-new-wte-plants/>

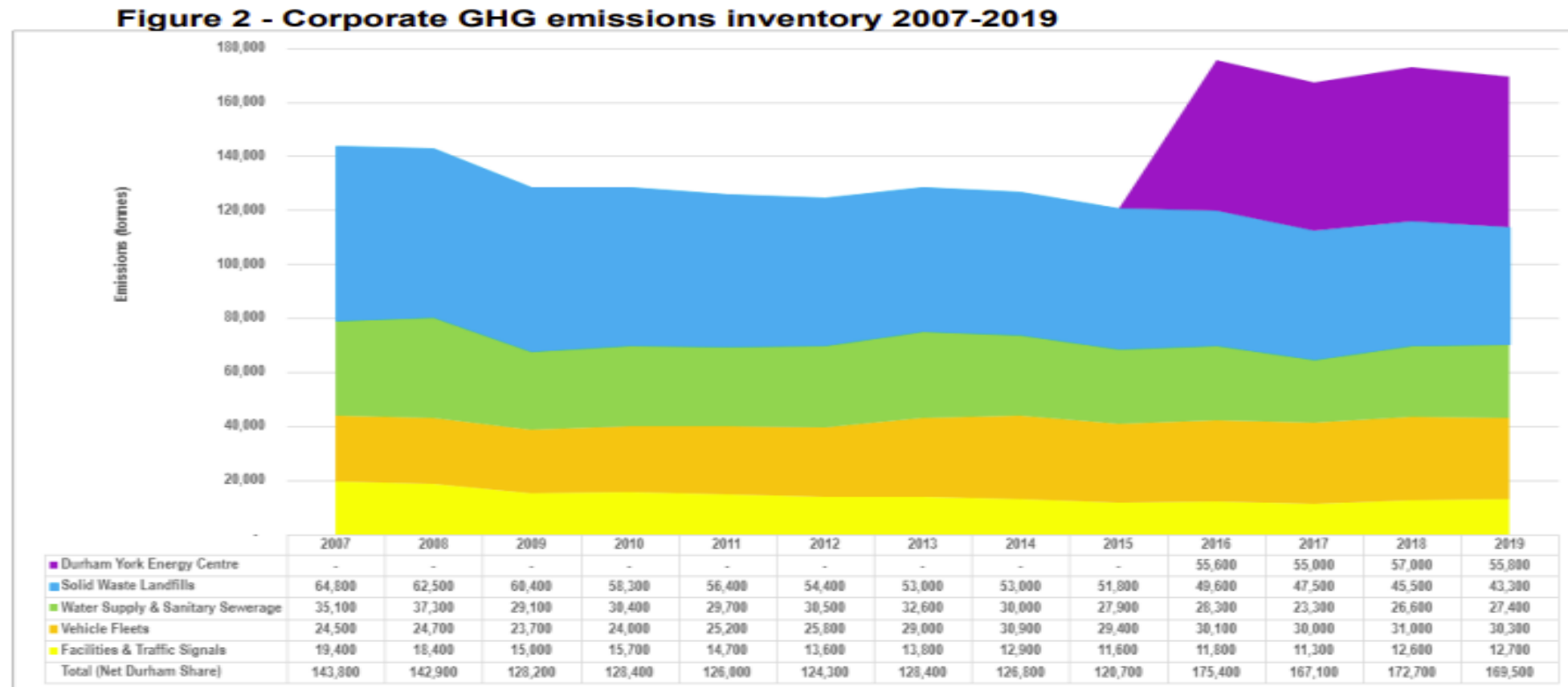
Report 2024-COW 12

2024 Annual Climate Change Progress Report

Linda Gasser, Whitby
DYEC - the Elephant in the Room
Durham Region Council April 24, 2024

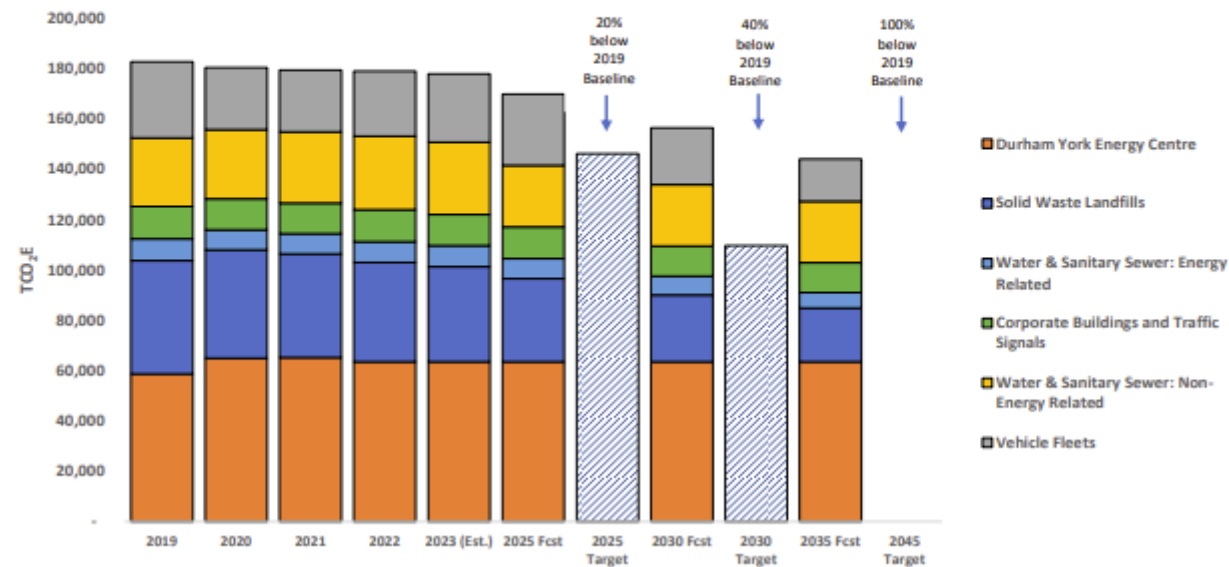
DYEC's impact on Durham's Corp. GHG emissions. Should require staff report same details annually.

Durham report 2021 A-3, Pg 7 Figure 2



Why does Report 2024 COW 12 chart depict DYEC's non-biogenic GHGs as relatively constant?

Figure 5: Durham Region Total Corporate Emissions, 2019 to 2023 (Estimated) (MtCO₂e)

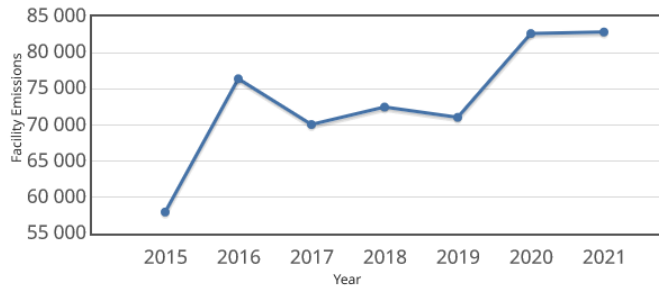


NPRI shows increasing non-biogenic reported emissions through to 2021

<https://climate-change.canada.ca/facility-emissions/GHGRP-G10805-2022.html?GocTemplateCulture=en-CA&external=true>

Annual Reported Emissions

Facility Emissions (tonnes CO₂ eq) by Year



Facility Emissions (tonnes CO₂ eq) by Year

<u>Year</u>	<u>Emissions</u> <u>(tonnes CO₂ eq)</u>
2015	57 976
2016	76 404
2017	70 078
2018	72 494
2019	71 070
2020	82 655
2021	82 868

Ontario Dataset: reported biogenic, non-biogenic & Total CO₂e

<https://data.ontario.ca/dataset/greenhouse-gas-emissions-reporting-by-facility/resource/0996bfd9-ed27-4f78-8ed1-9e024185f10a/view/2546a05c-a38b-452c-8105-17d8c7215a00>

Ontario Data Catalogue

data.ontario.ca/dataset/greenhouse-gas-emissions-reporting-by-facility/resource/0996bfd9-ed27-4f78-8ed1-9e024185f10a/view/2546a05c-a38b-452c-8105-17d8c7215a00

Grid Graph Map 7 records « 1 - 100 »

Ontario ...	Year	Facility ...	Facility ...	Facility ...	Carbon dioxide (CO2) from non-biomass...	Carbon dioxide (CO2) from biomass ...	Methane...	Nitrous ...	Total CO2e from all sources ...	Reporti...	Verificat...
1178	2015	Covanta ...	Durham ...	562210	55459.25	58254.34	810.495	1614.17	116139	57884	57884
1178	2016	Covanta ...	Durham ...	562210	72024.64	73483.53	1056.1299	2088.563	148653	75170	75170
1178	2017	Covanta ...	Durham ...	562210	66578.47	88538.79	1133.7354	2236.65	158488	69949	69949
1178	2018	Covanta ...	Durham ...	562210	69446.19	85624.92	1131.0222	2232.961	158436	72811	72811
1178	2019	Covanta ...	Durham ...	562210	67555.7	88475.28	1354.7575	2159.606	159546	71071	71071
1178	2020	Covanta ...	Durham ...	562210	78959.81	96441.506	1424.9475	2269.7766	179097	82655	82655
1178	2021	Covanta ...	Durham ...	562210	79274.79	91675.51	1384.70...	2208.5674	174544	82869	82869

Ask WHY GHG's increasing with relatively stable tonnage other than 2020's one time approved capacity increase?

Data source: <https://data.ontario.ca/dataset/greenhouse-gas-emissions-reporting-by-facility/resource/0996bfd9-ed27-4f78-8ed1-9e024185f10a/view/2546a05c-a38b-452c-8105-17d8c7215a00>

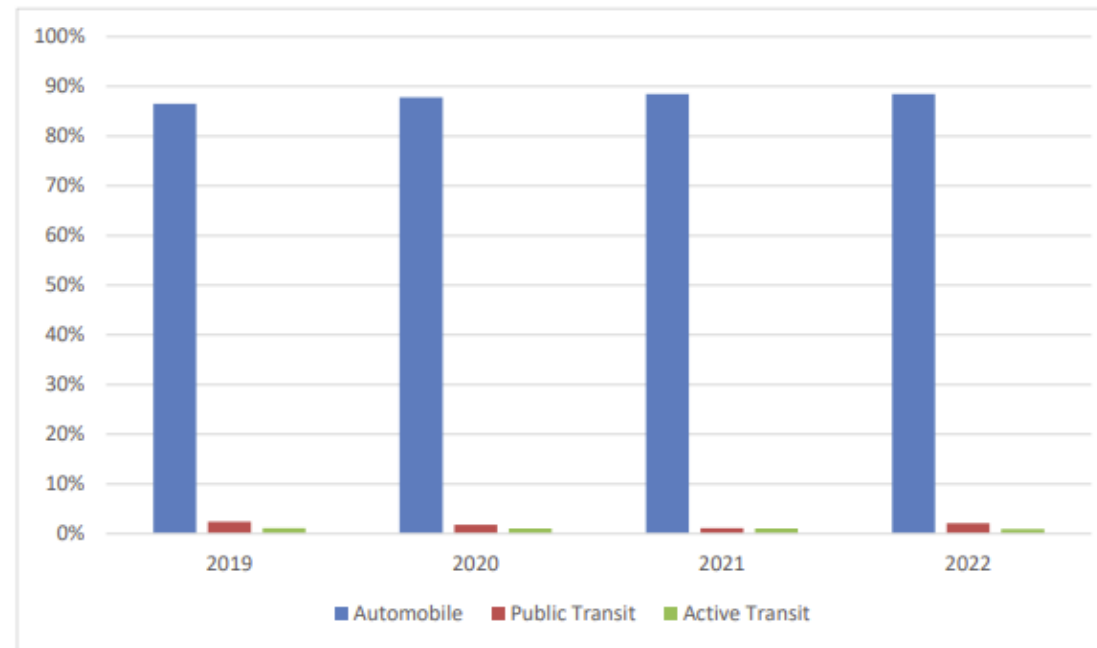
Year	Net Tonnes MSW	CO2 from NON-Biomass	CO2 from Biomass	TOTAL CO2e from ALL Sources	Reporting Amount in CO2 e (t)
2015	Commissioning	55,459.25	58,254.34	116,139	57,884
2016	128,507	72,024.64	73,483.53	148,653	75,170
2017	139,758	66,578.47	88,538.79	158,488	69,949
2018	140,775	69,446.19	85,624.92	158,436	72,811
2019	139,271	67,555.7	88,475.28	159,546	71,071
2020	145,341	78,959.81	96,441.506	179,097	82,655
2021	140,103	79,274.79	91,675.51	174,544	82,869
2022	140,552	N/A			
2023	140,271	N/A			

DYEC's TOTAL GHG emissions should be reported to Council, as they are to Ontario.

- Ask WHY the DYEC's GHG emissions are increasing?
- E.g. are there more fossil fuels based materials e.g. plastics? More natural gas used and if so, why? What else?
- WHO calculates DYEC's GHGs, from WHAT data source(s) and how are biogenic & non biogenic fractions determined? WHO verifies?
- Council must require traceable accounting of all GHG data reported. Council must know and owe the public complete transparency.
- COW-12 Pg 4, Sec. 2.1 b) states: *The transportation sector....continues to be **the largest source of GHG emissions overall** in Durham Region.*

Investing in transit should be a Council priority to reduce GHGs, address Affordability/Accessibility Crises & improve Air Quality

Figure 3: Durham Region – Percentage of total trips per mode¹



- b. The Region has a critical role to play in enabling low carbon mobility through public transit service, and through investment in active transportation infrastructure through the Regional Cycling Plan, including strengthening its Transportation Demand Management (TDM) offerings and policies under its Smart Mobility Durham program.

Successive Councils have not taken CONSISTENT & MEANINGFUL actions to reduce Durham's GHGs.

- IF Durham were serious about addressing it's largest source of corporate GHGs (the DYEC) council would WITHDRAW capacity increase request to 160,000 tpy.
- Total garbage tonnage **could be reduced** IF Works Committee were committed to supporting efforts to address waste at the front end.
- Spending time & money on district energy that portrays the DYEC, your HIGHEST Corporate GHG emitter, as a source of "low carbon" heat, is ridiculous & wasteful greenwashing. (2024-COW-1).
- Climate Change is a human rights issue. Citizens taking governments to court.
- To those of you considering a run for Regional Chair, your records on the DYEC, Budgets as well as the Climate and Transit files will be closely monitored.
- Please know this: ***"If you're a bystander in this era of climate risk, you're not neutral. You're part of the problem"*** (Growing US Cities Face Climate Problems - Globe & Mail July 29, 2023)
- Thank you for your attention. QUESTIONS??



Legislation to Stop Harassment and
Abuse by Local Leaders.
It's needed.

@TheWomenOfontarioSayNo



The 'Why'

Multiple Ontario municipalities have learned the hard way in the last few years about the lack of tools in the Municipal Act for holding councillors accountable for workplace harassment.

Currently, the most severe penalty that can be imposed on a municipal councillor is the suspension of pay for 90 days. There is no process for removing councillors from office.





Ontario requires Provincial government legislation to address this


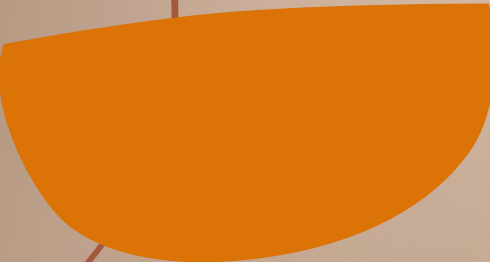
We are asking all Ontario Municipalities to support government in their commitment to introduce legislation to amend theMunicipal Act, 2001 and the City of Toronto Act, 2006.

Specifically, we are looking for government to introduce legislation in line with the call from AMO on March 27, 2023, before the summer break, 2024, as the government completed consultations on this in 2021 after the case in Ottawa.



AMO Recommendations

- 
- #1. Update Codes of Conduct to account for workplace safety and harassment.
 - #2. Create a flexible administrative penalty regime, adapted to the local financial circumstances of the municipality.
 - #3. Increase IC training to enhance consistency of investigations and recommendations across the province.
 - #4. Allow municipalities to apply to a member of the judiciary to remove a sitting member if recommended through an IC report.
 - #5. Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.
- 



The Time is NOW - human rights can't wait

This helps keep workplaces safe. It's accountability through a transparent and fair process that should exist but doesn't. If it is constitutional to remove a councillor for conflict of interest, it should be constitutional to remove them substantiated egregious acts of harassment or violence.

Our Ask Today:

For council to pass the AMO motion with the request for legislation to be introduced before the summer break and write a letter of support to be sent to:

- 1) local MPPs
- 2) Premier Doug Ford
- 3) the Minister of Municipal Affairs and Housing
- 4) the Attorney General
- 5) AMO.

8.1 OEB Decision on Enbridge rate basis

- Arm's length, independent body governed by legislation
- Regulating for safe, reliable, affordable energy supply in the public interest, mandate is consumer protection
- Assesses infrastructure expansions, carefully examining financing proposal, accounting and risk-based analysis
- OEB Decision and Order – December 21, 2023. p. 22, states:
 - The OEB concluded that Enbridge Gas has not addressed the impact of the energy transition “in any meaningful way” and
 - sees a clear risk that Enbridge’s proposal will “lead to an overbuilt, underutilized gas system in the face of the energy transition”.
- Bill 165 threatens the independence and mandate of the OEB

Affordability

- Saves existing gas customers about \$600 over next 5 years
- Developers can avoid \$4400 per unit charge by not connecting to gas.
- Promote their development as an all-electric, “greener” choice with lower operating costs through heat pumps
- Avoid future costs to retrofit homes and safely disconnect from obsolete gas system

Support the OEB Decision because it:

- Aligns with Region's "growth pays for growth" policy
- Eliminates subsidy to build unnecessary/stranded gas infrastructure
- Fewer rising costs loaded onto existing gas ratepayers
- Potential to streamline energy servicing in new developments
- Reduces costs and risks of underground work on roads and properties
- Levels connection playing field with municipal energy utilities
- Improved health and safety in homes without methane gas
- Supports Regional climate change programs and targets



Interoffice Memorandum

The Regional
Municipality of Durham
Corporate Services

605 ROSSLAND RD. E.
LEVEL 1
PO BOX 623
WHITBY, ON L1N 6A3
CANADA

905-668-7711
1-800-372-1102

durham.ca

Alexander Harras, MPA
Director of Legislative
Services & Regional
Clerk

Date: April 24, 2024

To: Regional Chair Henry and Members of Regional Council

From: Alexander Harras, Director of Legislative Services & Regional Clerk

Subject: CTC Source Protection Committee Nomination

The CTC Source Protection Committee was formed in 2007 to oversee development and implementation of a Source Protection Plan for the Credit Valley, Toronto and Region, and Central Lake Ontario (CTC) Source Protection Region. The committee has representation from municipalities, businesses, and the public. Members of the CTC Source Protection Committee are appointed by the Credit Valley Source Protection Authority (SPA), as the lead SPA for the CTC Region.

There is an upcoming vacancy on the CTC Source Protection Committee for the member representing the municipal group consisting of Durham Region, Town of Ajax, Municipality of Clarington, City of Oshawa, City of Pickering, Township of Scugog, Township of Uxbridge, and Town of Whitby. The five-year term of the current representative, Mr. John Presta, is set to expire on June 20, 2024. The CTC Source Protection Committee has requested that the joint municipalities confirm a new nominee by May 4, 2024 (see the attached letter for more information).

It is recommended that Tavis Nimmo, Manager of Water Resource Monitoring & Protection in the Environmental Services Branch of the Works Department at the Region of Durham, be nominated to represent the joint municipalities at the CTC Source Protection Committee.

Mr. Nimmo is a Certified Engineering Technologist (C.E.T.) who has been employed with Durham Region for 16 years and meets the eligibility requirements to be appointed to the Committee. He has been involved with the Source Water Protection program since its inception and has participated in the development of the Source Protection Plan policies in CTC, South Georgian Bay Lake Simcoe (SGBLS) Source Protection Region (SPR), and the Trent Conservation Coalition (TCC) SPR. He is an appointed Risk Management Official (RMO) for Durham Region and has led the successful negotiation of many Risk Management Plans. Tavis is also a staff lead for the

Lake Ontario Collaborative Group working on the development of the Lake Ontario Water Quality Forecasting System (LOWQFS).

At present, all of the joint municipalities have confirmed their support for the proposed nominee. It is therefore recommended that Regional Council nominate Mr. Nimmo to the CTC Source Protection Committee for the upcoming five-year term.

February 28, 2024
SENT VIA EMAIL

Durham Region

Attention: Alexander Harras, Regional Clerk

605 Rossland Road East, P.O. Box 623,
Whitby, ON L1N 6A3

Town of Ajax

Attention: Nicole Cooper, Town Clerk

65 Harwood Ave. S.,
Ajax, ON L1S 2H9

Municipality of Clarington

Attention: June Gallagher, Municipal Clerk

Municipal Administrative Centre, 40 Temperance Street, 2nd Floor,
Bowmanville, ON L1C 3A6

City of Oshawa

Attention: Mary Medeiros, City Clerk

1st Floor, West Wing, City Hall, 50 Centre Street South,
Oshawa, ON L1H 3Z7

City of Pickering

Attention: Susan Cassel, City Clerk

One The Esplanade,
Pickering, ON L1V 6K7

Township of Scugog

Attention: Ralph Walton, Municipal Clerk

181 Perry Street, P.O. Box 780,
Port Perry, ON L9L 1A7

Township of Uxbridge

Attention: Debbie Leroux, Clerk

51 Toronto Street South, PO Box 190,
Uxbridge, ON L9P 1T1

Town of Whitby

Attention: Christopher Harris, Town Clerk

575 Rossland Road East,
Whitby, ON L1N 2M8

RE: Request Joint Nomination of One Representative to the CTC Source Protection Committee

Due by 4:30 P.M. Thursday, May 2, 2024

A Source Protection Committee was formed in 2007 to oversee development and implementation of a Source Protection Plan for the Credit Valley, Toronto and Region, and Central Lake Ontario (CTC) Source Protection Region. The committee has representation from municipalities, businesses, and the public. The terms and conditions of appointments are described in [Ontario Regulation 288/07](#) under the *Clean Water Act, 2006*. Members of the CTC Source Protection Committee are appointed by the Credit Valley Source Protection Authority (SPA), as the lead SPA for the CTC Region.

There is a vacancy on the CTC Source Protection Committee for the member representing the municipal group consisting of Durham Region, Town of Ajax, Municipality of Clarington, City of Oshawa, City of Pickering, Township of Scugog, Township of Uxbridge, and Town of Whitby. The 5-year term of the current representative for this group, Mr. John Presta, is set to expire on June 20, 2024. The municipalities within your group are asked to jointly nominate an elected official, staff member, or citizen representative that complies with the eligibility requirements as listed in Attachment 1. The rules of procedure of the Committee are available for review at ctcswp.ca.

Council resolutions are not required to accompany the nomination, but all municipalities must confirm that they agree with the nominated candidate. It is suggested that municipalities meet to discuss and make decisions with respect to their preferred representative. Our program manager, Behnam Doulatyari, is available to attend meetings as a resource.

The term of this municipal member will be five (5) years from the date of appointment. The time commitment for committee members varies with annual work plans. As we are now implementing and updating the CTC Source Protection Plan, we anticipate the need for three to six half-day committee meetings per calendar year with periodic communications in-between. Members are provided with a per diem of \$200 and mileage as set through provincial guidelines and Credit Valley Conservation policies.

Please jointly submit the name of the person or employment position to represent your municipal group by **Thursday, May 2, 2024**, through signed letter sent via email, to the attention of the program manager for the CTC Source Protection Region:

Behnam Doulatyari
Senior Manager, Watershed Plans and Source Water Protection

Credit Valley Conservation

Email: ctcswp@cvc.ca

Should you wish further information on the nomination of members and their duties, please contact Behnam Doulatyari via email at ctcswp@cvc.ca or by mobile phone at 437-993-1153.

Thank you for your municipality's efforts as we jointly work to protect our sources of drinking water.

Sincerely,

Behnam Doulatyari
Program Manager, CTC Source Protection Region
Credit Valley Conservation

cc. Chris Darling, Chief Administrative Officer, Central Lake Ontario Conservation Authority
John MacKenzie, Chief Executive Officer, Toronto and Region Conservation Authority
Quentin Hanchard, Chief Administrative Officer, Credit Valley Conservation
John Presta, Commissioner of Works, Durham Region
Tavis Nimmo, Risk Management Official
Shelly Cuddy, Risk Management Official

ATTACHMENT 1: Source Protection Committee Membership Eligibility



Source Protection Committee Membership Eligibility Requirements

SPC Member Skills and Qualifications

- Hold relevant knowledge of the applicable watersheds, communities, and local issues;
- Demonstrated ability to understand source protection planning related science, concepts and technical reports;
- Proven ability to act as liaison to bring forward common concerns from their knowledge and experience in the municipal sector to the Committee and assist in communicating the Committee's work to municipal councils and staff;
- Solid problem-solving, analytical, communication and organizational skills;
- Demonstrated ability to work with group dynamics and team environments;
- Willingness and ability to travel within the CTC Source Protection Region for public consultation meetings and information sessions;
- Has, or is capable of having direct contact with residents and landowners; and
- Provide constructive, collaborative, and science-based input on local source protection planning issues.

SPC Member Eligibility Requirements

- Reside in, own or rent property within the CTC Source Protection Region; or
- Be employed or operate a business within the CTC Source Protection Region; or
- Be employed by a municipality that is in the CTC Source Protection Region; and
- Not be a member or employee of Credit Valley Conservation, Toronto and Region Conservation Authority, or Central Lake Ontario Conservation Authority.

Regulatory Conditions of Appointment

- The appointee must regularly attend meetings of the source protection committee.
- The appointee must comply with the source protection committee's Code of Conduct and Conflict of Interest policy, as well as the Rules of Procedure.

Interoffice Memorandum



Date: April 24, 2024
To: Regional Council
From: Nancy Taylor, Commissioner of Finance
Subject: Administrative Updates to Regional Surety Bond Acceptance Policy

**The Regional
Municipality of
Durham**

Finance Department

605 Rossland Rd. E.
Level 4
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102

durham.ca

**Nancy Taylor BBA,
CPA, CA**
Commissioner of
Finance

It is being recommended:

- A) That Council Adopt the proposed policy revisions to the Surety Bond Acceptance Policy as outlined in the Memorandum to Council dated April 24, 2024 from the Commissioner of Finance and Treasurer, and
- B) That Council delegate authority to the Commissioner of Finance and Treasurer to make further updates to the Surety Bond Acceptance Policy as required.

Finance & Administration Committee Report #2023-F-16, approved by Regional Council on June 28, 2023, updated the Financial Security Acceptance Policy for Development Agreements. A new policy for Surety Bond Acceptance for surety bonds submitted as security for Performance and Maintenance obligations under Development Agreements was approved at that time.

While Section 1.1 of the Surety Bond Acceptance Policy indicated the policy applied to Development Agreements, other sections referred only to Subdivision Agreements. An administrative update to the Policy to replace Subdivision Agreement with Development Agreement wherever it appears is recommended to permit the acceptance of Surety Bonds for standard Servicing Agreements as well as Subdivision Agreements. The following sections of the Policy are impacted by these housekeeping changes:

- Sections 2.1 and 2.3: Replaced each instance of the term “Subdivision Agreement” with “Development Agreement”; and
- Schedule “A”: Replaced each instance of the term “Subdivision Agreement” with “Development Agreement”.

There are no budgetary impacts arising from these administrative corrections. A copy of the updated policy is attached for reference.



Regional Municipality of Durham
Finance Department
Policy Manual

Title: Surety Bond Acceptance	
Issued: June 28, 2023	Page #: 1 of 7
Revised: April 24, 2024	
Approved by: Regional Council	
Responsibility: Finance Department	Section: Financial Services

1. Policy

- 1.1 The Region of Durham allows Surety Bonds to be submitted as security for Performance and Maintenance obligations under Development Agreements.
- 1.2 Surety companies submitting Surety Bonds for acceptance by the Region of Durham must meet the credit rating criteria and submit the Surety Bond in a form and content that matches the Region of Durham's Standard Surety Bond format.
- 1.3 This policy does not apply to the local municipalities within Durham Region as they are not required to provide any security for performance or maintenance guarantees.

2. Definitions

- 2.1 Surety Bond:
A bond which guarantees the assumption of responsibility for payment of security in the event of a default of a Development Agreement.
- 2.2 Surety Provider:
A company legally capable of acting as a surety in the surety bond agreement.
- 2.3 Security:
An amount required to be provided under a Development Agreement which will ultimately be returned to the developer after the terms of the agreement have been executed to the Region's satisfaction.

3. Policy

- 3.1 The surety bond shall be issued by a Canadian surety provider having a minimum credit rating of:
- a) "A" or higher as assessed by DBRS Morningstar;
 - b) "A-" or higher as assessed by Fitch Ratings;
 - c) "A3" or higher as assessed by Moody's Investor Services; or
 - d) "A-" or higher as assessed by S&P Global
- 3.2 The issuing company shall be incorporated in Canada for no less than ten (10) years and issue surety bonds in Canadian dollars.
- 3.3 The issuing security provider must be an active institution monitored by the Office of the Superintendent of Financial Institutions (OSFI).
- 3.4 When a surety provider that has issued or confirmed a surety bond received and held by the Region, subsequently ceases, in the opinion of the Region, to meet all or any of the requirements of this policy, The Region may, at its discretion and subject to section 3.7 of this policy, require a new security to its satisfaction to be provided to the Region within ten (10) days of demand for same and the original surety bond will be returned or exchanged for the replacement security. In the event the new security is received as required, the Region may draw upon the original Surety Bond.
- 3.5 Where there is doubt as to the credit rating or other qualification of a surety provider, the Region's Commissioner of Finance and Treasurer shall be satisfied that the institution meets the guidelines of this policy.
- 3.6 The surety bond to be provided to the Region issued by a surety provider shall be irrevocable and shall be in the form and on the terms of the Surety Bond Standard Format Requirement attached as Appendix "A".
- 3.7 Notwithstanding anything in this policy,
- a) The Region, may in its discretion, decline a surety bond for any reason;
 - b) When a surety bond has been received and is being held by the Region and the Region is no longer satisfied that the surety bond provides adequate protection, the Region may require a new security to its satisfaction, to be provided to the Region within ten (10) days of demand for same and the original surety bond will be returned and/or exchanged for the replacement security. In the event the new security is not received as required, the Region may draw upon the original surety bond.
- 3.8 The Region will not accept Letters of Guarantee, Guaranteed Investment Certificates, Term Deposits or any form of non-cash security in place of a Surety Bond.

- 3.9 The Financial Administration fee will be charged for the acceptance or exchange of the Surety Bond.
- 3.10 Surety Bonds may be accepted for other types of agreements at the discretion of the Commissioner of Finance.

4. Roles and Responsibilities

- 4.1 The Financial Services Section of the Finance Department is responsible for ensuring that Surety Bonds submitted meet the requirements of this policy.
- 4.2 The Financial Services Section is also responsible for processing all Surety Bond draws, reductions, replacements and returns.

Appendix "A" Surety Bond Standard Format Requirement

SURETY BOND WILL BE ACCEPTED IN THIS FORM ONLY

BOND NO.:

AMOUNT: \$

KNOW ALL PERSONS BY THESE PRESENTS, that:

(Name and Address),

As Principal, hereinafter called the "**Principal**", and

(Name of Surety)

As Surety, hereinafter called "Surety", are held and firmly bound unto The Regional Municipality of Durham, as Obligee, hereinafter called the "Obligee", in the amount of _____ Dollars (\$_____) lawful money of Canada, for the payment of which sum, well and truly to be made, the Principal and the Surety bind themselves, their heirs, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the Principal and Obligee have entered into, or will enter into, an agreement with reference number _____ with respect to lands known as _____ in The Region of Durham (said agreement is by reference made a part hereof and is hereinafter referred to as the "**Agreement**").

NOW THEREFORE, the condition of this obligation is such that if the Principal shall, in the opinion of the Obligee, do and perform all of the stipulations, conditions, covenants and terms of the Agreement, then this obligation shall be void and of no effect; otherwise, it shall remain in full force and effect.

PROVIDED, however, the foregoing obligation is subject to the following terms and conditions:

1. Whenever the Principal shall be declared in writing by the Obligee to be in default under the Agreement, and the Obligee intends to make a claim under this bond, the Obligee shall promptly notify the Principal and the Surety in writing of such default in the form of a Demand, the form of which is attached to this Bond as Schedule 'A'.
2. On determination by the Obligee, in its sole and absolute discretion, that the Principal is in default of its obligations under the Agreement, the Surety and Principal agree that the Surety will make payments to the Obligee for amounts demanded by the Obligee, up to an aggregate of the Bond Amount, within ten (10) business days after the Surety's receipt of a Demand from the Obligee at the address noted herein by hand or courier.

3. This Bond is irrevocable and payment will be made notwithstanding any objection by the Principal. Where a Demand in the prescribed form has been delivered to the Surety, it shall be accepted by the Surety as conclusive evidence of its obligation to make payment to the Obligee, and the Surety shall not assert any defence or grounds of any nature or description for not making payment to the Obligee, in whole or in part, pursuant to such Demand, including but not limited to any of the following reasons:
 - a. that the Default has not occurred;
 - b. that the Principal committed any fraud or misrepresentation in its application for the Bond;
or
 - c. that the amount set out in the Demand is not appropriate, warranted or otherwise not in accordance with the Agreement.

The Surety's liability under this Bond shall not be discharged or released or affected by any arrangements made between the Obligee and the Principal or by any dispute between the Surety and Principal, or the taking or receiving of security by the Obligee from the Principal, or by any alteration, change, addition, modification, or variation in the Principal's obligation under the Agreement, or by exercise of the Obligee or any of the rights or remedies reserved to it under the Agreement or by any performance or otherwise (whether or not by any arrangement, alteration or forbearance is made without the Surety's knowledge or consent). All payments by the Surety shall be made without deduction, set-off or withholding.

4. The Obligee may make multiple Demands under this bond.
5. The amount of the Bond may be reduced from time to time as advised by notice in writing by the Obligee to the Surety. The Obligee has the ability and sole discretion to decide as to whether the amount of the Bond should be reduced.
6. Each payment made by the Surety under this Bond shall reduce the amount of this Bond.
7. In no event shall the Surety be liable for a greater sum than the amount of this Bond.
8. No right of action shall accrue upon or by reason hereof to or for the use or benefit of any person other than the Obligee.
9. When the Principal has completed all works required by the Agreement to the Obligee's satisfaction, all maintenance and rectification periods contained within the Agreement have expired, and the Obligee has finally assumed all works in writing, the Obligee shall return this Bond to the Surety for termination or advise the Surety in writing that this Bond is terminated, in accordance with the terms of the Agreement.
10. If the Surety at any time delivers at least ninety (90) days prior written notice to the Obligee and to the Principal of its intention to terminate this obligation, the Principal shall deliver to the Obligee, not less than thirty (30) days prior to the termination of this Bond, financial security in the amount of this bond in a form acceptable to the Obligee. If the replacement financial security is not provided by the Principal or is not accepted by the Obligee, this Bond shall remain in effect.

11. Nothing in this Bond shall limit the Principal's liability to the Obligee under the Agreement.
12. This Bond shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable thereto and shall be treated, in all respects, as a contract entered into in the Province of Ontario without regard to conflict of laws principles. The Principal and Surety hereby irrevocably and unconditionally attorn to the jurisdiction of the courts of the Province of Ontario.
13. All Demands and notices under this Bond shall be delivered by hand, registered mail or courier to the Surety, with a copy to the Principal at the addresses set out below, subject to any change of address in accordance with this Section. All other correspondences may be delivered by regular mail, registered mail, courier, or email. A change of address for the Surety is publicly available on the Financial Services Regulatory Authority of Ontario website. The address for the Principal may be changed by giving notice to the other parties setting out the new address in accordance with this Section.

The Surety:

Name:
Address:
Email:
Phone:

The Principal:

Name:
Address:
Email:
Phone:

The Obligee:

Name:
Address:
Email:
Phone:

IN TESTIMONY WHEREOF, the Principal has hereto set its hand and affixed its seal and the Surety has caused these presents to be sealed with its corporate seal duly attested by the signature of its authorized signing authority.

SINGED AND SEALED this _____ day of _____, 20____, in the presence of:

Per: _____
Name:
Title:

Per: _____
Name:
Title:

I/We have the authority to bind the Corporation

Attorney in Fact

Schedule A
DEMAND – NOTICE OF DEFAULT

Date:
Surety:
Address:
Attention:

Re: Development Agreement Bond No. XXXXX (the “Bond”)

Principal: (the “Principal”)

Obligee: (the “Obligee”)

Agreement: (the “Development Agreement”)

Dear ,

Pursuant to the above referenced Bond, The Region of Durham hereby declares a default under the Development Agreement.

We hereby demand that the Surety honour its ten (10) day payment obligation as per the terms of the Bond and we hereby certify that we are entitled to draw on the Bond pursuant to the terms of the Development Agreement and demand payment of \$ under the terms of the Bond.

Payment Instructions:

Yours truly,
The Region of Durham



The Regional Municipality of Durham Report

To: Regional Council
From: Chief Administrative Officer
Report: #2024-A-7
Date: April 24, 2024

Subject:

December 2023 Ontario Energy Board (OEB) Enbridge Gas Inc. decision and proposed amendments to the Ontario Energy Board Act, 1998.

Recommendation:

That Regional Council direct staff to participate in any generic OEB hearings related to the energy transition pending the adoption of the proposed legislative amendments.

Report:

1. Purpose

- 1.1 To provide Regional Council with an analysis of the OEB's Enbridge Gas Inc. rate application (Enbridge) decision and order ([EB-2022-0200](#)) and proposed amendments to the Ontario Energy Board Act, 1998 ([019-8307](#)) through Bill 165, *Keeping Energy Costs Down Act*, 2024 as requested at Regional Council on March 27, 2024 ([Notice of Motion 11.1](#)).

2. Background

- 2.1 Utility connections for natural gas, electricity and water are long-lived capital-intensive projects that depreciate over the expected life of the asset. Depreciation rates are used by utilities to determine whether it is economical to connect a new customer, and typically also reflect the risk that an asset may be abandoned or cease to be useful before the end of its physical life (i.e., stranded asset risk).
- 2.2 Currently in Ontario, the natural gas utility (Enbridge) must assess proposals to expand its infrastructure to add new residential and small commercial customers (i.e., a new subdivision) to determine if it will be able to recover the costs over a 40-year depreciation period. If Enbridge determines that it can recoup the capital cost of the new natural gas service connection before the assets are fully depreciated, the costs can be "rate-based", which means paid for by all customers

within the given rate class rather than paid for by the connecting customer. If not, and a shortfall is projected, then Enbridge would seek additional payment from the connecting customer in the form of an upfront Contribution in Aid of Construction (CIAC), to preclude undue cross-subsidization of new natural gas service connections by existing customers.

- 2.3 In 2022, Enbridge submitted its first rate-rebasing application to the province's independent energy regulator, the Ontario Energy Board (OEB), in 10 years. The rate application is the first to be considered in the context of the energy transition and government commitments to substantially reduce greenhouse gas (GHG) emissions over the coming decades in line with Canada's commitments under the Paris Agreement to achieve net zero emissions by 2050 through the *Canadian Net-Zero Emissions Accountability Act*.
- 2.4 Enbridge's rate rebasing application to the OEB proposed a significant and increased capital spend to expand its natural gas infrastructure (\$1.4 billion per year over 5 years compared with an actual spend of \$1.1 billion a year for the previous five years) based on a demand forecast that shows continued growth in natural gas peak demand with a small impact from the energy transition. Enbridge's proposal maintained a 40-year depreciation period for these new assets, arguing that there is no stranded asset risk for new natural gas distribution infrastructure over a 40-year revenue horizon. If approved, this capital expansion would be added to Enbridge's asset base, on which it earns a regulated return on investment through rates paid by all customers within a given rate class.

3. OEB Decision and Order on Enbridge's Application for 2024 Rates

- 3.1 On December 21, 2023, the OEB, issued a comprehensive decision on Enbridge's rate rebasing application. The decision was the result of an extensive public hearing process that spanned more than a year of review, and thousands of pages of evidence from Enbridge and energy sector experts. The OEB's decision was based in the context of the energy transition which it refers to as "the impacts and changes to the energy system and the energy supply mix that result from efforts to reduce GHG emissions by reducing dependence on fossil fuels, along with the use of renewable natural gas, hydrogen, and carbon capture technologies to compact climate change".¹
- 3.2 The OEB noted that the energy transition is being guided by both provincial and federal policies. On the provincial side, the OEB noted Ontario's plans for a "[clean energy future](#)" characterized by increasing electrification and its policy objective to reduce GHG emissions by 30 per cent below 2005 levels by 2030, while on the federal side, the OEB noted Canada's policy objective to achieve net zero carbon emissions by 2050. Based on the increased risk of stranded fossil fuel distribution system assets, the OEB determined that Enbridge's proposal to

¹ Ontario Energy Board, "Decision and Order, EB-2022-0200, Enbridge Gas Inc, Application for 2024 Rates – Phase 1", December 21, 2023. Page 9.

increase capital spending over the next five years and maintain a 40-year revenue horizon, could not be supported by the rate base. In considering Enbridge's proposed capital plan the Panel made the following key determinations:

- a. It is no longer appropriate to assume that the assets required for new natural gas service connections will continue to be used and useful for 40 years. Natural gas customers face a risk of underused natural gas service delivery assets and associated stranded asset costs.
 - b. The current practice of providing no-cost natural gas service connections (to home builders) which shifts the risk of stranded assets to homeowners and future natural gas consumers is no longer appropriate.
 - c. Customers can be protected from stranded asset risks by encouraging home builders to consider the cost of new natural gas service connections and associated heating equipment (e.g., furnaces and boilers) against alternatives like high efficiency cold climate heat pumps that use already-required electrical connections.
- 3.3 Based on these determinations, the OEB decided that the cost of new natural gas service connections should be paid upfront (i.e., under a zero-year revenue horizon model, rather than the 40-year revenue horizon currently used), instead of through ongoing natural gas delivery rates paid by natural gas customers decades into the future. In making this decision the OEB considered the impact on home buyers and ratepayers, including the following key pieces of evidence:
- a. The impact of a home builder choosing to include natural gas service and paying the connection charge up front would increase the cost of new build housing units by approximately \$4,400. However, the operating cost of the house would be reduced through lower natural gas rates (i.e., rates that do not include the cross-subsidization of new natural gas infrastructure).
 - b. Electrifying home heating through high efficiency cold climate heat pumps is expected to result in significantly lower energy use over the useful life of the equipment.
 - c. Requiring new connection costs to be paid upfront is expected to reduce Enbridge's capital costs and eliminate stranded asset risk, thus reducing natural gas delivery rates for all ratepayers into the future.
- 3.4 This decision, if upheld, would be expected to enhance the competitiveness of the market, reduce risks and costs associated with underused capital assets, and provide homeowners with more financial options. For existing households, it will ensure price certainty and affordability.
- 3.5 The [Electrification and Energy Transition Panel](#) (EETP) was established to advise the province on opportunities for the energy sector to help Ontario's economy prepare for electrification and the energy transition and to identify strategic opportunities and planning reforms to support emerging electricity and fuels planning needs. In December 2023, the EETP released a report entitled "[Ontario's Clean Energy Opportunity](#)" that has direct relevance to OEB's Enbridge decision.

The OEB's Enbridge decision is consistent with the EETP recommendation that the OEB review cost allocation and recovery policies for natural gas service and electricity connections (Recommendation 15).

- 3.6 The OEB decision does not impact the [Natural Gas Expansion Program](#) (NGEP) under [O. Reg. 24/19](#). Therefore, the [Sandford community expansion project](#) and the [Mississaugas of Scugog Island First Nation/Scugog Island expansion project](#) will not be impacted by the OEB decision. In August 2023, the Ministry of Energy [consulted](#) with stakeholders on how best to support rural, northern and Indigenous communities on options to reduce heating costs through the NGEP. A third phase of the NGEP has not been announced.
- 3.7 The revenue horizon for new large volume customers (industrial and agricultural) remains unchanged and is a maximum of 20 years as prescribed in [EBO 188](#).

4. Ministry of Energy Response to OEB's Enbridge Decision

- 4.1 The EETP report identifies the climate crisis as being urgent and recommends the province act rapidly to adopt a goal to achieve a clean energy economy by 2050. The EETP report generally recommends strengthening the regulatory abilities of the OEB, and for the OEB to employ all the tools within its existing mandate to implement activities consistent with the province's goals for a clean energy economy and the requirements of the energy transition for Ontario. Despite the report acknowledging the need to include consumer and distributor perspectives in the transition, overall, they conclude that independent agencies are best positioned to lead the technical elements of the transition and the role of the province is to clear the way and ensure entities are aligned and work together.
- 4.2 On December 22, 2023, the day following the release of the OEB decision, Ontario Minister of Energy, Todd Smith, released a statement expressing disappointment with the decision regarding the new gas connection revenue horizon (i.e., 40 years to zero years), asserting that the OEB's determination would, "mean costs that are normally paid over 40 years would be owed in full upfront, could lead to tens of thousands of dollars added to the cost of building new homes, and would slow or halt the construction of new homes, including affordable housing."² The statement furthermore announced the government's intention to overrule the OEB's decision by introducing new legislation.
- 4.3 The statement made by the Minister indicates concerns that the decision made by the OEB will have an impact on the province's housing policy. As a result, the government has taken the unusual step of overriding an independent regulatory agency. This decision was made despite evidence presented through the OEB hearing process that the decision would have little to no impact on monthly costs for new homebuyers (i.e., while new home buyers would have higher mortgage

2 Ontario. (2023). Ontario Government Standing Up for Families and Businesses. From: <https://news.ontario.ca/en/statement/1004010/ontario-government-standing-up-for-families-and-businesses>

costs to cover the upfront connection charge, those higher costs would be completely offset by lower natural gas bills).

- 4.4 Enbridge President, Michele Harradence, [circulated](#) a letter to municipal councils on January 31, 2024, encouraging opposition to the OEB decision.
- 4.5 On February 8, 2024, Legislative Services circulated a confidential briefing note to Regional Council on behalf of the CAO that confirmed that the OEB decision is consistent with Durham Regional Council's direction, and the Region's commitment to decarbonization and efforts to achieve net zero by 2050.
- 4.6 On February 22, 2024, the province introduced [Bill 165, Keeping Energy Costs Down Act, 2024](#), which makes regulatory amendments to the *Ontario Energy Board Act*, 1998 (OEB Act) to "provide the government with the authority to ensure fair and informed decision-making at the OEB to foster affordable communities". The Bill includes regulatory amendments intended to:
- Facilitate broad stakeholder participation in OEB proceedings and other stakeholder input to the OEB related to natural gas and electricity;
 - Provide the Minister of Energy with the authority to issue directives, approved by Cabinet, requiring the OEB to hold a generic hearing on any matter respecting natural gas or electricity;
 - Provide the government with time-limited authority to prescribe the "revenue horizon" over which natural gas utilities calculate the upfront cost required for new natural gas service connections for residential, small commercial and other customers;
 - Provide the opportunity for the government to require OEB to conduct a hearing to determine revenue horizon, which, if so requested, will replace any revenue horizon specified in regulations; and
 - Provide the Minister of Energy with the authority to issue directives, approved by Cabinet, requiring the OEB to accept certain cost allocation conditions in reviewing a leave to construct application for a natural gas transmission project.

5. Regional Staff Analysis of OEB's Enbridge [Decision](#) and [Bill 165](#)

Amendment #1 - Broad stakeholder participation:

- 5.1 The OEB has a transparent stakeholder engagement process detailed on its website per section 2.2 of the OEB Act. For the Enbridge application, 33 stakeholder groups participated in the year-long public regulatory process.
- 5.2 While staff generally support increased engagement and participation in regulatory processes, municipalities and groups representing municipalities (e.g., AMO) are generally not eligible for intervenor funding. Increased expectations for engagement in OEB regulatory processes could burden municipal staff with energy-related portfolios and divert resources away from the clean energy transition. The province will need to weigh the additional time that would be added

to the regulatory process to increase stakeholder participation with the perceived benefits and consider whether the current engagement standards have the proper level of breadth and depth. The province should be cognizant of adding additional regulatory requirements that result in burdensome, inefficient, and inflexible processes or that interfere with the province's energy transition in an age of climate change.

Amendment #2: Ministerial Directives for Generic Hearings:

- 5.3 The OEB mandate is to regulate Ontario's energy sector as required under provincial legislation, working in the public interest to deliver public value through prudent regulation and independent adjudicative decision-making. Under subsection 27(1) of the OEB Act, the Minister may issue, and the Board shall implement, "policy directives that have been approved by the Lieutenant Governor in Council concerning general policy and objectives." Starting from this broad authority, the Act proceeds to provide in some detail for the issuance of directives in several specific areas, such as promoting "energy conservation, energy efficiency, load management or the use of cleaner energy sources"³ and even to amend conditions in licences already issued by the OEB.⁴ A directive may require the OEB to hold or not hold a hearing concerning certain matters.⁵ With these provisions, the province already has considerable influence over the OEB.
- 5.4 The EETP report speaks to the need for a proactive planning approach and framework for the energy sector that will result in the development of globally competitive and future-oriented industries that not only support Ontario's economic future but also its environmental future. The EETP highlights the proactive and transparent thought leadership the OEB can provide in the energy transition with their expertise and designated role to engage in apolitical, proactive planning. Compromising the OEB's regulatory independence creates risks in ensuring that the public interest is protected in the context of the energy transition.
- 5.5 OEB decisions are the result of careful analysis of complex systems and consultation with major stakeholders and industry experts. Generic hearings are unlikely to significantly alter the OEB's decision-making process and go against the province's objective of reducing red tape.

Amendment #3: Prescribing the Revenue Horizon

- 5.6 Ontario is experiencing a complex crisis of housing affordability and supply. The province and municipalities have a shared goal of accelerating the development of new housing to meet demand and have defined objectives to achieve housing

3 OEB Act, *ibid*, s 27.1(1).; Harrison, R. J. (2014). Tribunal Independence: In Quest of a New Model. *Energy Regulation Quarterly*, 2(3). From <https://www.energyregulationquarterly.ca/articles/tribunal-independence-in-quest-of-a-new-model#sthash.xfbKAWTy.dpbs> [Harrison]

4 OEB Act, *ibid*, ss 28.1(1)-28.3(2).; Harrison, *ibid*

5 OEB Act, *ibid*, s 28(2); Harrison, *ibid*

targets within a set timeframe. Multiple intersecting socioeconomic factors impact housing affordability, including income levels and how they pace inflation, the pricing and attainability of existing housing stock, neighbourhood quality and safety, the rising costs of living, interest rate predictability, population growth and more.

- 5.7 In January 2020, Durham Regional Council [declared a climate emergency](#) and directed staff to focus on implementing the low carbon pathway identified in the [Durham Community Energy Plan](#). The building sector is a priority area for action, as it represents more than 30 per cent of total GHG emissions in Durham Region. Given planned population growth, it will be a key area of activity to align the Region with Canada's commitment to reach net zero GHG emissions by 2050.
- 5.8 The transition to enable a clean energy future is characterized by decarbonization of the energy system through electrification and thermal energy networks (i.e. district energy). The OEB Act sets out broad objectives to guide the OEB in carrying out its responsibilities. These explicitly include the protection of the interests of consumers concerning prices and reliability of service, the promotion of economic efficiency and cost effectiveness, the promotion of conservation, demand management and energy efficiency and, specifically concerning natural gas, "the maintenance of a financially viable gas industry...".⁶ Currently, about 3.6 million homes and 160,000 businesses in Ontario use natural gas.⁷
- 5.9 In considering Enbridge's 2024 rate application and the increased risk to their business given the implications of Ontario's plans for a clean energy future, it is Regional staff's view that the OEB was correct in its determination that the current practice of providing natural gas service connections at no charge to small volume customer connections (new small commercial and residential developments, including infill projects) and recovering the substantial cost of those connections over 40 years in rates paid by all ratepayers is no longer appropriate and is likely to result in stranded assets and potentially significant cost and affordability impacts to existing Enbridge ratepayers.
- 5.10 According to the Canadian Climate Institute, standard heat pumps are the lowest-cost heating and cooling option for most households, generally offering a cheaper option than natural gas-fired heating with air conditioning.⁸ Heat pumps can have higher up-front costs to homeowners however they operate at high efficiencies and can provide heating and cooling which make them cost-competitive over time. Additional low-carbon heating options include geothermal energy (i.e., ground source heat pumps), which is viable in new residential subdivisions, as well as

6 OEB Act, *ibid*, ss 1-2.

7 Ontario (2023). Natural Gas Expansion Program. From <https://www.ontario.ca/page/natural-gas-expansion-program>

8 Canadian Climate Institute (2023). Heat Pumps Pay Off, Unlocking lower-cost heating and cooling in Canada. From <https://climateinstitute.ca/wp-content/uploads/2023/09/Heat-Pumps-Pay-Off-Unlocking-lower-cost-heating-and-cooling-in-Canada-Canadian-Climate-Institute.pdf>

district heating and cooling systems which can be viable in higher-density mixed-use communities. As these low-carbon systems acquire an increasingly larger market share and customers leave the gas distribution system, remaining gas customers will be left covering the cost of maintaining the distribution pipeline assets, driving up the ratepayer cost of natural gas and creating equity issues among past and current ratepayers. According to the Institute for Research on Public Policy, these costs are far more likely to fall on low-income households in the long term as wealthier households transition to low-carbon options like air and ground source heat pumps.⁹ Instead, under the OEB ruling, developers of new homes would be required to pay for the up-front costs of new gas service connections. This change would be consistent with the user-pay principle where “growth pays for growth” rather than adding the burden to existing homeowners through a user rate. Developers may elect to build communities without natural gas infrastructure at the outset which would improve housing affordability by reducing the cost of operating the new homes.¹⁰

- 5.11 It is expected that the OEB's decision would improve competitiveness in the market by providing homeowners and developers with more financial choice. The decision is expected to result in long-term savings across the system and protect remaining natural gas ratepayers from being left covering the cost of an overbuilt, underused natural gas distribution system, particularly those who may be dependent on natural gas (e.g., some industrial and agricultural users).
- 5.12 The regulatory registry notes that proposed regulations could also require the OEB to account for key considerations at that time including government policy documents and reports that have been published related to the future role of natural gas in Ontario. The OEB's Enbridge 2024 rate application decision is consistent with the EETP recommendation that the OEB review the cost allocation and recovery policies to eliminate discrepancies between up-front capital contributions.
- 5.13 Using legislative amendments to overrule an OEB ruling that was within the legislative jurisdiction of the regulator and reinstate a multi-year application process is not in the public interest. The proposed legislation would be counter to the government's policy to build more homes faster and would reverse improvements to customer choice for homes and small commercial businesses to keep costs down.
- 5.14 There is already an established appeals process to have decisions reviewed by a new panel of OEB commissioners, and if needed, then to the Ontario Court. This process allows proponents to request a suspension of the decision while those appeals can be properly disposed of. This process would maintain the authority of

9 IRPP (2024). Rulings in Ontario and B.C. show need for independent oil and gas regulator. From <https://policyoptions.irpp.org/magazines/march-2024/independent-regulators/>

10 Ibid.

the OEB in a public and independent review.¹¹ On January 29, 2024, Enbridge submitted an [appeal](#) under this process. This proposed amendment would interfere with the OEB's exercise of regulatory discretion.

Amendment 4: Ministerial Directives for Cost Allocation Conditions for Natural Gas Transmission Projects

- 5.15 Under the OEB Act, a utility cannot use ratepayer funds to subsidize the cost of building infrastructure unless that infrastructure is expected to generate sufficient revenue to cover its own cost (also called a profitability index). Customers wanting a gas connection where costs are higher than expected revenues, which may be the case in rural, northern and Indigenous communities, are required to pay an upfront capital contribution out-of-pocket through a temporary rate surcharge for up to 40 years or, for infill customers only, an extra length charge (known as a "Contribution in Aid of Construction" or "CIAC"). This policy protects existing ratepayers from costs caused by overbuilding the system with underused assets but also means that connecting to natural gas service is cost-prohibitive for many rural, northern and Indigenous communities.
- 5.16 The OEB reviews Leave-to-Construct (LTC) applications for pipeline projects and will grant leave to carry out the work if it is in the public interest. The OEB typically considers the need for the project, the nature of the proposed facilities and any alternatives, project cost and economics, environmental matters, Indigenous consultation, land matters and conditions of approval.
- 5.17 In 2022, the government modernized the LTC process for electricity transmission projects. In December 2023, the ministry [introduced](#) OEB Act amendments to allow the government to set the LTC threshold to exempt natural gas projects from OEB approval. If passed, the government may propose regulations to exempt energy projects costing between \$2 million and \$10 million from LTC, if duty-to-consult (DTC) is met. Projects would still require permitting and other approvals for technical, safety and environmental requirements from provincial and municipal authorities. This amendment would allow the province to fast-track energy infrastructure projects through the OEB's LTC process (e.g., renewable natural gas projects).
- 5.18 The current amendment under Bill 165 expands on the proposed amendment to LTC thresholds introduced in December 2023 by requiring the OEB accept certain cost allocation conditions in reviewing the economics for an LTC application for natural gas transmission projects. These amendments will require the OEB to accept that a project is in the best interest of natural gas consumers if directed by the Minister and prevent the OEB from imposing a CIAC on natural gas consumers who will be connected to or served by the line. This will eliminate the OEB's ability to independently assess and apply a financial test to projects to

¹¹ Gowling WLG (2024). Why bother with an independent energy regulator? From <https://gowlingwlg.com/en/insights-resources/articles/2024/independent-energy-regulator/>

determine whether a project is in the public interest and remove their ability to impose financial charges on new developments to ensure that the project meets the required profitability index. As a result, this amendment is expected to expedite the construction of new pipelines as directed by the Minister, but potentially with added costs borne by all ratepayers, not just those who will benefit from the expansion. This amendment may enable natural gas service expansion in rural, northern and Indigenous communities. The ERO posting notes that the Minister may also apply this practice to other transmission projects that have already been granted an LTC decision on a time-limited basis. Previous Reports and Decisions

5.19 The following reports have been presented to Regional Council:

- a. Report #[2024-INFO-25](#), Update on provincial energy sector activities
- b. Report #[2023-INFO-86](#), Provincial energy sector activities and reports toward a long-term energy planning framework and Ontario's Plan for a Clean Energy Future
- c. Report #[2021-COW-7](#), Regional Submission to the Review of Ontario's Long-Term Energy Planning Framework (ERO #019-3007)
- d. Report #[2016-COW-98](#), Regional Response to Planning Ontario's Energy Future (EBR # 012-8840);
- e. Report #[2015-J-21](#), Update on Energy Planning and Energy Sector Initiatives in Durham Region;
- f. Report #[2013-J-23](#), Update on Provincial Energy Planning Consultations, Regional Staff Participation and Opportunity for Regional Council Input to the Reviews of Ontario's Long-Term Energy Plan (EBR #011-9490) and Conservation and Demand Management Framework (EBR #011-9614).

6. Relationship to Strategic Plan

6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 1: Environmental sustainability – Objective 1.1, Accelerate the adoption of green technologies and clean energy solutions through strategic partnerships and investment.
- b. Goal 1: Environmental sustainability – Objective 1.4, Demonstrate leadership in sustainability and addressing climate change.
- c. Goal 3: Economic Prosperity – Objective 3.4, Capitalize on Durham's strengths in key economic sectors to attract high-quality jobs

6.2 This report also aligns with the Region's [declaration of a climate emergency](#) on January 29, 2020, and aligns with the [Durham Community Energy Plan](#) (DCEP), the [Corporate Climate Change Action Plan](#), and the [Corporate Energy Conservation and Demand Management Plan](#).

7. Conclusion

- 7.1 The Organisation for Economic Co-operation and Development (OECD) observes five “essential” dimensions that determine a regulator’s de facto independence: “role clarity, transparency and accountability, financial independence, independence of leadership, and staff behaviour and culture of independence.” The province has characterized these proposed amendments to the OEB Act as being required to: ensure fair and informed hearings at the OEB; ensure the Government sets energy policy, not the regulator; protect future homebuyers and promote affordable housing; maintain customer choice with respect to energy options for homes and businesses; and, support the Government’s mandate to rebuild Ontario’s economy as we keep costs down for people and businesses and build the homes our growing province needs. However, these amendments serve to undermine regulatory independence by interfering in decision-making, obstructing role clarity, and diminishing the perception of independence among the public and OEB employees.
- 7.2 Government policy at the federal, provincial and municipal level is focused on reducing reliance on fossil fuels, including but not limited to natural gas, thereby decarbonizing the economy to address the existential threat posed by climate change. The OEB decision is consistent with these policies and the Region’s commitment to decarbonization. Should a generic hearing be held, and staff are directed by Council to participate, staff would highlight the potential negative impacts of the proposed provincial direction on achieving Council’s environmental sustainability priorities.
- 7.3 As the OEB decision rightly notes, “affordable housing has two components – the cost to buy the home and the cost to operate the home.” The OEB decision demonstrates respect for Enbridge small volume ratepayers including current and future homeowners. Positioning the clean energy transition as a barrier to housing affordability creates a false dichotomy, as the shift to cleaner energy and greener homes holds many economic benefits to homeowners and industries.
- 7.4 Further, the OEB decision demonstrates that they considered provincial policy including the Government of Ontario’s [Powering Ontario’s Growth](#) plan. The EETP report recognizes the need for gas-electric coordination on an aligned vision and for integrated planning and shared forecasting to understand the effects of fuel switching for infrastructure planning and development, and opportunities for system optimization across the electricity and natural gas delivery systems. It is recommended the province follows the recommendations from the EETP by providing an evidence-based policy direction on energy and electrification and resources and autonomy to independent agencies like the OEB to lead Ontario to a cleaner, greener, economically prosperous future.
- 7.5 Regional staff continue to work towards decarbonizing Regional operations and our communities through efforts to support the development and deployment of decarbonized energy systems as well as continued advocacy for senior-level

government investment in expanding renewable and low carbon energy generation capacity.

Prepared by: Caitlin Rochon, Manager, Corporate Initiatives, Madilyn Darrach, Policy Advisor, and Ian McVey, Manager, Sustainability with the CAO's Office in collaboration with Planning and Economic Development, Finance and Works Departments.

Approved by: Sandra Austin, Executive Director, Strategic Initiatives.

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair
Chief Administrative Officer

Report #3 of the Finance & Administration Committee

For consideration by Regional Council

April 24, 2024

The Finance & Administration Committee recommends approval of the following:

1. Prudent Investor: Adoption with ONE Joint Investment Board & Investment Policy Update ([2024-F-6](#))

 - A) That the proposed Investment Policy Statement, attached to the Prudent Investor Enabling By-law, be approved;
 - B) That the Commissioner of Finance/Treasurer be authorized to execute the ONE Joint Investment Board Agreement, attached to Prudent Investor Enabling By-law, subject to the final form and content being to the satisfaction of the Commissioner of Finance/Treasurer and the Regional Solicitor;
 - C) That the draft Investment Plan ("IP") attached to Report #2024-F-6 of the Commissioner of Finance be received for information; and
 - D) That the Prudent Investor Enabling By-law be enacted to authorize investing under the Prudent Investor standard as required by Ontario Regulation 438/97 and authorize execution of the ONE Joint Investment Board Agreement delegating control and management of the Region's money not required immediately to the ONE Joint Investment Board.
2. The Regional Municipality of Durham 2023 Accessibility ([2024-A-4](#))

That the Regional Municipality of Durham 2023 Accessibility Report as contained in Attachment #1 to Report #2024-A-4 of the Chief Administrative Officer be received for information.
3. Redacting Public Records Policy ([2024-A-5](#))

That the Redacting Online Public Records Policy generally in the form included as Attachment #1 to Report #2024-A-5 of the Commissioner of Corporate Services, be approved.
4. Region of Durham Water Financial Plan #003-301A ([2024-F-7](#))

 - A) That in accordance with Provincial Regulation 453/07, the Water Financial Plan (Provincial #003-301A) as provided in Appendix #1 of Report #2024-F-7 of the Commissioner of Finance, which has been prepared in the Public Sector Accounting Standards format employing tangible capital asset methodology, be approved;

- B) That a copy of the Water Financial Plan and Council Resolution approving the plan be submitted to the Ministry of Municipal Affairs and Housing as prescribed by Ontario Regulation 453/07 under the Safe Drinking Water Act, 2002 which requires owners of municipal drinking water systems to submit a Water Financial Plan to the Province in order to obtain or maintain a Municipal Drinking Water Licence; and
 - C) That notification be placed on the Region's website and on the Public Notification section of the Metroland website to advise the public of the availability of Durham's Water Financial Plan, as prescribed by Ontario Regulation 453/07.
5. Sole Source Approval of Standing Agreements for the Purchase of Proprietary Durham Region Transit Bus Parts, Farebox and Associated Parts, and Extended System Warranty and Support for the GFI Fare Collection System (2024-F-8)
- A) That a three-year extension from July 1, 2024 to June 30, 2027 to the existing standing agreement with New Flyer Industries and Prevost (Nova Bus) to continue the sole source purchases of proprietary bus parts at an estimated annual cost of \$700,000 for New Flyer Industries, and \$300,000 for Prevost, to be funded from the annual Durham Region Transit Business Plans and Budget be approved;
 - B) That a three-year extension from July 1, 2024 to June 30, 2027 to the existing standing agreement with Garival to continue to sole source the purchase, repairs, required proprietary parts and equipment for fareboxes at an estimated annual cost of \$75,000, to be funded from the annual Durham Region Transit Business Plans and Budget be approved;
 - C) That a three-year extension from July 1, 2024 to June 30, 2027 to the existing standing agreement with Garival Inc. to continue to sole source for system warranty and support for the GFI system at an estimated annual cost of \$50,700, to be funded from the annual Durham Region Transit Business Plans and Budget be approved; and
 - D) That the Commissioner of Finance be authorized to execute the necessary agreements.
6. Confidential Report of the Commissioner of Corporate Services – Labour Relations/Employee Negotiations with respect to CUPE, Local 1785 (2024-A-6)

That the recommendations contained in Confidential Report #2024-A-6 of the Commissioner of Corporate Services be adopted.

Respectfully submitted,

K. Ashe, Chair, Finance & Administration Committee

Report #3 of the Health & Social Services Committee

For consideration by Regional Council

April 24, 2024

The Health & Social Services Committee recommends approval of the following:

1. Region of Durham Community Security and Clean-up Policy ([2024-SS-3](#))
 - A) That Regional Council endorse the Community Security and Clean-up Policy (Attachment #1 to Report #2024-SS-3 of the Commissioner of Social Services); and
 - B) That in those limited areas where there is demonstrated need for additional services and supports for vulnerable populations, staff be instructed to meet with local officials to discuss area-specific requirements, should the need arise, and to report to Council on the outcomes of such discussions.

Respectfully submitted,

E. Roy, Chair, Health & Social Services Committee

Report #4 of the Planning & Economic Development Committee

For consideration by Regional Council

April 24, 2024

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

1. Application to Amend the Durham Official Plan, submitted by Clark Consulting Services, on behalf of Thornlea Holsteins Ltd., to permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties, in the Municipality of Clarington, File: OPA 2023-002 (Regional Official Plan Amendment #198 ([2024-P-8](#)))

 - A) That Amendment #198 to the Durham Regional Official Plan, to permit the severance of a dwelling rendered surplus as a result of the consolidation of nonabutting farm parcels, be adopted as contained in Attachment #3 to Report #2024-P-8 of the Commissioner of Planning and Economic Development;
 - B) That “Notice of Adoption” be sent to the applicant, the applicant’s agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing and all other person or public bodies who requested notification of this decision; and
 - C) That the Minister of Municipal Affairs and Housing be requested to modify the Council adopted Durham Regional Official Plan as shown on Attachment 4 to Report #2024-P-8 so that the approvals granted by Regional Council through Amendment #198 are carried forward and properly reflected in the Region’s new Official Plan which is currently pending approval by the Minister.
2. Re-Nomination to the Board of Directors of the Greater Toronto Airports Authority ([2024-P-9](#))

 - A) That Mr. Johan van ‘t Hof be re-nominated to the Greater Toronto Airports Authority (GTAA) Board of Directors as Durham Region’s municipal representative for a term ending on October 31, 2026; and
 - B) That a copy of Report #2024-P-9 of the Commissioner of Planning and Economic Development be forwarded to the GTAA.
3. Durham Active Transportation Committee Resolution regarding June Bike Month

Whereas June is Bike Month;

And whereas Durham Regional Planning Staff have organized numerous bike friendly activities annually for over a decade to educate residents about cycling

safety, promote the benefits of cycling, and encourage residents to bike more by participating in Bike Month throughout the month of June; and

And whereas the Durham Active Transportation Committee fully supports the Region's planned Bike Month activities.

Now therefore be it resolved that the Durham Active Transportation Committee request Regional Council's support of the planned Regional Bike Month activities and proclaim the month of June as Bike Month in the Region of Durham.

4. Durham Agricultural Advisory Committee Resolution regarding Stormwater Management Fees

Whereas Stormwater Management fees are intended for urban infrastructure needs and flood prevention, the Durham Agricultural Advisory Committee (DAAC) believes that bona fide farmers on agricultural properties should be exempt from paying Stormwater Management fees in the Region of Durham; and, that this resolution be circulated to Durham's area municipalities for their information.

Respectfully submitted,

B. Chapman, Chair, Planning & Economic Development Committee

Report #4 of the Works Committee

For consideration by Regional Council

April 24, 2024

The Works Committee recommends approval of the following:

1. Sole Source of Promotion and Education Services to be Provided by The Regional Municipality of Durham for Circular Materials Ontario for the Blue Box Program under Extended Producer Responsibility ([2024-WR-3](#))
 - A) That staff be authorized to negotiate a sole source agreement with Circular Materials Ontario, for the Regional Municipality of Durham to provide promotion and education services for the Blue Box program for an initial term of eighteen months, from July 1, 2024, to December 31, 2025, with the option to extend the agreement for three additional one-year periods, for an estimated revenue of \$159,000 for the initial contract term and \$480,000 over the full term; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents for the negotiated agreement.
2. Proposed Automated Cart-Based Garbage Collection Pilot Project ([2024-WR-4](#))
 - A) That Regional Council direct staff to implement a one-year pilot project to assess the impacts of an automated cart-based residential garbage collection pilot project;
 - B) That staff be authorized to procure the necessary carts that are compatible with the automated collection vehicle to be used in the proposed pilot project from Miller Waste at a cost not to exceed \$49,500;
 - C) That the estimated cost of \$50,000 for this pilot project be financed from within the 2024 Waste Management Business Plans and Budget; and
 - D) That staff be required to report back to Regional Council on the results and recommended next steps for the project.
3. Declaration of Lands as Surplus and Approval to Transfer the Surplus Lands to the Hamilton-Oshawa Port Authority's wholly owned subsidiary Great Lakes Port Management Inc. ([2024-W-9](#))
 - A) That Part of Lot 5, Broken Front Concession, in the Geographic Township of East Whitby, now in the City of Oshawa, in the Regional Municipality of Durham, identified as part of the PIN 16378-0001 (LT) and described further as Part 1 on Reference Plan 40R-32006 (the Lands) be declared as surplus to Regional Municipality of Durham requirements;

- B) That sections 3 and 4 (1) of Regional By-law #52-95 be waived to facilitate the land transfer from the Regional Municipality of Durham to Great Lakes Port Management Inc.;
 - C) That Regional staff be authorized to transfer the Lands to Great Lakes Port Management Inc., a wholly owned subsidiary of the Hamilton Oshawa Port Authority (HOPA), for a compensation amount of \$433,000;
 - D) That the transfer authorized by Recommendation C) in Report #2024-W-9 of the Acting Commissioner of Works be subject to the following being registered on title to the Lands:
 - i. Easements for the landowner, McAsphalt Industries Limited, of the adjacent properties at 1221 Farewell Street and 1241 Farewell Street for access to the Lands; and
 - ii. Easements for municipal services and existing utilities/services provided by Bell Canada, Enbridge Gas, Oshawa Power and Utilities Commission, and the Regional Municipality of Durham for access, maintenance, and repairs;
 - E) That authority be granted to the Commissioner of Works to execute all documents associated with this land transfer;
 - F) That the Regional Road By-law #22-2018 be amended to remove the Lands from the by-law, and that Regional staff prepare the required amending bylaw and present it to Regional Council for passage to give effect thereto;
 - G) That Regional Council pass a stop-up and close by-law with the consent of HOPA being obtained pursuant to Section 34(2) (b) of the Municipal Act, 2001, to permit the transfer of the Lands per the requirements under the Municipal Act. The draft bylaw is attached as Attachment #3 to Report #2024-W-9; and
 - H) That a copy of Report #2024-W-9 be provided to the City of Oshawa and Hamilton Oshawa Port Authority for information.
4. Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-24 for the Stage 3 Liquids and Miscellaneous Remedial Works at the Duffin Creek Water Pollution Control Plant in the City of Pickering ([2024-W-11](#))
-
- A) That the lowest compliant bid of Kenaidan Contracting Ltd., in the amount of \$45,388,258*, be awarded for Regional Municipality of Durham Contract #D2023-24 for the Stage 3 Liquids and Miscellaneous Remedial Works at the Duffin Creek Water Pollution Control Plant in the City of Pickering, for a total project cost of \$68,557,350;

- B) That the previously approved project budget of \$55,000,000 for Regional Municipality of Durham Contract #D2023-24 be increased by \$13,557,350 to a revised total project budget of \$68,557,350;
- C) That the additional financing of \$2,711,470, representing Durham Region's 20 per cent share, be provided from the following sources:

Previously Approved Financing

Sanitary Sewer Capital Budget - Duffin Creek Water Pollution Control Plant

(Project ID: Y2001):

User Rate	\$11,000,000
York Region Financing	30,800,000
York Capital Asset Share	<u>\$13,200,000</u>
Total Approved Financing	\$55,000,000

Additional Financing

2024 Sanitary Sewerage Budget
Item No.24, Sanitary Sewerage Works to Rectify Identified System Deficiencies (Project ID: M2499)

User Rate	\$425,623
-----------	-----------

2024 Sanitary Sewerage Budget

Item #35 Replacement of sanitary sewer on Mary Street from Rossland Rd to Robert Street., Oshawa (Project ID: O2202)

User Rate	\$321,400
-----------	-----------

Item #46 Replacement of sanitary sewer on Roselawn Avenue and Bickle Drive., Oshawa (Project ID: O2305)

User Rate	\$1,700,000
-----------	-------------

Corbett Creek Water Pollution Control Plant Emergency Digester (Project ID: D1932)

User Rate	264,447
-----------	---------

Durham Region Additional Financing	\$2,711,470
------------------------------------	-------------

York Region Additional Financing	<u>\$10,845,880</u>
Total Additional Financing	<u>\$13,557,350</u>
Total Revised Project Financing	<u>\$68,557,350</u>

- D) That a copy of Report #2024-W-11 of the Acting Commissioner of Works be provided to York Region.
(*) before applicable taxes

5. Sole Source Procurement of Equipment, Maintenance Service and Parts for Equipment Installed at Various Water and Wastewater Facilities throughout the Regional Municipality of Durham (2024-W-12)

- A) That staff be authorized to negotiate and award sole source agreements in 2024 for the unanticipated or end of life replacement of existing equipment installed at various Water and Wastewater Facilities throughout the Regional Municipality of Durham, but not for new construction or new installations, where using a different manufacturer would require significant structural, electrical, mechanical, communication, instrumentation and other modifications;
- B) That financing for the sole source agreements be provided from the approved annual Water Supply Operating Budget;
- C) That staff be authorized to negotiate and award sole source agreements for maintenance service and parts supply for the existing equipment installed as components of various water facilities throughout the Regional Municipality of Durham, with terms not to exceed five years;
- D) That financing for the sole source maintenance service and/or parts supply agreements be provided from the approved annual Water Supply Operating Budget at an estimated annual cost of \$2,550,000;
- E) That the negotiated sole source agreements be awarded as follows:

Authorized Supplier	Manufacturer	Estimated Annual Costs (excluding HST)
Syntec	Fontaine; Tideflex; Netzsch; Trueline; Val-Matic; Red Valve; Singer	\$250,000
Westburne	Allen Bradley	\$100,000
Benshaw	Benshaw	\$100,000
Cutler-Hammer / Eaton	Cutler-Hammer / Eaton	\$250,000
SCG Process	ProMinent; De Nora	\$125,000

Bisan	Watson-Marlow	\$100,000
Vissers Sales	Pulsafeeder	\$100,000
Evoqua	Wallace & Tiernan	\$250,000
SPD Sales	MSA	\$100,000
Lakeside Process Controls	Emerson; Fisher Control; Rosemount	\$100,000
Endress+Hauser	Endress+Hauser	\$100,000
ACG-Envirocan	KROHNE	\$100,000
Franklin Empire	Siemens	\$100,000
Rotork	Rotork	\$150,000
Troy-Ontor	AUMA	\$150,000
H2Flow	Trojan Technologies	\$275,000
Hach Canada Sales and Service	Hach Canada Sales and Service	\$100,000
Flowpoint Systems	Flowpoint	\$100,000
-	TOTAL	\$2,550,000*

F) That the Commissioner of Finance be authorized to execute the necessary maintenance service and parts supply agreements.

6. Additional Financing for the Award of Request for Proposal #1088-2023 for Engineering Services for Ajax Zone 1 Water Storage Facility, Harwood Avenue Water Pumping Station - modifications to maximize water supply availability from Whitby-Oshawa-Courtice System and the potential for additional onsite storage for the pumping station to manage transient pressures in the Town of [Ajax \(2024-W-13\)](#)

That financing for Engineering Services for the Ajax Zone 1 Water Storage Facility, Harwood Avenue Water Pumping Station modification project, in the Town of Ajax be provided from the approved project budget and the reallocation of funds as follows:

Previously Approved Funding Zone 1 Water Storage Facility
(Project ID: D1911)

Residential Development Charges	\$1,812,000
---------------------------------	-------------

Commercial Development Charges	\$52,400
Industrial Development Charges	\$45,600
User Revenue	\$90,000

Total Approved Financing
\$2,000,000

Reallocation of funding from the following source:

Zone 3 feedermain on Garrard Rd. from north of the Mid-Block Arterial
to Winchester Rd., Whitby (Region's Share) (Project ID: D2409)

Residential Development Charges	\$2,870,600
Commercial Development Charges	\$89,900
Industrial Development Charges	\$117,800
User Revenue	<u>\$21,700</u>

Total Additional Financing \$3,100,000

Total Revised Project Financing \$5,100,000

Respectfully submitted,

D. Barton, Chair, Works Committee

Report #3 of the Committee of the Whole

For consideration by Regional Council

April 24, 2024

The Committee of the Whole recommends approval of the following:

1. 2024 Annual Climate Change Progress Report ([2024-COW-12](#))

 - A) That Regional Council receive this 2024 Climate Change Progress Report for information; and
 - B) That a copy of Report #2024-COW-12 of the Chief Administrative Officer be sent to all Durham MPs and MPPs, local area municipalities, Conservation Authorities, and local energy utilities, for their information and consideration.
2. Sole Source Procurement for the Economic Study to undertake the analysis necessary to prepare the Region of Durham for the future prescribed Bill 131 Background Study ([2024-COW-13](#))

 - A) That a sole source contract for the preparation of an Economic Study to explore using the new Station Contribution Charge through the GO Transit Station Funding Act, 2023, to deliver four new GO stations along the Lakeshore East GO Extension to Bowmanville, which will build on the work completed for the Region's Station Implementation Strategy by N. Barry Lyon Consultants (NBLC), be awarded to a consultant team led by NBLC and including Watson & Associates Economists Limited, with an upset limit of \$285,000, to be financed through the approved 2024 Transit Oriented Development Division budget or at the discretion of the Commissioner of Finance; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents related to the contract.
3. The Region of Durham's response to the Ontario Regulatory Registry posting related to the "Proposal to create regulation to support implementation of the GO Transit Station Funding Act, 2023" ([2024-COW-14](#))

 - A) That the letter from Regional staff to the Ministry of Infrastructure as contained in Attachment 2 of Report #2024-COW-14 of the Commissioners of Finance and Planning and Economic Development, be endorsed as the Region of Durham's response to Ontario's Regulatory Registry post regarding the proposal to create regulation to support the implementation of the GO Transit Station Funding Act, 2023; and
 - B) That a copy of Report #2024-COW-14 and Council resolution be sent to all area municipalities within the Region of Durham.

4. Recommendations for Eligible Projects Under the At Home Incentive Program for Affordable Housing ([2024-COW-15](#))

- A) That Otter Creek Co-operative Homes Inc. located at 835 McQuay Boulevard in the Town of Whitby be supported through a re-allocation of the 2023 At Home Incentive Program funding in the amount of \$2,500,000 (or \$138,889 per affordable rental unit) to support the construction of 18 deeply affordable housing units which have been approved for funding under federal and provincial affordable housing programs and require additional funds from the Region due to construction cost escalation (Attachment #1 to Report #2024-COW-15);
- B) That the existing Municipal Housing Contribution Agreement with Otter Creek Co-operative Homes Inc. be amended to reflect the Municipal Capital Housing Facilities Bylaw requirements, and additional funding, and that the funding be advanced based on the following key construction milestones:
 - i) 50 per cent at the signing of the revised Municipal Housing Contribution Agreement and registration of security;
 - ii) 40 per cent at confirmation of fully enclosed building; and
 - iii) 10 per cent at confirmation of occupancy;
- C) That following affordable rental housing projects and allocations be approved under the At Home Incentive Program (AHIP):
 - i) Ledim Developments located at 310 Kingston Road East in the Town of Ajax in the amount of \$5,000,000 (or \$64,103 per affordable rental unit) to support the development and construction of 78 units of affordable rental housing in the Town of Ajax (Attachment #2 to Report #2024-COW-15) from the 2023 AHIP funds;
 - ii) Kindred Works located at 15-23 Main Street in the Township of Uxbridge in the amount of \$2,750,000 (or \$110,000 per affordable rental unit) to support the development and construction of 25 units of affordable rental housing (Attachment #3 to Report #2024-COW-15) from the 2024 AHIP funds;
- D) That financing for the projects listed in Recommendation C) be provided from the At Home Incentive Program Reserve Fund (AHIPRF) and advanced based on the following key construction milestones:
 - i) 50 per cent at the signing of the Municipal Capital Housing Facilities and Contribution Agreement and registration of security;
 - ii) 40 per cent at confirmation of fully enclosed building; and
 - iii) 10 per cent at confirmation of occupancy;

- E) That the Region enter into a Municipal Capital Housing Facilities and Contribution Agreement with each of the recommended parties, at the appropriate time, to:
 - i) maintain affordable rents for the specified affordability period;
 - ii) continue to use the eligibility requirements for tenants;
 - iii) to enable the use of capital grants for eligible purpose-built affordable rental housing projects; and
 - iv) provide accountability and reporting requirements; and
 - F) That the Regional Solicitor be directed to prepare the necessary by-laws and any amendments required to the AHIP Reserve Fund By-law.
5. Request for Funding from Kawartha Conservation Authority for the Acquisition of Land in the Township of Scugog (PT LT 19 Con 14, Reach; parts 2, 3, and 5, Plan 40R32476) ([2024-COW-16](#))
-
- A) That in response to the request for funding from Kawartha Conservation Authority, that funding in the amount of \$3,971, representing 40 per cent of the estimated eligible acquisition costs for approximately 4.92 hectares (12.16 acres) of land located in the Township of Scugog (PT LT 19 Con 14, Reach; parts 2, 3 and 5, Plan 40R32476), be approved and financed from the Region's Land Conservation and Protection Reserve; and
 - B) That the Commissioner of Finance be authorized to adjust the total payment amount to Kawartha Conservation Authority pending a review of the eligibility of final costs incurred pursuant to the Region's Land Acquisition Funding Policy.

Respectfully submitted,

J. Henry, Regional Chair and CEO



FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

[HOME](#) > [ABOUT FCM](#) > [BOARD OF DIRECTORS](#) > [FCM'S BOARD ELECTIONS AND ANNUAL GENERAL MEETING \(AGM\)](#) > [RUN AS A CANDIDATE](#)

Run as a candidate

We encourage you to run for an FCM Board Director position.



**Want to serve on FCM's Board of Directors in 2024?
Access information about candidate eligibility,**

nominations, campaigning and the election rules.

If you're invested in the issues our members care about, consider running for a one-year Board term to support our work.

Our Board is made up of elected municipal officials who are committed to championing local priorities at the national level on behalf of the FCM membership. The Board meets in person and/or virtually three times per year, with some committee meetings in between. Our Board members also promote FCM priorities in their local communities and with their federal counterparts on Parliament Hill.

Becoming a Board Director is a great opportunity to connect with other members across the country to share lessons learned and new ideas. We hope you'll bring your talents and commitment to the table!

Who is eligible to run as a candidate?

If you wish to be registered on the electoral ballot, you must:

- **Be an elected official of an FCM-member municipality in good standing**
- **Submit the required documents:**
 - **Table Officer:** resolution, [Nomination Form](#) and [Consent and Board Profile Form](#): **Due May 19.**
 - **Director:** resolution and [Consent and Board Profile Form](#): **Due May 26.**
- **Submit an official resolution:** The resolution (see the [template](#)) must be endorsed by your member municipality or Provincial/Territorial Municipal

Association, expressly permitting you to seek a position on FCM's Board and confirming your municipality/association will assume any costs related to your attending FCM meetings.

You are also encouraged to post campaign material including a photo and brief bio (see next paragraph). The same deadlines apply.

Outreach during your campaign

Approved candidates are encouraged to submit a picture and a short bio, which we'll post on this website. The bio may include a link to a campaign video if you choose to produce and host one through a third-party provider (e.g., YouTube).

You may [post campaign materials](#) on this website, which may contain only the following: written text of the candidate's biography (maximum 500 words); a candidate photo; a link to a campaign video; a link to the candidate's personal campaign page; and one additional link to a candidate's promotional material. FCM will not be responsible for translating materials and will post the information in the language(s) received. Refer to the [Elections Policy](#) for full details.

FCM by-laws

These rules guide our organization, including many aspects of the election process.

[VIEW THE PDF](#)

Elections policy

Read the policy that shapes our election process, including campaign guidelines.

[VIEW THE PDF](#)

Chief Elections Officer

The Chief Elections Officer is responsible for the fair and proper conduct of elections and will ensure the Board and Officer election processes are carried out in accordance with FCM's Bylaws and approved Election Policy.

Contact [Atul Kapur](#), MD, CPP-T, PRP

24 Clarence Street
Ottawa, Ontario
K1N 5P3
T. 613-241-5221

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Events & training

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CAREERS

SAMPLE COUNCIL RESOLUTION – 2024

FEDERATION OF CANADIAN MUNICIPALITIES – ELECTION TO THE BOARD OF DIRECTORS

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government; and

WHEREAS FCM's Annual General Meeting (AGM) will be held in conjunction with the Annual Conference and Trade Show, June 6 to 9, 2024, followed by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of the **(INSERT NAME OF MUNICIPAL GOVERNMENT OR PROVINCIAL OR TERRITORIAL MUNICIPAL ASSOCIATION)** endorse **(INSERT NAME OF ELECTED OFFICIAL)** to stand for election on FCM's Board of Directors for the period starting in June 2024 and ending **(INDICATE END DATE - must be at minimum until June 2025)**; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with **(INSERT NAME OF ELECTED OFFICIAL)** attending FCM's Board of Directors meetings.



**CANADIAN NATIONAL EXHIBITION ASSOCIATION
NOTICE OF **NEW** APPOINTMENT OF REPRESENTATIVE**

Please return a scanned copy of this form to: CNEA@theex.com

To the Attention of the CNEA Corporate Secretariat

This certifies that the following new representative has been appointed to the Canadian National Exhibition Association for a term commencing on _____ and continuing until such time as a successor is appointed. (It is up to each organization to determine the state) and continuing until such time as a successor is appointed.

Please note that the upcoming CNE Association Annual Meeting will take place during the business day the week of May 27, 2024 – exact date & time to be communicated.

REPRESENTATIVE FOR: _____
Your Association / Organization Name

CONTACT INFORMATION OF APPOINTED REPRESENTATIVE:

Name:	
<i>* Please indicate which is your preferred contact coordinates.</i>	
Business Address:	Resident Address:
e-mail:	e-mail:
telephone:	telephone:
mobile:	

APPOINTEE AUTHORIZATION, CONSENT AND ACKNOWLEDGEMENT:

I, the appointed representative, permit the information noted above to be shared with the CNEA Membership and I consent to the appointment, acknowledge, and agree to support the CNEA vision and mission and authorize the release of this information internally within the CNEA, the authorization, consent, and acknowledgement of which is evidenced by my signature below. [Please sign below]

- Our Vision: Inspiring Canadians. Creating memories.
- Our Mission: To enrich our community by celebrating the past, showcasing the present, promoting the future.
- Our Values: Fun, respect, stewardship, accountability, embrace learning and innovation, loyal to our history and traditions, client focused excellence, inclusivity, diversity, accessibility and reconciliation.

Please note that the organization is currently updating its Strategic Plan which will inform the new vision, mission and values for 2024 – 2028. This will be presented at the Annual Meeting.

Name and Appointed Representative Signature / E-Signature

--

CERTIFIED BY:

An Authorized Organization Representative who has authority to confirm the appointee
(cannot be the same person as the appointee):

Name

Title

Signature / E-Signature

ORGANIZATION'S CONTACT INFORMATION:

Organization Name	
Contact Name <i>(can be the person who certified the appointment)</i>	
Address	
General Org. Telephone #	
Contact Person's Telephone #	
General e-mail	
Contact Person's email	

DATED this _____ day of _____, 2024

***We request that you send a copy of this form to your appointee
once completed.***

Canadian National Exhibition, Exhibition Place, Administration Building
Department: Corporate Secretariat
210 Princes' Boulevard, Toronto, ON M6K 3C3
CNEA@theex.com
Tel # 416-263-3841



Dear Association Officer,

RE: 2024/2025 TERM

**NOTICE REGARDING APPOINTMENT OF REPRESENTATIVE TO
THE CANADIAN NATIONAL EXHIBITION ASSOCIATION (CNEA) MEMBERSHIP**

The Canadian National Exhibition Association (CNEA) is a not-for-profit organization and agricultural society that was founded in 1879 for the purpose of fostering the development of agriculture, industry and the arts. The CNEA has a long history of planning and executing the 18-day Canadian National Exhibition, often referred to as the 'Ex', and is one of the top agricultural fairs in North America and one of the largest community events in Canada. The 2023 Ex summer event was a success with over 1.6 million visitors. More information about the CNE Association has been included in the enclosure and information about the event can be found at www.theex.com.

Your organization is a member organization of the CNEA and is eligible to appoint / re-appoint a member representative ("Appointee") to the CNE Association for the upcoming new term. There is no cost for membership. If you do not know who your last appointee was or your current status with the CNEA, please contact the Corporate Secretariat office for a status update.

This year the CNEA will hold its Annual Meeting during the business day the week of May 27th 2024 (exact date, time and location will be communicated. You have an opportunity to appoint or reappoint your representative. We would appreciate your appointee communication or form by Friday, May 17th 2024. As always, at any time that is convenient for your organization, you may change your Appointee to meet your organization's needs and timelines. That being said, should your appointee be appointed at another point in the CNEA term, they will not be eligible to be elected to the CNEA Board of Directors (unless an applicable vacancy arises which can be filled by a CNEA appointment process) nor receive the event credentials access package.

For those organizations who have may have already recently appointed their Member to the CNE Association, please disregard this communication.

Please find the appointment process instructions below for various scenarios that may apply to your organization and appointee.

Appointment Process

Re-appointing / Returning your current member representative – can be communicated by email

If your organization will be re-appointing your current appointee, **an email communication confirming that to the CNEA is sufficient** with key contact information confirming the name of the returning appointee to CNEA@theex.com

If the CNEA does not hear back from your organization, the current appointee representative will be considered to be continuing.

New Appointees to Represent Your Organization – Appointment Form Enclosed for Completion

If you are appointing a new individual as your representative, we ask that you complete the enclosed two-page form. The nominee is asked to consent to the appointment, acknowledge and agree to support the CNEA mandate, vision and values and authorize the release of their contact information by signing the 'Authorization, Consent and Acknowledgement' section of the form.

For new appointees, we request that you share a short background about the person (such as a bio or C.V.) to accompany the form so we can get to know the appointee.

This term will commence on the date of the Annual Meeting the week of May 27th 2024 (exact date, time and location to be communicated in a separate email). The CNEA term will continue until the 2025 spring Annual Meeting.

The appointment authorization must be signed by an officer of your association. If the officer of your association and the representative are the same person, please ensure another officer or executive member from your association signs the form.

Please have the 'Notice of Appointment' form authorized by the proper authority, signed by the member, and returned prior to the Annual Meeting. **Should your appointee wish to consider running for (or seeking re-election) to the CNEA Board of Directors, paperwork should be submitted by the deadline. A communication about the election process will be sent out to all representatives.**

No Appointment for This Term / Year – can be communicated by email

If your organization has decided to not appoint any representative to the CNEA at this time, kindly send an email confirming that no appointment will be made.

As always, your organization can change your Appointee or, if there is a vacancy, make the appointment at any time. However, the Board of Directors is elected at the Annual Meeting and therefore your appointee will not be eligible until the next Annual Meeting.

We thank you for your continued support of the CNEA and the participation of your Member Appointee over the last term. We look forward to continuing to engage with your organization and your Member Appointee.

Membership Withdrawal – can be communicated by email

If your organization at any time decides to withdraw membership with the CNE, feel free to send us a formal letter of withdrawal. Membership withdrawal is applicable from the date we receive the withdrawal letter which terminates your affiliation with the CNE.

2024 Annual Meeting

Please note that the **Annual Meeting** of the Canadian National Exhibition Association (CNEA) has been scheduled for:

- **Date:** **week of May 27th (exact date to be communicated)**
- **Time:** **business hours (exact time to be communicated)**
(formal invitation to be sent to all member appointees),
- **Location:** Toronto, Ontario, Exhibition Place site, exact venue will be communicated.
- **Format:** In-person Meeting – details to be sent to all current appointees and Incoming appointees once confirmed by the organization.

The CNEA term continues until the 2025 spring Annual Meeting. Please share our annual meeting information with your organization Appointee.

In preparation for the Annual Meeting, please either complete the attached form or as explained above, send a communication by email to CNEA@theex.com

Do not hesitate to be in touch should you have any questions to CNEA@theex.com or by phone to 416-263-3841 including requesting competencies, skills and expertise sought by the CNEA, opportunities to volunteer and get involved in the CNEA and Member Organization / Member Appointee benefits.

Let's go to the Ex!

Enclosures:

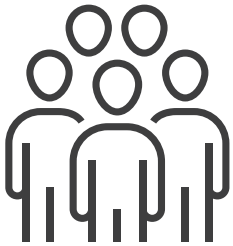
- Further Information about the CNE Association
- Notice of Appointment Form – to be completed only for new appointees to represent your organization.
- 2023 Association member benefits infographic (to be updated for the annual meeting).

**Elections to the Board are only applicable for Section 2, 3 and 4.*

Section 1/Municipal section appointees to the CNEA Board are set in the CNEA Act and appointed by the City of Toronto Council.



Association Member Benefits



Networking Events

At least one during the CNE



2 CNE Credential Passes*
PLUS save up to 43%
on CNE tickets



FREE room space
for small meetings

Subject to availability



Showcase your organization

at the CNE for a day



FREE Kids Passes**

13 years of age or younger
Upon request

Community Passes

Partner to allocate community
passes for distribution**

Suggest new member organizations to be invited to join the CNEA

Subject to approvals

15% off

CNE Merchandise*



Withrow Common
Gallery event space
Rental at discounted rate

Subject to availability
Additional services at standard prices

*For member appointees only.

**Limited quantities of hard copy tickets available. Online tickets also available, restrictions apply.

CNEA Membership Pillars



Municipal



Manufacturers
& Industry



Agriculture



General &
Liberal Arts



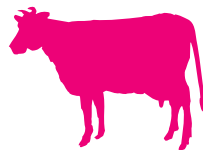
Maximum of **159 members** plus Past Presidents

CNE Facts



1,085

Entertainers &
Performers



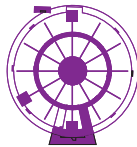
100

Farm
Animals



114

Midway
Games



56

Midway
Rides



18

Day Esport &
Gaming Event



7

CNE Stages
Featuring Music



3

Food Truck Festivals



144 years of history

Our Visitors

Total 2022
Attendance

1.556 Million



Male

42%



1%

Non-
Binary



Female

57%



\$142.2 Million
Economic Impact on the
Province of Ontario



FURTHER INFORMATION ABOUT THE CNE / CNEA
ENCLOSURE TO THE MEMBER ORGANIZATION APPOINTMENT LETTER

Member Benefits & Opportunities

Your organization can help shape the future of the CNE Association and the CNE event as a Member Organization and through your Member representative “Appointee”.

Your **representative Appointee** will:

- receive CNE (the ‘Ex’) event admission credentials and be able to provide feedback on the CNE event
- receive regular CNE newsletter communication updates
- be eligible to run for election to the CNEA Board of Directors or CNEA Executive positions (exception: municipal section / section 1 of the association)
- participate on CNEA Committees, Sub-Committees and Task Forces
- attend and vote at CNEA Annual Meeting(s)
- be invited to attend CNEA member engagement & networking events
- receive corporate CNE discounts for the Ex and/or other associated events or partnerships
- receive other CNEA Member benefits that are offered
- help be a CNE champion/ambassador

As a **CNEA Member**, your organization will:

- be invited to showcase your organization free of charge during the Canadian National Exhibition fair (in late summer) at the CNEA Membership Booth. A separate communication will be sent regarding this benefit. Please note that the establishment of the booth is dependent on sufficient demand by Member Organizations. Reservations for the booth are taken on a first come, first serve basis.
- receive regular CNE newsletter communication updates
- receive corporate CNE discounts for the Ex admission tickets and/or other associated events or partnerships
- be offered an opportunity to coordinate community tickets for communities-in-need associated with your organization
- be invited to attend CNEA networking events e.g., exhibits or speakers
- receive other CNEA Member benefits that are offered

**CNEA membership benefits are dependent on factors including but not limited to the CNEA’s ability to offer various benefits and invitations to events.*

Annual Meeting(s) & Appointee Attendance

There is at least one general meeting for the CNEA Membership each year. Please take note of the meeting details and meeting attendance requirements.

The CNEA By-Laws Article VI, Section 6.5 states:

Every Member and Member organization's representative appointed by an association, society or other body is expected to attend in person the Annual Meeting and any Special Meetings of the Association. If a Community-at-Large Member or an organization's representative fails to attend at least one-half of the meetings over a four-year period, the Community-at-Large Member or the association, society or other body must submit a letter of explanation to the Corporate Secretary for consideration by the Executive Committee. The Executive Committee shall review the explanation and determine whether the representative of the association, society or other body will be permitted to continue as that Member's representative, or the Member will be asked to appoint a replacement representative. Alternatively, the Executive Committee may recommend to the Board the removal of the association, society, or other body as a Member of the CNEA. In the case of a Community-at-Large Member, the Executive Committee may accept the explanation and retain the Member's status or recommend to the Board the removal of the Community-at-Large Member. The Board shall make the final decision on any removal recommendations.

The CNEA Membership organization appointees are invited to attend the Annual Meeting and vote on the Board elections and any other matters brought forward for a vote. Additional representatives from each CNEA Member Organization are welcome to attend but are requested to RSVP and do not have voting rights. There are no proxy votes.

Governance Structure

The CNE is governed by the Canadian National Exhibition Association (CNEA), a not-for-profit and an Agricultural Society without share capital incorporated by a Special Act of the Legislature of Ontario. The CNEA and its volunteer Board of Directors operate under the jurisdiction of both this provincial act, *An Act respecting the Canadian National Exhibition Association*, and the *Agricultural & Horticultural Organizations Act of Ontario*.

CNEA Strategic Plan

In 2017, the CNEA initiated a strategic planning process to set out a direction for the organization. The plan set a path on exploration of programming and revenue diversification for the CNEA, while respecting its roots as an agricultural society, showcasing the organization's history with and continued commitment to the promotion of innovation, and striving to be best in class in all aspects of governance and management. The 2017 Strategic Plan is outdated. A 2024 Strategic Plan is near completion and would be rolled out at the annual meeting. The 2017 Strategic Plan included the following:

Vision: Inspiring Canadians. Creating memories.

Mission: To enrich our community by celebrating the past, showcasing the present, and promoting the future.

Values: Fun, respect, stewardship, accountability, embrace learning and innovation, loyal to our history and traditions, client focused excellence, inclusivity, diversity, accessibility and reconciliation.

Board of Directors: Elections and Eligibility

Each Member Organization 'Appointee' is eligible to nominate or be nominated as a Director of the CNEA Board of Directors (with the exception of those in the municipal section of the membership who are appointed, per the CNEA Act & By-Laws).

Further information about structure, eligibility and election process will be communicated directly to all new and returning CNE Association Member Appointees in the lead up to Board elections to take place at the Annual Meeting (currently held in the spring of each year).

Governance changes forthcoming

The Board has approved governance changes in order to modernize the organization through the CNEA Act. These changes are yet to be effective as they need to be presented and approved through the Ontario private legislation process with the final step, approval by the Provincial Legislature. Communications will be rolled out to membership when applicable.

Mandate

CNEA objects are expressly referred to in the CNEA Act. The objects are broadly defined to include exhibitions established either permanently or periodically for the promotion of industries, arts, and science generally. The Act lists a number of express activities including activities related to animals, vegetables, and minerals; activities related to products, wares, goods, merchandise, machinery, inventions and processes of manufacture; paintings and statuary; livestock competitions; and such other exhibitions that support the objects defined under the Act. Building upon the list of exhibition activities, the CNEA Act also highlights entertainment and amusement authorizing exhibition by means of music, shows or other attractions. The Association is given typical corporate powers to enter into contracts, own or lease property, develop grounds, etc. to facilitate such exhibitions. It is also expressly authorized to lease to third parties to facilitate the holding of exhibitions. An umbrella clause provides the Board with the authority to "do such other matters and things as will be in conformity with the objects and purposes of the Association".

Under the CNEA Act, the CNEA is deemed to be an "agricultural society" that is subject to the Agricultural and Horticultural Organizations Act ("AHOA"). Section 28 of that Act describes the objects of an agricultural society, which include encouraging awareness of agriculture and improving the quality of life of persons living in agricultural communities by:

- Conducting research and develop supporting agricultural programs
- Staging agricultural exhibitions
- Conserving natural resources
- Beautifying agricultural communities
- Conducting activities and providing facilities to enrich rural life
- Conducting or promoting horse racing

The Agricultural & Horticultural Organizations Act of Ontario objects also include matters such as eradication of pests and encouraging youth involvement in agricultural activities.

Highlights of the annual CNE Event Program include:

- Entertainment
- Concerts
- The Farm
- Food
- Shopping
- Rides
- Games
- Kids' World programming
- Exhibits
- Park Entertainers & interactive experiences
- CNE Gaming Garage
- A three-day Air Show (on Labour Day Weekend)

Stay In Touch

The CNE website is www.theex.com and more about the governance structure and Board can be found here: <https://www.theex.com/our-organization/> .

You are encouraged to keep in touch and help get the word out about the CNE by connecting with us online on the various social media channels:

Facebook: <https://www.facebook.com/TheEx>
X: <https://twitter.com/letsgototheex>
Instagram: <https://www.instagram.com/letsgototheex/>
YouTube: <https://www.youtube.com/user/CNEToronto>
TikTok: <https://www.tiktok.com/@letsgototheex>

Additional contacts in your organization can request to be added to the CNEA e-newsletter communications with a request to the Corporate Secretariat.

As of April 2024.