



The Regional Municipality of Durham COUNCIL INFORMATION PACKAGE

Friday, May 24, 2024

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

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1. Information Reports	
1.1 2024-INFO-37 Commissioner of Planning and Economic Development	5
<ul style="list-style-type: none">• Quarterly Report - Commissioner's Delegated Planning Approval Authority, and Summary of Planning Activity in the first Quarter of 2024	
1.2 2024-INFO-38 Commissioner of Planning and Economic Development	26
<ul style="list-style-type: none">• Monitoring of Growth Trends	
2. Early Release Reports	
There are no Early Release Reports.	
3. Confidential Reports Authorized for Release	
There are no Confidential Reports.	
4. Staff Correspondence	
There is no Staff Correspondence.	
5. Durham Municipalities Correspondence	
There are no Durham Municipalities Correspondence.	
6. Other Municipalities Correspondence/Resolutions	

6.1	Lanark Highlands	31
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on April 23, 2024, in support of the resolution by the Town of Cobourg regarding the request to the Province to amend the blue box regulation 	
6.2	Town of Deep River	35
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on April 24, 2024, in support of the resolution by the County of Renfrew regarding Rural and Small Urban Municipalities - Affordability of Water and Wastewater Systems 	
6.3	City of Welland	39
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 7, 2024, in support of the resolution by the City of St. Catharines regarding Provincial Regulations Needed to Restrict Keeping of Non-native (“exotic”) Wild Animals 	
6.4	Municipality of Casselman	40
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 7, 2024, regarding a concern and opposition to the proposed regulatory changes under the Conservation Authorities Act 	
6.5	Town of Bradford West Gwillimbury	42
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 7, 2024, regarding Public Health Ontario Labs and the Phasing Out of Free Well Water Testing 	
6.6	Township of Georgian Bay	44
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 13, 2024, calling on the Ontario and Federal Government to implement sustainable infrastructure funding for small rural municipalities 	
6.7	Township of Larder Lake	46
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 14, 2024, in support of the resolution by the Township of North Glengarry regarding a request to the province to amend the blue box regulation for ineligible sources 	

6.8	Township of Larder Lake	48
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 14, 2024, regarding Provincial Regulations Needed to Restrict Keeping of Non-native (“exotic”) Wild Animals 	
6.9	Township of Lake of Bays	50
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 14, 2024, regarding a request for Royal Assessment of Administrative Monetary Penalty System in the Ontario Building Code Act 	
6.10	Township of Amaranth	51
	<ul style="list-style-type: none"> • Resolution passed at their Council meeting held on May 15, 2024, regarding Public Health Ontario Labs and the Phasing Out of Free Well Water Testing 	
7.	Miscellaneous Correspondence	
7.1	Enbridge Gas Inc	53
	<ul style="list-style-type: none"> • Correspondence dated May 2024 re: Update on the ongoing activity regarding Enbridge Gas’ rate rebasing application and the Government’s introduction of the Keeping Energy Costs Down Act 	
7.2	Linda Gasser and Wendy Bracken, Durham Residents	54
	<ul style="list-style-type: none"> • Correspondence dated May 22, 2024, Requesting an Update Report on the Durham York Energy Centre (DYEC) Throughput Capacity Increase to 160,000 Tonnes per Year 	

8. Advisory / Other Committee Minutes

There are no Advisory/Other Committee Minutes

Members of Council – Please advise the Regional Clerk at clerks@durham.ca, if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised not later than noon the day prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

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The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2024-INFO-37
Date: May 24, 2024

Subject:

Quarterly Report - Commissioner's Delegated Planning Approval Authority, and Summary of Planning Activity in the first Quarter of 2024.

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 The Region's Commissioner of Planning and Economic Development has been delegated the authority to approve certain area municipal official plan amendments in all area municipalities, as well as subdivisions, condominiums, and part lot control exemption by-laws in the Townships of Brock, Scugog, and Uxbridge. This report summarizes actions taken under this delegated authority between January 1 and March 31, 2024 (Q1).

2. Previous Reports and Decisions

2.1 Reports on planning activity and how the delegated planning approval authority is used by the Commissioner is presented at the end of every quarter.

3. Commissioner's Approval of Area Municipal Plan Amendments

3.1 Prior to the adoption of an area municipal official plan amendment by a local Council, a draft is forwarded to the Region for review and a determination as to whether it affects a matter of Regional interest, including conformity with Provincial

Plans, consistency with the Provincial Policy Statement and conformity with the Regional Official Plan (ROP). If it is felt the draft amendment deals with matters of Regional significance, it is subject to approval by the Commissioner of Planning and Economic Development. If the area municipal official plan amendment does not trigger a matter of Regional interest, then approval would rest with the area municipality.

3.2 In the first quarter of 2024, the Planning Division received two area municipal official plan amendment applications. The received applications are exempt from Regional approval, as follows:

- In the Town of Whitby, application **OPA 2024-W/02 proposes** a site-specific amendment to increase the permitted density on the lands located in Port Whitby from 300 units per hectare (uph) to 1025 uph. The amendment will facilitate the development of four residential towers containing approximately 1,639 apartment residential dwelling units and shared podium which includes commercial floor space. Staff are also reviewing the following applications in conjunction with the related subdivision application S-W-2024-01 and zoning application Z-03-24.
- In the Town of Whitby, application **OPA 2024-W/03** proposes a site-specific amendment located within the west Whitby community, west of Des Newman Boulevard at Woodrow Court. The application proposes to increase the maximum permitted building height on the subject lands from four storeys to six storeys to facilitate a six-storey hotel in the Town of Whitby. Staff are also reviewing this application in conjunction with the related zoning application Z-05-24.

3.3 The Commissioner is the approval authority for proposed plans of subdivision and condominium in the three northern Townships. In the first quarter of 2024, the Planning Division did not receive any subdivision or condominium applications.

4. Commissioner's Approval of Part-Lot Control Exemption By-laws

4.1 The Commissioner is the approval authority for part-lot control exemption by-laws in the three northern Townships. In the first quarter of 2024, the Planning Division did not receive any Part- Lot Control applications.

5. Region's Review of Planning Applications

5.1 Regional staff review planning applications circulated from the area municipalities to ensure conformity with the ROP, other Regional policies, and Provincial plans and policies. The Planning Division coordinates comments from other Regional Departments and responds to the area municipalities on the following planning matters:

- Area Municipal Official Plan amendment applications;
- Delegated plans of subdivision and condominium, and part-lot control exemption by-laws;
- Zoning By-law amendment applications; and
- Select minor variance applications.

5.2 Planning Division staff also provide coordinated comments on Land Division applications circulated to the Region by the area municipalities.

5.3 Attachment 1 provides a numeric summary of Regional staff's review of planning applications across the Region.

6. Regional Council's Approval of Applications to Amend the Durham Regional Official Plan

6.1 Regional Council is the approval authority for applications to amend the Regional Official Plan.

6.2 As of March 31, 2024, there were 13 ROPA applications under consideration (refer to Attachment 2 which includes a chart and maps). In the first quarter of 2024, one new ROPA application was received.

6.3 In the Township of Uxbridge application ROPA 2024-001 was received to permit an aggregate pit expansion consisting of a licensed area of approximately 17.9 ha. The proposed extraction area within the expansion area will be approximately 15.4 ha and will include extraction above and below the water table.

7. Appeals to the Ontario Land Tribunal (OLT)

7.1 Four Land Division applications are currently before the OLT (Refer to Attachment 3A)

7.2 Five non-exempt area municipal official plan amendment applications are currently before the OLT (Refer to Attachment 3B).

8. Reserved Street Names

8.1 The Planning Division coordinates street naming in the Region. Street names are reviewed by the Region in consultation with Durham Regional Police Services, primarily from a public safety standpoint, to avoid the use of similar sounding street names. The Region does not assess whether the proposed street names may, or may not be, in good taste. Street names that are viewed as not being in conflict or duplicative with existing street names are included in a street name reserve list for each area municipality. In the first quarter of 2024, the Region did not receive any new street name requests (Refer to Attachment 4).

9. Regional Woodland By-law Permit Applications

9.1 The Planning Division coordinates Good Forestry Practice permits and Clear-Cutting Permits in woodlands across the Region that are one hectare in size and greater. Good Forestry Applications are reviewed in consultation with the Region's Tree By-law Officer, the applicable area municipality and the applicable conservation authority. The Commissioner of Planning and Economic Development also approves minor clear-cutting permits, and Council is the approval authority for major clear-cutting permits (1 hectare or more in size). During the first quarter of 2024, one new Good Forestry Practice permit applications was received.

10. Relationship to Strategic Plan

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

- a. Service Excellence – To provide exceptional value to Durham taxpayers through responsive, effective, and fiscally sustainable service delivery.

11. Attachments

Attachment #1: Summary of Regional Review of Planning Applications

Attachment #2: Summary and Maps of Regional Official Plan Amendment applications currently being processed or before the Ontario Land Tribunal

Attachment #3A: Non-Exempt Area Municipal Planning Applications before the Ontario Land Tribunal

Attachment #3B: Land Division Applications before the Ontario Land Tribunal

Attachment #4: Summary of Reserved Street Names

Respectfully submitted,

Original signed by

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

**Regional Review of Planning Applications –
Summary January 1 to March 31, 2024**

Area Municipal Official Plan Amendments

Received	2
Commented	2

Delegated Subdivisions & Condominiums (Lakeshore Area Municipalities)

Received	9
Provided Comments & Conditions of Draft Approval	5
Cleared Conditions of Draft Approval	0

Non-Delegated Subdivisions & Condominiums (Northern Municipalities)

Received	0
Provided Draft Approval	0
Issued Final Approval	0

Non-Delegated Part Lot Control

Received	0
Commented	0
Approved	0

Zoning By-laws Amendments

Received	17
Commented	8

Consents

Received	30
Commented	30

Good Forestry Practice and Clear-Cutting Applications

Received	1
Issued	1

**Regional Official Plan Amendment applications currently being processed, or
before the Ontario Land Tribunal (OLT) (as of March 31, 2024)**

OPA file	Council/ standing committee correspondence	Applicant/ Location	Proposed amendment
1. 2000-003	2000-273	Town of Ajax (South of Bayly St., East of Church St.)	To delete a Type C Arterial Road (Deferral #3 to the Town of Ajax Official Plan). Status: ROPA #171 maintained the Clements Road connection in the ROP. Planned studies related to development and the widening of Bayly Street will re-examine the connection.
2. 2005-009	SC-2005-66	Loblaw Properties Ltd. Lots 3 & 4, Conc. 1 Town of Ajax (South of Achilles Rd., East of Salem Rd.)	To delete a Type C Arterial Road. Status: ROPA #171 maintained the Shoal Point Road extension, north of Bayly Street in the ROP. Final disposition of this file is pending.
3. 2005-011	SC-2005-68	Brooklin Golf Club Limited Lots 21 to 25, Conc. 8 Town of Whitby (South of Myrtle Rd., West of Baldwin St.)	To permit two 18-hole golf courses and a resort/ conference centre in the Prime Agricultural designation (formerly Permanent Agricultural Reserve). Status: Awaiting further technical studies from the applicant.

OPA file	Council/ standing committee correspondence	Applicant/ Location	Proposed amendment
4. 2016-003		<p>Clara and Nick Conforti – Optilinx Systems Lot 21, Conc. 4 Town of Whitby (Thickson Rd. between Taunton Rd. East and Conlin Rd.)</p>	<p>To permit the continuation and expansion of a contractor’s yard and office in the Major Open Space designation.</p> <p>Status: Application appealed on December 12, 2019. Regional position in opposition to the amendment endorsed by Council on July 29, 2020. An OLT Case Management Conference was held September 7, 2021. The appeals were dismissed at the OLT hearing held on April 4, 2022. The applicant has since submitted a leave to appeal the OLT decision with the Ontario Divisional Court. The May 20, 2022 was adjourned. A motion to dismiss the appeal is to be scheduled by the Ontario Divisional Court.</p>
5. 2021-002		<p>Sunrise International Investments Inc. Lot 4, Concession 5 City of Pickering (3695 Sideline 4)</p>	<p>To permit the redevelopment of the existing 12-hole golf course to a 9-hole golf course, a clubhouse with banquet facility, golf dome for indoor driving range, and a maintenance structure.</p> <p>Status: Awaiting a revised application from the Applicant. Application is on hold until it is received.</p>

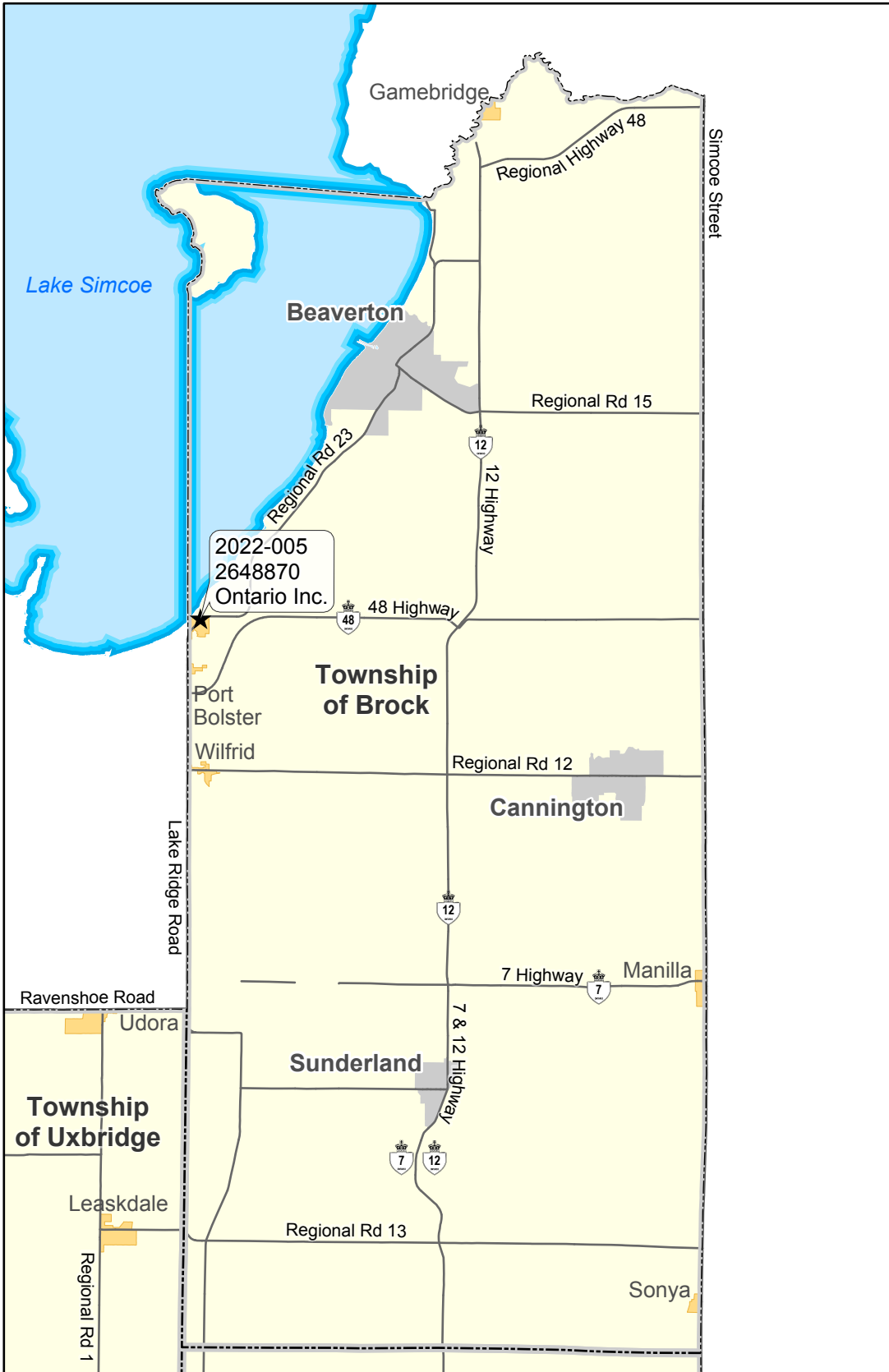
OPA file	Council/ standing committee correspondence	Applicant/ Location	Proposed amendment
6. 2021-003		Region of Durham. Various sites in proximity to existing and planned GO Rail stations.	<p>To implement Protected Major Transit Station Area policies and delineations as a component of the Region’s municipal comprehensive review.</p> <p>Status: Regionally adopted ROPA 186 was submitted to MMAH for approval in January 2022.</p>
7. 2021-005		Bridgebrook Corp. Lot 33, Con 6, Township of Uxbridge (7370 Centre Road)	<p>To redesignate the subject lands from Special Study Area #6 to Living Areas to allow a plan of subdivision.</p> <p>Status: The OLT decision was received on April 4th, 2024. As a result, the ROP is amended by deleting Special Study Areas 5 and 6 and introducing Specific Policy Area D thereby allowing residential development on the subject lands should servicing capacity become available.</p>
8. 2021-006		Winchcoron Holdings Limited Lot 30, Con 5, Town of Whitby (605 Winchester Road West)	<p>To develop a golf course expansion</p> <p>Status: Public meeting was held on September 7, 2021. Decision meeting to be scheduled.</p>
9. 2022-002		Norman Clements Township of Uxbridge Lot 15, Concession 4 (10899 Concession Road 4)	<p>To permit the severance of a non-abutting surplus farm dwelling.</p> <p>Status: Statutory Public Meeting was held June 7, 2022. Decision meeting to be scheduled.</p>

OPA file	Council/ standing committee correspondence	Applicant/ Location	Proposed amendment
10.2022-005		2648870 Ontario Inc. Township of Brock Lot 1, Concession 14 (23801 Thorah Park Boulevard)	<p>To permit the development of a resort comprised of a three-storey building with 42 suites and four single-storey “villas” for a total of 46 rental units.</p> <p>Status: Public Meeting held January 10, 2023. Decision meeting to be scheduled.</p>
11.2023-001		Bethesda Ridge Farms, Municipality of Clarington, Part of Lot 8, Concession 6 (2774 Sixth Concession)	<p>To permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties.</p> <p>Status: Decision meeting was held on March 5, 2024. Appeal period ended April 22, 2024</p>
12.2023-002		Thornlea Holsteins Ltd. Municipality of Clarington Part Lot 1, Concession 5 (4854 Concession Road 5)	<p>To permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties.</p> <p>Status: Decision meeting held on April 4, 2024. Appeal period will end May 15, 2024</p>
13.2024-001		Lafarge Canada Inc. Township of Uxbridge Part Lot 20, Concession 3 (4900 Concession Road 4 Uxbridge)	<p>To permit an aggregate pit expansion consisting of a licensed area of approximately 17.9 ha. The proposed extraction area within the expansion area will be approximately 15.4 ha and will include extraction above and below the water table.</p> <p>Status: Public Meeting scheduled for June 4, 2024</p>



Regional Official Plan Amendments (ROPAs) Township of Brock

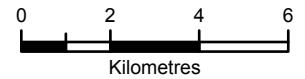
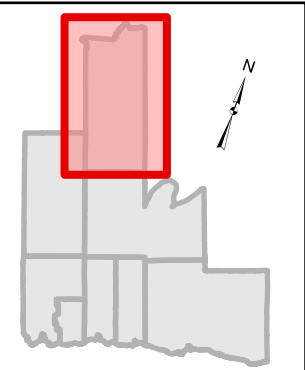
As of March 31, 2024



ROPA Locations

- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ Appealed to OLT
- ⊛ Approved
- Regional Official Plan Urban Area
- Hamlet
- ▭ Municipal Boundary
- 12— Provincial Highway
- 48— Regional Highway
- 5— Regional Road
- Local Road

REGIONAL MAP INDEX



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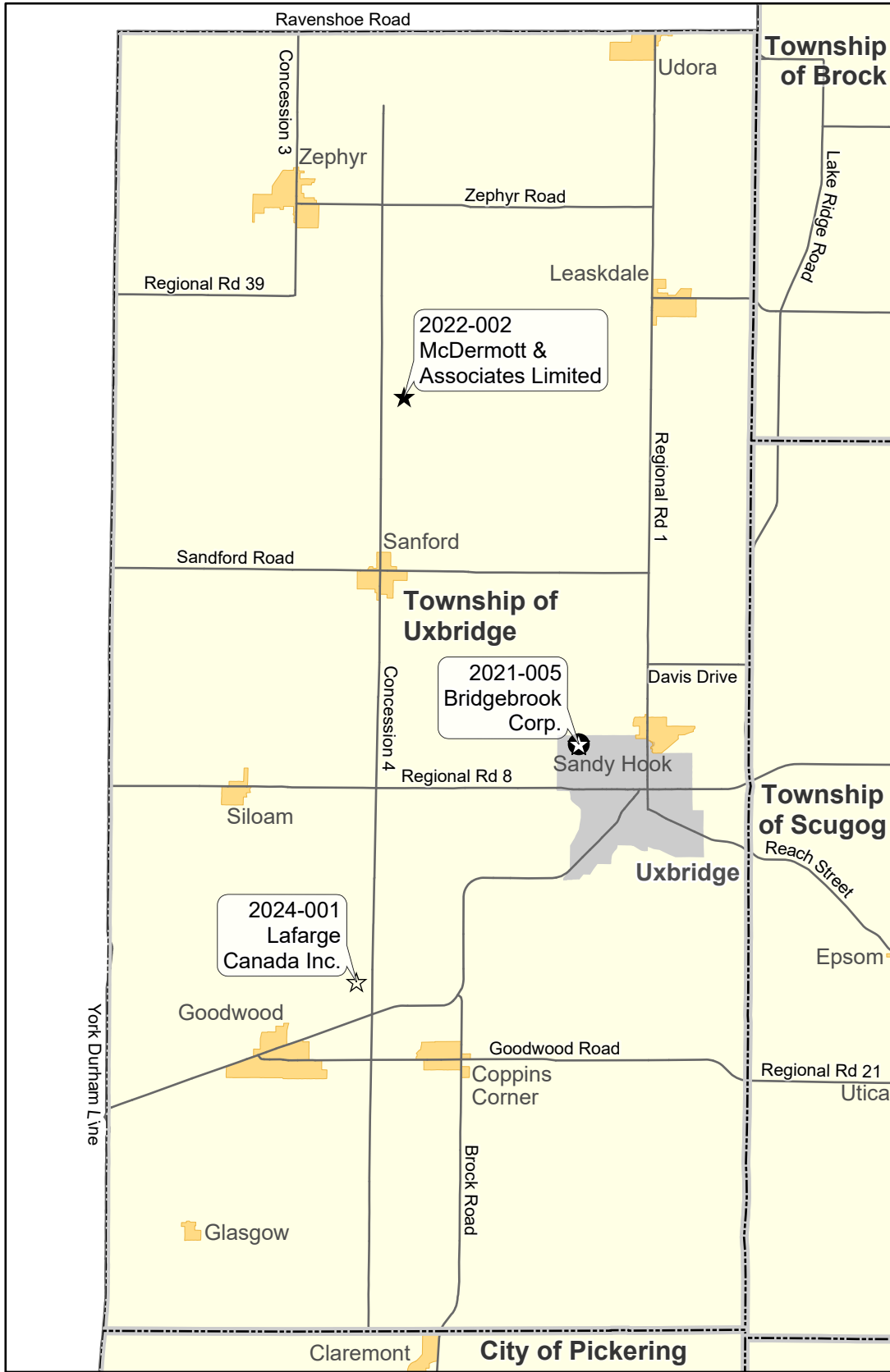
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Regional Official Plan Amendments (ROPAs) Township of Uxbridge

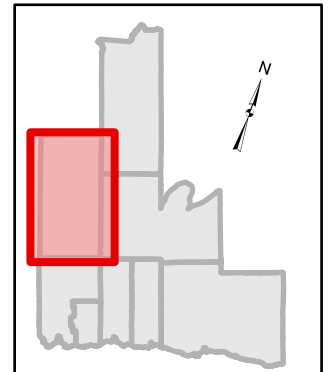
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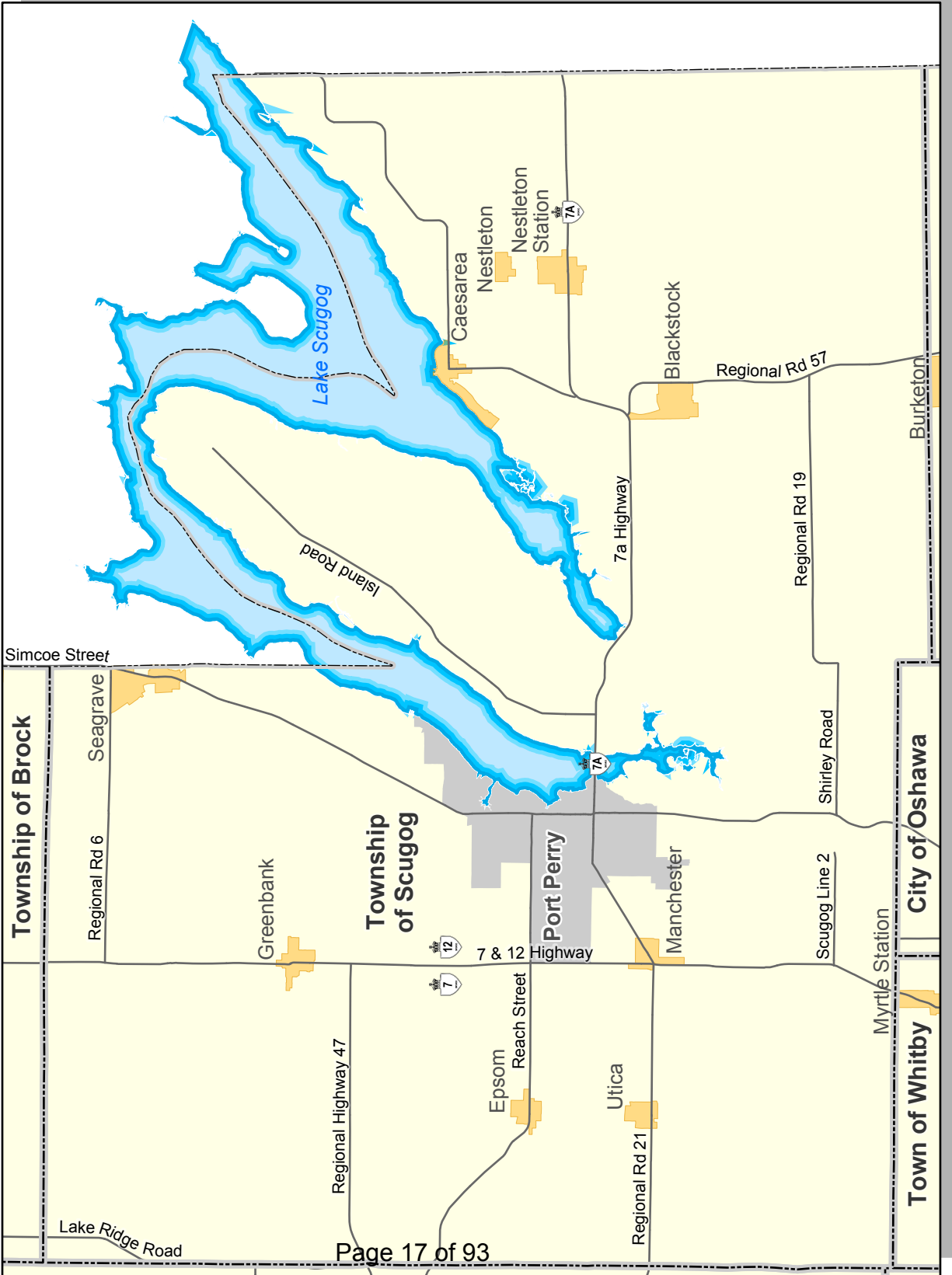




Regional Official Plan Amendments (ROPAs)

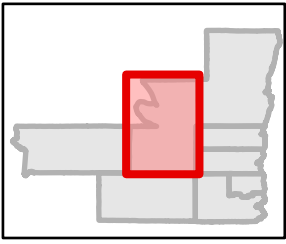
Township of Scugog

As of March 31, 2024 there are no active ROPA applications in the Township of Scugog



ROPA Locations	
☆	New Application
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⊗	Refused/Withdrawn
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⊙	Approved
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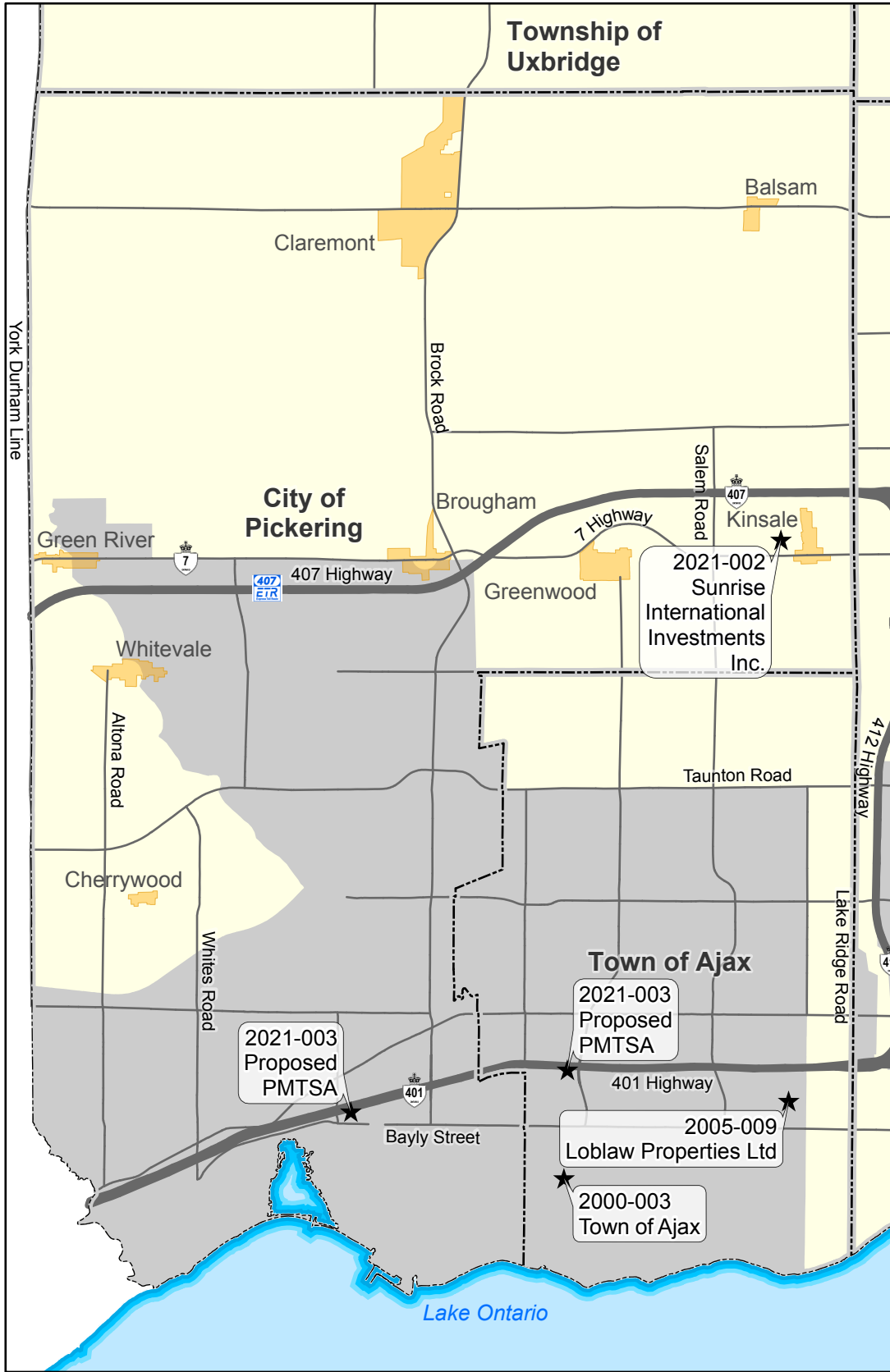
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Regional Official Plan Amendments (ROPAs) City of Pickering - Town of Ajax

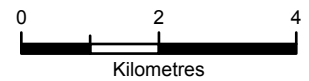
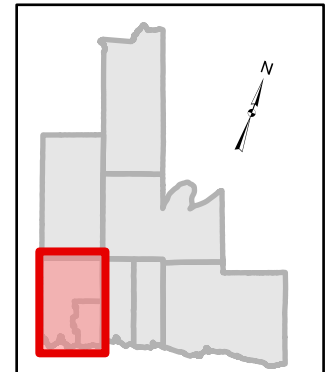
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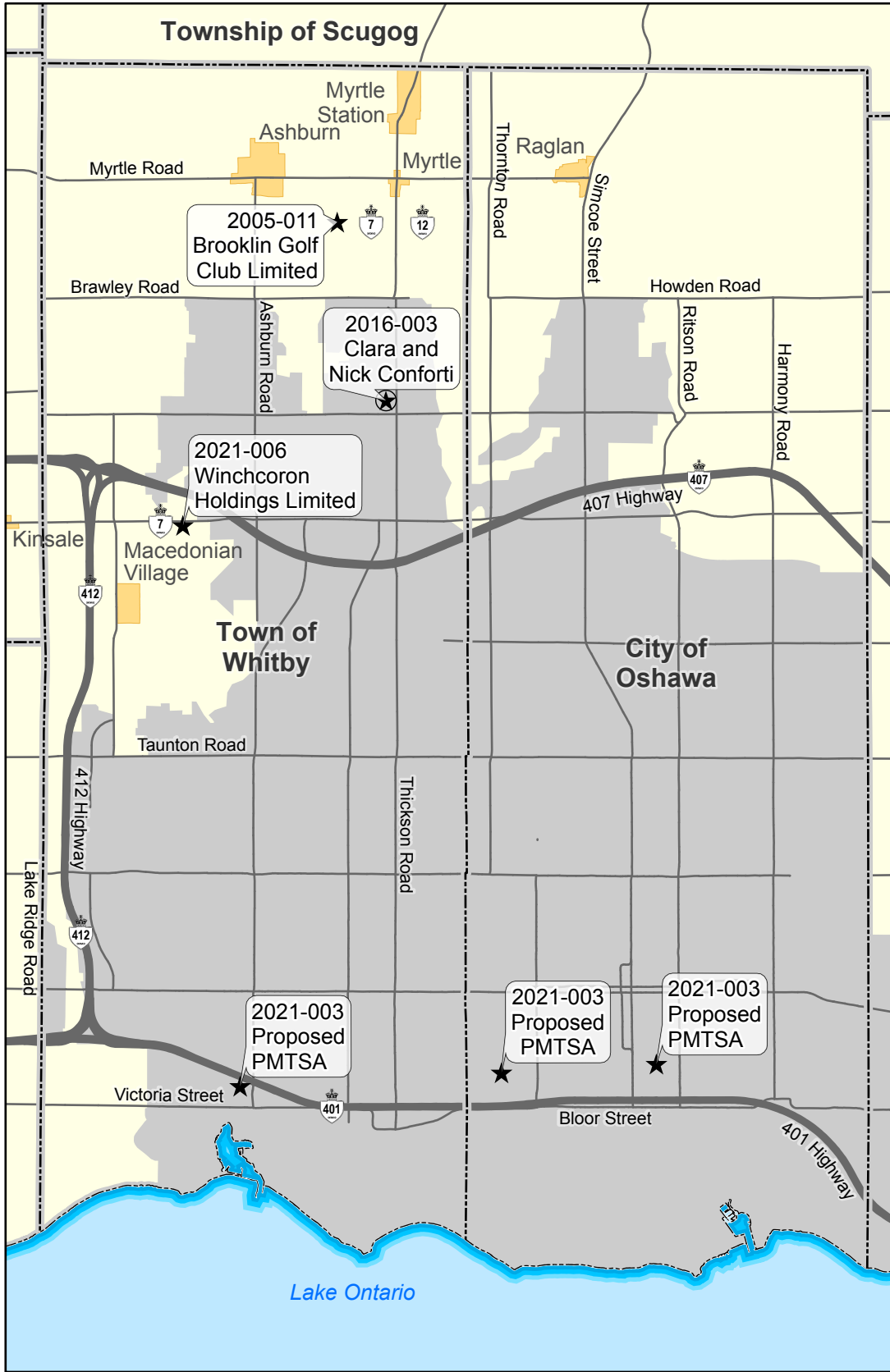
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Regional Official Plan Amendments (ROPAs) Town of Whitby - City of Oshawa

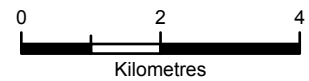
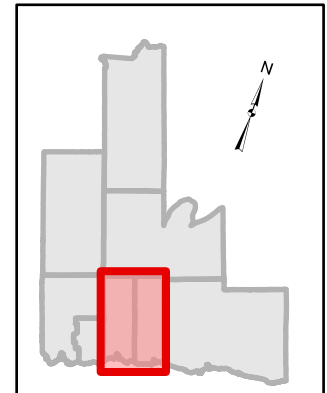
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Regional Official Plan Amendments (ROPAs)

Municipality of Clarington

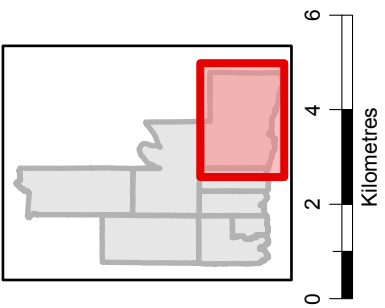
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**Non-Exempt Area Municipal Planning Applications Under Appeal Before the
Ontario Land Tribunal (As of March 31, 2024)**

Regional File No./OLT Case No.	Applicant	Municipality	Purpose	Status
OPA 66 OLT-22-002958 &OLT-22-002959	Bridgebrook Corp.	Township of Uxbridge	To redesignate the lands at 7370 Centre Road from Future Residential Area to Residential.	Applicant appealed to the Township of Uxbridge's failure to make a decision on March 16, 2022. This application is related to ROPA 2021-005. The OLT decision was received on April 4 th , 2024. As a result, the ROP is amended by deleting Special Study Areas 5 and 6 and introducing Specific Policy Area D thereby allowing residential development on the subject lands should servicing capacity become available.
COPA 2020-003 OLT-22-004850	Wasser and Yassim Philobes	Municipality of Clarington	Appealing the low-density designation on specific parcel of land to permit a higher density use. Appealed various policies and sections of the Southwest Courtice Secondary Plan.	

Regional File No./OLT Case No.	Applicant	Municipality	Purpose	Status
OPA 20-004/P (OPA 38) OLT-22-004770	City of Pickering	City of Pickering	To add new policies and change existing policies and land use designations to the Pickering Official Plan to enable the redevelopment and intensification of the Kingston Road Corridor and Specialty Retailing Node, and to identify required infrastructure improvements and transportation connections throughout the area in support of anticipated population and employment growth.	The second Case Management Conference was held May 26, 2023, a third Case Management Conference was scheduled for July 28, 2023. The matter has been adjourned with no new date set. All the parties have indicated that their appeals will be site specific, and the City is working with the parties on next steps on how to proceed with the scoped appeals.
COPA 2022-0003, OLT-23-000308	VAD Retail Limited	Municipality of Clarington	Appealing failure of the Municipality of Clarington to make a decision within 120 days on the applicant's applications to permit a townhouse and seniors housing campus.	OLT hearing date scheduled for August 12, 2024.

Regional File No./OLT Case No.	Applicant	Municipality	Purpose	Status
OPA 2020-W/03 OLT 24-000115	Town of Whitby	Town of Whitby	The Amendment updates the Secondary Plan for the Downtown Whitby Area. It provides a vision and detailed objectives, updated development policies and land use designations for the Secondary Plan Area. The Secondary Plan will guide future growth and development in the Downtown Whitby area.	acknowledgement letter from the OLT was received on January 31, 2024. No case management conference has been scheduled to date.

**Regional Land Division Committee Applications Currently Before the Ontario
Land Tribunal (as of March 31, 2024)**

Regional File No./OLT Case No	Applicant	Municipality	Purpose	Status
LD 041/2023 OLT-23-001036	Brundale Fine Homes Ltd.	Township of Uxbridge	The purpose of this application is to sever a 835.60 m ² residential parcel of land, retaining a 835.64 m ² residential parcel of land. Existing dwelling is to be demolished.	Application was appealed to the OLT on August 3, 2023. Hearing date was scheduled for January 11, 2024.
LD 086/2023 OLT-24-000134	Mitch Morawetz	Municipality of Clarington	The purpose of the application is to sever a vacant 2,020 m ² agricultural parcel of land, retaining a 118.03-hectare agricultural parcel of land with an existing dwelling and a shed.	Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters.
LD 087/2023 OLT-24-000134	Mitch Morawetz	Municipality of Clarington	The purpose of the application is to sever a vacant 3.33-hectare agricultural parcel of land, retaining a 114.7-hectare agricultural parcel of land with an existing dwelling and a shed.	Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters.
LD 088/2023 OLT-24-000134	Mitch Morawetz	Municipality of Clarington	The purpose of the application is to sever a vacant 72.5-hectare agricultural parcel of land, retaining a 42.2-hectare agricultural parcel of land with an existing dwelling and a shed.	Applications were appealed to the OLT on December 31, 2023. Merit Hearing was on April 12, 2024. The parties are currently in discussions to resolve matters.

Summary of Reserved Street Names (As of March 31, 2024)

Municipality	Number of New Street Names Added in third Quarter of 2023	New Street Names Added*	Total Number of Street Names Reserved
Ajax	0		318
Brock	0		45
Clarington	0		655
Oshawa	0		465
Pickering	0		659
Scugog	0		218
Uxbridge	0		153
Whitby	0		478
Total	0		2,977

* At this point in time not all suffixes have been assigned.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2024-INFO-38
Date: May 24, 2024

Subject:

Monitoring of Growth Trends, File: D01-02-01

Recommendation:

Receive for information

Report:

1. Purpose

- 1.1 This report is the first of two biannual reports monitoring growth trends in Durham. It presents historical population and household data for the Region and area municipalities for the 2019 to 2023 period.
- 1.2 The data is provided for the end of May to correspond with the timing of a Census and for December. Information presented in this report is intended for use in various Regional background studies and programs as well as other agency initiatives.

2. Previous Reports and Decisions

- 2.1 Monitoring of Growth Trends ([2023-INFO-51](#))
- 2.2 Monitoring of Growth Trends ([2023-INFO-102](#))

3. Historical population and household estimates (2019-2023)

3.1 The population and household estimates presented in Attachment 1 are based on:

- Statistics Canada Census information for 2016 and 2021 including an estimate for net undercoverage¹;
- Statistics Canada Annual Demographic Estimates that are published on the Durham Region Population [Data Tracker](#)²;
- Canada Mortgage and Housing Corporation (CMHC) monthly housing completion data; and
- Building permits issued for residential demolitions.

3.2 Base-year household estimates are founded on information from the Statistics Canada Census. Household estimates for 2016 and 2021 are based on the Statistics Canada Census counts for “Private dwellings occupied by usual residents”.

3.3 For interim years, CMHC housing completions are used to approximate the number of new households added each year. Housing completions are also the basis for estimating population growth where population estimates are not available from Statistics Canada³.

3.4 The Statistics Canada Annual Demographic Estimates are calculated from federal records for births, deaths, immigration and emigration. The Health Department receives data from the Ministry of Health and Long-term Care that based on the same Statistics Canada reporting, to inform their demographic analysis.

3.5 The process for estimating population and households also considers the impact of vacant homes, short-term rentals and dwellings occupied by non-permanent residents such as international students and temporary foreign workers. To account for this, household estimates are calibrated with a conservative vacancy rate (0.5%) for new residential units.

1. Net undercoverage refers to the net population counts that are missed during the Census enumeration due to persons with no usual residence, incorrect questionnaires, missed dwellings, away from home, etc.

2. For years where population estimates are not published on the Data Tracker, household growth is used to approximate the increase in population. At the time this report was prepared, population estimates since 2021 were not available through the Data Tracker.

3. Durham Regional Health Department receives population estimates from the Province, that are based on Statistics Canada’s annual population estimate for July 1st. This information is used to interpolate the population for May 31st and December 31st.

- 3.6 The semi-annual population estimates presented in Attachment 1, indicate that the Region's annual population growth increased by 9,995 persons in 2023, which is lower than the five-year average (12,390). The growth rate last year was 1.35%. Comparatively, the average annual population growth for the five-year period from 2019 to 2023 was 1.73%.
- 3.7 The semi-annual household estimates presented in Attachment 1, indicate that the Region's annual household growth increased by 3,395 households from 2022 to 2023, representing a growth rate of 1.36%. Comparatively, the annual household growth for the five-year period from 2019 to 2023 was also 1.36%.

4. Relationship to Strategic Plan

- 4.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Priority 5.1 (Service Excellence) – Optimize resources and partnerships to deliver exceptional quality services and value; and
 - b. Priority 5.3 (Service Excellence) – Demonstrate commitment to continuous quality improvement and communicating results.

5. Conclusion

- 5.1 Council will continue to be kept apprised of emerging population and household data and trends through regular updates of this information.
- 5.2 A copy of this report will be forwarded to the Area Municipalities, the Durham Regional Police Services, the Ontario Health Home and Community Care Support Services (formerly Local Health Integration Network) and the School Boards in Durham.

6. Attachments

Attachment #1: Semi-annual Population Estimates, 2019-2023 and Semi-annual Household Estimates, 2019-2023.

Respectfully submitted,

Original signed by

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

Table 1
Semi-annual Population Estimates, 2019-2023 (May and December)

Year	Ajax	Brock	Clarington	Oshawa	Pickering	Scugog	Uxbridge	Whitby	Durham
2019 (May)	129,670	12,640	100,215	175,040	98,590	22,080	22,245	136,905	697,385
2019 (Dec)	130,235	12,720	101,650	176,505	99,595	22,115	22,290	138,120	703,230
2020 (May)	132,305	12,910	102,000	179,135	101,310	22,140	22,205	140,755	712,760
2020 (Dec)	132,705	12,850	102,865	179,530	103,755	22,175	22,275	142,630	718,785
2021 (May)	134,225	13,700	104,080	181,080	103,240	22,565	22,350	144,790	726,030
2021 (Dec)	134,630	13,725	105,525	182,210	103,985	22,550	22,360	147,220	732,210
2022 (May)	134,990	13,735	106,195	182,935	104,635	22,535	22,435	149,250	736,705
2022 (Dec)	135,615	13,755	107,220	185,275	105,185	22,520	22,510	151,010	743,095
2023 (May)	135,930	13,760	107,770	187,080	106,505	22,505	22,605	152,340	748,495
2023 (Dec)	136,335	13,790	108,285	188,900	106,430	22,505	22,730	154,115	753,090

Note: All figures rounded

Source: Statistics Canada Census, Annual Demographic, CMHC monthly housing completions data and building permit records.

Table 2
Semi-annual Household Estimates, 2019-2023 (May and December)

Year	Ajax	Brock	Clarington	Oshawa	Pickering	Scugog	Uxbridge	Whitby	Durham
2019 (May)	38,740	4,625	34,725	65,765	32,065	8,245	7,925	44,610	236,710
2019 (Dec)	38,910	4,640	35,180	66,330	32,380	8,255	7,945	44,975	238,620
2020 (May)	39,325	4,685	35,460	66,405	32,510	8,260	7,960	45,550	240,160
2020 (Dec)	39,450	4,785	35,730	66,595	33,215	8,275	7,990	46,110	242,140
2021 (May)	39,490	4,790	35,955	66,635	33,425	8,290	8,010	46,460	243,050
2021 (Dec)	39,610	4,795	36,455	67,050	33,665	8,285	8,010	47,240	245,110
2022 (May)	39,715	4,800	36,685	67,315	33,875	8,280	8,035	47,890	246,600
2022 (Dec)	39,895	4,805	37,040	68,175	34,055	8,275	8,065	48,455	248,770
2023 (May)	39,990	4,810	37,230	68,840	34,480	8,270	8,100	48,880	250,600
2023 (Dec)	40,110	4,820	37,405	69,510	34,455	8,270	8,145	49,450	252,170


Note: All figures rounded

Source: Statistics Canada Census, Annual Demographic, CMHC monthly housing completions data and building permit records.



May 21st, 2024

Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

 Corporate Services Department Legislative Services Division	
Date & Time Received:	May 22, 2024 9:31 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

ATTENTION: Hon. Doug Ford

Dear Premier Ford,

RE: Resolution – Request to the Province to Amend the Blue Box Regulation

Please be advised that the Council of the Corporation of the Township of Lanark Highlands passed the following resolution at their regular meeting held April 23rd, 2024:

Moved by Councillor Summers

Seconded by Councillor Kelso

THAT, the Council of the Corporation of the Township of Lanark Highlands supports the resolution of the Town of Coburg regarding the request to the Province to amend the blue box regulation;

AND THAT, a copy of the support letter be sent to the Premier of Ontario, AMO and member municipalities.

Resolved

Sincerely,



Amanda Noël,
Clerk/Acting CAO

Encls.

c.c. AMO
All Ontario Municipalities



The Corporation of the Town of Cobourg

Resolution

Honourable Doug Ford, Premier of Ontario
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Town of Cobourg
55 King Street West,
Cobourg, ON, K9A 2M2
clerk@cobourg.ca
Town of Cobourg

Delivered via email
doug.fordco@pc.ola.org
premier@ontario.ca

April 8, 2024

RE: Correspondence from the Township of Perry regarding a Request to the Province to
Amend the Blue Box Regulation

Please be advised that the Town of Cobourg Council, at its meeting held on March 27, 2024, passed the following resolution:

THAT Council receive the correspondence from the Township of Perry regarding a Request to the Province to Amend the Blue Box Regulation for information purposes; and

FURTHER THAT Council support the recommendation of the Township of Perry and send a copy of the support letter to the Premier of Ontario, AMO and member municipalities.

Sincerely,



Kristina Lepik
Deputy Clerk/Manager, Legislative Services

Enclosure.

cc. AMO
All Ontario Municipalities



Township of Perry

PO Box 70, 1695 Emsdale Road, Emsdale, ON POA 1J0

PHONE: (705)636-5941

FAX: (705)636-5759

www.townshipofperry.ca

February 26, 2024

Via Email

The Honourable Doug Ford, Premier of Ontario
Premier's Office
Room 281, Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford,

**RE: Request to the Province to Amend Blue Box Regulation for
'Ineligible' Sources**

At their last regular meeting on Wednesday February 21, 2024, the Council of the Corporation of the Township of Perry supported the following:

"Resolution #2024-52
Moved by: Paul Sowrey
Seconded by: Jim Cushman

Whereas under Ontario Regulation 391/21: Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only;

And Whereas 'ineligible' sources which producers are not responsible for include businesses, places of worship, daycares, campgrounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks;

And Whereas should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs;

Be it resolved that the Council of the Corporation of the Township of Perry hereby request that the province amend Ontario Regulation 391/21: Blue

...2

Box so that producers are responsible for the end-of-life management of recycling products from all sources;

And further that Council hereby request the support of all Ontario Municipalities;

And further that this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Khanjin, Minister of the Environment, Conservation, and Parks, the Honourable Graydon Smith, MPP Parry Sound-Muskoka, and to all Ontario Municipalities.

Carried.”

Your attention to this matter is greatly appreciated.

Sincerely,



Beth Morton
Clerk-Administrator

BM/ec

c.c. Honourable Andrea Khanjin, Minister of Environment, Conservation and Parks
Honourable Graydon Smith, MPP Parry Sound-Muskoka
All Ontario Municipalities



Phone: 613-584-2000
Fax: 613-584-3237
Email: townmail@depriver.ca
depriver.ca |  

May 16, 2024

DELIVERED VIA EMAIL

The Honourable Doug Ford
Premier of Ontario
premier@ontario.ca

Dear Premier Ford,

Please be advised that at the Regular Meeting of Council on April 24, 2024, Council of the Corporation of the Town of Deep River passed the following resolution in support of the County of Renfrew Council resolution regarding Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems:

6.1.1 Rural and Small Urban Municipalities - Affordability of Water and Wastewater Systems
Renfrew County Council

RESOLUTION 2024 117

MOVED BY: Councillor Hughes
SECONDED BY: Councillor Giardini

BE IT RESOLVED THAT the correspondence from the County of Renfrew Council regarding the affordability of Water and Wastewater Systems of rural and small urban municipalities, be received,

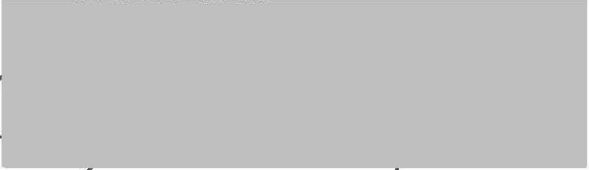
THAT Council of the Town of Deep River endorses the motion, and

THAT it be forwarded to the same persons as listed in the County of Renfrew distribution list.

CARRIED



Kind Regards,



Jackie Mellon, on behalf of the Council of the Town of Deep River
Clerk
Town of Deep River

cc: The Honourable Kinga Surma, Minister of Infrastructure
The Honourable Dominic LeBlanc, Minister of Public Safety, Democratic Institutions
and Intergovernmental Affairs
The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
The Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks
Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke
John Yakabuski, MPP, Renfrew-Nipissing-Pembroke and Parliamentary Assistant to
the Minister of the Energy
Association of Municipalities Ontario (AMO)
Rural Ontario Municipal Association (ROMA)
Federation of Canadian Municipalities (FCM)
All Ontario Municipalities



Office of the
County Warden



9 INTERNATIONAL DRIVE
PEMBROKE, ON, CANADA
K8A 6W5
613-735-7288
FAX: 613-735-2081
www.countyofrenfrew.on.ca

January 31, 2024

The Honourable Doug Ford
Premier of Ontario
premier@ontario.ca

DELIVERED VIA EMAIL

RE: Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems

Dear Premier Ford,

Please be advised that at the Regular Council Meeting on January 31, 2024, The County of Renfrew passed the following resolution:

WHEREAS the Provincial Policy Statement (PPS) (Section 1.6.6.2) states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety and that intensification and redevelopment within these settlement areas should be promoted; and

WHEREAS the PPS (Section 2.2.1 (f)) states that planning authorities shall protect, improve, or restore the quality and quantity of water by implementing the necessary restrictions on development and site alternation to protect all drinking supplies and designated vulnerable areas, and protect, improve, or restore vulnerable surface and ground water, sensitive surface water features and sensitive groundwater features, and their hydrologic functions; and

WHEREAS the PPS (Sections 2.2.1(h) and (i)) states that there is consideration of environmental lake capacity as well as stormwater management practices; and

WHEREAS the Ministry of the Environment, Protection and Conservation (MECP) Procedural Guideline B-1-5 Policy 2 provision states that water quality which presently does not meet the Provincial Water Quality Objectives shall not be further degraded and all practical measures shall be undertaken to upgrade the water quality to the Objectives; and

WHEREAS in 2014 the Township of Whitewater Region authorized Jp2gConsultants Inc. to undertake a Municipal Class Environmental Assessment (EA) for the purpose of evaluating viable options to upgrade the 1979 Cobden Wastewater Treatment Plant. This plant did not meet guidelines for effluent flow into Muskrat Lake and Cobden Wetland being highly sensitive, at-capacity, inland lake, and Provincial Significant Wetland (PSW) and acknowledged as one of

the most eutrophic in the province. The plant had ongoing seasonal overflow events, and was operating at maximum capacity; and

WHEREAS in 2018 the Council of the Township of Whitewater Region approved the construction of a new parallel mechanical system that would meet all provincial environmental and regulatory requirements including accommodating future growth. Federal and provincial contributions only covered 50% of the final construction costs, as there was no ability to renegotiate with federal and provincial partners once real costs were known. As a result, the balance of costs (\$6M) was debentured over 30 years at interest rates that are slightly punitive to rural and small urban municipalities; and

WHEREAS in 2019 the Council of the Township of Whitewater Region conducted a Water and Wastewater Rate Study that demonstrated the need for rate increases of over 100% to fund the new wastewater treatment plant construction debenture and the significantly increased operating costs for a parallel mechanical system. Rural and small urban municipalities experience very limited growth as federal and provincial policies heavily support growth in urban centers. As there are no other sources of available operational funding, rural and small urban municipalities are expected to fund the construction and operation of these state-of-the-art systems from existing property owners and nominal forecasted growth; and

WHEREAS in 2023 the Township of Whitewater Region combined water and wastewater rates have risen to almost \$3,000/year for its five hundred and eleven (511) users and are among the highest in the County of Renfrew and across the Province of Ontario. There are similarly high user rates in the Township of Madawaska Valley as a result of Provincial regulations and a small number of users. Other examples of rapidly increasing rates include the Towns of Deep River, Renfrew, Arnprior, Laurentian Hills, and Petawawa, and the Townships of Bonnechere Valley, Laurentian Valley and Killaloe, Hagarty and Richards, where significant upgrades in short periods of time are making rates unaffordable even with an increased number of users.

NOW, THEREFORE BE IT RESOLVED THAT the Council of the County of Renfrew:


Advocate to the provincial and federal levels of government to make them aware that rural and small urban water and wastewater systems are financially unsustainable; and Advocate to the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipalities Association (ROMA) and the Federation of Canadian Municipalities (FCM) to examine if the unaffordability of water and wastewater system operational costs is systemic provincially and nationally.

AND THAT a copy of this resolution be circulated to The Honourable Doug Ford, Premier of Ontario; the Honourable Kinga Surma, Minister of Infrastructure (Ontario); the Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities (Canada); the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks (Ontario), Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke, John Yakabuski, MPP, Renfrew-Nipissing-Pembroke and Parliamentary Assistant to the Minister of the Environment, Conservation and Parks; AMO; ROMA; FCM; and all Municipalities in Ontario.

May 15, 2024

SENT VIA EMAIL

Ann-Marie Norio, Regional Clerk
 Niagara Region
 1815 Sir Isaac Brock Way
 Thorold, ON L2V 4T7

 Corporate Services Department Legislative Services Division	
Date & Time Received:	May 16, 2024 8:59 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Dear Ann-Marie:

Re: Correspondence from the City of St. Catharines regarding Provincial Regulations Needed to Restrict Keeping of Nonnative (“exotic”) Wild Animals.

At its meeting on May 7, 2024, Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated April 23, 2024, regarding Provincial Regulations Needed to Restrict Keeping of Nonnative (“exotic”) Wild Animals.”

Yours truly,



Tara Stephens
 City Clerk

- c.c.:
- The Honourable Doug Ford, Premier of Ontario
 - Local Area Municipalities, sent via e-mail
 - The Honourable Michael S. Kerzner, Solicitor General
 - The Honourable Graydon Smith, Minister of Natural Resources and Forestry
 Local MPPs
 - Association of Municipalities of Ontario (AMO)
 - Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)
 - Municipal Law Enforcement Officers’ Association of Ontario (MLEAO)
 - All Municipalities of Ontario



**MUNICIPALITY OF CASSELMAN
AGENDA
REGULAR MEETING**

Regular Meeting

Agenda Number: 15.1.1.
Resolution Number 2024-134
Title: Geneviève Lajoie - Autonomy of Conservation Authorities in Ontario
Date: Tuesday, May 7, 2024

Moved by: Genevieve Lajoie
Seconded by: Paul Groulx

WHEREAS the Ministry of Natural Resources and Forestry (MNR) has proposed regulatory changes under the Conservation Authorities Act, as detailed in posting #019-8320 on the Environment Registry of Ontario, which grant the Minister of Natural Resources and Forestry unprecedented powers to i) prevent a conservation authority from issuing a permit and decide on a permit application in the place of the conservation authority, and ii) review a conservation authority permit decision at the request of an applicant, as notified by Jennifer Keyes, Director, Resources Planning and Development Policy Branch;

AND WHEREAS these changes threaten to undermine the expertise, autonomy, and localized knowledge of conservation authorities, risking the effective stewardship of Ontario's natural resources, as articulated in the letter from Genevieve Lajoie, Mayor of Casselman and dedicated board member of the South Nation Conservation;

AND WHEREAS the proposed changes may lead to developments that compromise water quality, public health, and biodiversity, and ignore the critical role of conservation authorities in climate adaptation strategies, indigenous rights and knowledge, and environmental and economic sustainability;

THEREFORE BE IT RESOLVED that the Municipality of Casselman stands in solidarity, expressing deep concern and opposition to the proposed regulatory changes under the Conservation Authorities Act;

BE IT FURTHER RESOLVED that the Municipality of Casselman supports the call to uphold the principles of scientific integrity, local expertise, and community input in conservation efforts, advocating for the autonomy of conservation authorities to protect our environment from decisions that favor development at the expense of environmental integrity;

AND BE IT FURTHER RESOLVED that Municipality of Casselman urges all Ontario municipalities to join in this call by supporting the letter addressed to the MNR by Mayor Genevieve Lajoie, and to advocate for the MNR to reconsider the proposed regulatory changes in favor of environmental stewardship, public trust, and the rights of future generations.

Sébastien Dion

Signed with ConsignO Cloud (2024/05/08)
Verify with verifio.com or Adobe Reader.



Sébastien Dion, Clerk

Carried
Page 40 of 93



MUNICIPALITÉ DE CASSELMAN
ORDRE DU JOUR
RÉUNION ORDINAIRE

Réunion Ordinaire

Corporate Services Department Legislative Services Division	
Date & Time Received:	May 16, 2024 2:04 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

No. du point à l'ordre du jour: 15.1.1.

No. du point 2024-134

Titre: Geneviève Lajoie - Autonomie des offices de protection de la nature

Date: le mardi 7 mai 2024

Proposé par: Genevieve Lajoie

Appuyé par: Paul Groulx

ATTENDU QUE le ministère des Ressources naturelles et des Forêts (MNR) a proposé des modifications réglementaires en vertu de la Loi sur les offices de protection de la nature, telles que détaillées dans l'affichage n°019-8320 sur le Registre de l'environnement de l'Ontario, qui accordent au ministre des Ressources naturelles et des Forêts des pouvoirs sans précédent pour i) empêcher un office de protection de la nature de délivrer un permis et décider d'une demande de permis à la place de l'office de protection de la nature, et ii) réviser une décision de permis d'un office de protection de la nature à la demande d'un requérant, comme l'a notifié Jennifer Keyes, directrice de la planification et du développement des ressources ;

ET ATTENDU QUE ces changements menacent de minimiser l'expertise, l'autonomie et les connaissances locales des offices de protection de la nature, mettant en péril la gestion efficace des ressources naturelles de l'Ontario, comme l'indique la lettre de Geneviève Lajoie, maire de la Municipalité de Casselman et membre dévouée du conseil d'administration de la Conservation de la Nation Sud ;

ET ATTENDU QUE les modifications proposées peuvent conduire à des développements qui compromettent la qualité de l'eau, la santé publique et la biodiversité, et ignorent le rôle essentiel des autorités de conservation dans les stratégies d'adaptation au climat, les droits et les connaissances des populations autochtones, ainsi que la durabilité environnementale et économique ;

QU'IL SOIT RÉSOLU QUE la Municipalité de Casselman soit solidaire, exprimant sa profonde inquiétude et son opposition aux changements réglementaires proposés en vertu de la Loi sur les offices de protection de la nature ;

QU'IL SOIT RÉSOLU que la Municipalité de Casselman soutienne l'appel à respecter les principes d'intégrité scientifique, d'expertise locale et de participation de la communauté aux efforts de conservation, en plaidant pour l'autonomie des autorités de conservation afin de protéger notre environnement contre les décisions qui favorisent le développement au détriment de l'intégrité environnementale ;

ET QU'IL SOIT EN OUTRE RÉSOLU QUE la Municipalité de Casselman encourage toutes les municipalités de l'Ontario à se joindre à cet appel en appuyant la lettre adressée au MRNF par la mairesse Geneviève Lajoie, et à demander au MRNF de reconsidérer les changements réglementaires proposés en faveur de la gestion de l'environnement, de la confiance du public et des droits des générations futures.

Sébastien Dion

Signed with Consigno Cloud (2024/05/08)
Verify with verifio.com or Adobe Reader.



 Corporate Services Department Legislative Services Division	
Date & Time Received:	May 17, 2024 10:08 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Thursday, May 15, 2024

VIA EMAIL

RE: Resolution – Well-Water Testing

At its Regular Meeting of Council and Committee of the Whole held on Tuesday, May 7, 2024, the Town of Bradford West Gwillimbury Council approved the following resolution:

Resolution 2024-172
Moved by: Councillor Dykie
Seconded by: Councillor Verkaik

WHEREAS private water systems (e.g., wells) are not protected through legislated requirements under *The Safe Drinking Water Act 2002* and *The Clean Water Act 2006*, but are more likely to contribute to cases of gastrointestinal illness than municipal systems; and

WHEREAS the 2023 Ontario Auditor General’s value-for-money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ontario Ministry of Health, begin the gradual discontinuance of free private drinking water testing; and

WHEREAS, in Bradford West Gwillimbury, approximately 3200 households do not receive water from municipal systems, with many relying on a private drinking water system, including wells; and

WHEREAS the Walkerton Inquiry Report Part II, concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli outbreak in Walkerton, Ontario in May 2000; and

WHEREAS all Ontarians deserve safe, clean water, and free well-water testing is a way to help ensure that residents on private wells continue to have barrier-free access to well water testing.

THEREFORE BE IT RESOLVED Council call on the Province to not phase out free well-water testing as part of the proposed streamlining efforts of public health laboratory operations in the province; and

THAT this resolution be circulated to the Hon. Sylvia Jones, Minister of Health; Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs; Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks, York—Simcoe's MPP; and all Ontario Municipalities.

Thank you for your consideration of this request.

Regards,

Valerie Vicary



Valerie Vicary
Deputy Clerk, Town of Bradford West Gwillimbury
(905) 775-5366 ext: 1105
vVicary@townofbwg.com

CC:

Hon. Sylvia Jones, Minister of Health;
Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs;
Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks, York—
Simcoe's MPP; and
All Ontario Municipalities



The Township of Georgian Bay Resolutions Council - 13 May 2024

Corporate Services Department Legislative Services Division	
Date & Time Received:	May 17, 2024 10:06 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Item 12.(a)

Date: May 13, 2024

C-2024-165

Moved by Councillor Stephen Jarvis
Seconded by Councillor Peter Cooper

WHEREAS Ontario’s small rural municipalities face insurmountable challenges to fund both upfront investments and ongoing maintenance of their capital assets including roads and bridges and water wastewater and municipally owned buildings including recreational facilities and libraries;

WHEREAS in 2018, the Ontario government mandated all Ontario municipalities to develop capital asset management plans with the stipulation that they be considered in the development of the annual budget;

WHEREAS small rural municipalities (of 10,000 people or less) are facing monumental infrastructure deficits that cannot be adequately addressed through property tax revenue alone;

WHEREAS the only application approved through the recently awarded Housing Accelerator Fund to a small rural municipality was to Marathon Ontario, who received an allocation of \$1.9 million dollars while over \$1.369 billion going to Ontario’s large urban centres, resulting in a 0.2% investment in rural Ontario;

WHEREAS the Ontario Government has committed \$9.1 billion to Toronto alone to assist with operating deficits and the repatriation of the Don Valley and Gardner Expressway;

WHEREAS small rural Ontario cannot keep pace with the capital investments required over the next 20 years unless both the Provincial and Federal Governments come forward with new sustainable infrastructure funding;

WHEREAS it is apparent that both the Federal and Ontario Governments have neglected to recognize the needs of small rural Ontario;

NOW THEREFORE BE IT RESOLVED THAT the Township of Georgian Bay call on the Ontario and Federal Government to implement sustainable infrastructure funding for small rural municipalities;

AND THAT small rural municipalities are not overlooked and disregarded on future applications for funding;

AND THAT both the Federal and Ontario Governments begin by acknowledging that there is an insurmountable debt facing small rural municipalities;

AND THAT both the Federal and Ontario Governments immediately commission a Working Group that includes a member of the Eastern Ontario Wardens Caucus, to develop a plan on how to deal with the impending debt dilemma;

AND FINALLY THAT this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; Michel Tremblay Acting President and CEO, Canada Mortgage and Housing Corporation; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; MP Shelby Kramp-Neuman, Hastings-Lennox Addington; MPP Ric Bresee Hastings-Lennox Addington, AMO, ROMA, FCM, Eastern Ontario Wardens' Caucus and all Municipalities in Ontario.

Carried Defeated Recorded Vote Referred Deferred

Recorded Vote:

	For	Against	Absent
Councillor Brian Bocek			
Councillor Peter Cooper			
Councillor Kristian Graziano			
Councillor Allan Hazelton			
Councillor Stephen Jarvis			
Councillor Steven Predko			
Mayor Peter Koetsier			

Peter Koetsier, Mayor

THE CORPORATION OF THE TOWNSHIP OF LARDER LAKE

69 Fourth Avenue, Larder Lake, ON

Phone: 705-643-2158 Fax: 705-643-2311



MOVED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

SECONDED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

Motion #: 6

Resolution #:

Date: May 14, 2024

Corporate Services Department Legislative Services Division	
Date & Time Received:	May 16, 2024 1:43 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

THAT the Council of the Township of Larder Lake supports the resolution passed by the Council of the Township of North Glengarry regarding a request to the province to amend the blue box regulation for ineligible sources as follows:

WHEREAS under Ontario Regulation 391/21: Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only; and

WHEREAS 'ineligible' sources which producers are not responsible for including businesses, places of worship, daycares, campgrounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks;

AND WHEREAS should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs;

BE IT RESOLVED that the Council of the Corporation of the Municipality of Larder Lake hereby request that the province amend Ontario Regulation 391/21: Blue Box so that producers are responsible for the end-of-life management of recycling products from all sources;

AND FURTHER that Council hereby requests the support of all Ontario Municipalities;

AND FURTHER that this resolution be forwarded to the Premier of Ontario, the Honourable Minister of the Environment, Conservation, and Parks, and the

Recorded vote requested:

	For	Against
Tom Armstrong		
Patricia Hull		
Paul Kelly		
Lynne Paquette		
Patty Quinn		

I declare this motion

<input type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Disclosure of Pecuniary Interest*

Chair: _____

*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.

THE CORPORATION OF THE TOWNSHIP OF LARDER LAKE

69 Fourth Avenue, Larder Lake, ON
 Phone: 705-643-2158 Fax: 705-643-2311



MOVED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

SECONDED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

Motion #: 7

Resolution #:

Date: May 14, 2024

Honourable Minister of Natural Resources and Forestry, to MPP Timiskaming-Cochrane and all Municipalities within the District of Timiskaming.

Recorded vote requested:

	For	Against
Tom Armstrong	✓	
Patricia Hull	✓	
Paul Kelly	✓	
Lynne Paquette	✓	
Patty Quinn	✓	

I declare this motion

<input checked="" type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Disclosure of Pecuniary Interest*

Chair:

*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.

THE CORPORATION OF THE TOWNSHIP OF LARDER LAKE

69 Fourth Avenue, Larder Lake, ON
 Phone: 705-643-2158 Fax: 705-643-2311



MOVED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

SECONDED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

Motion #: 8
 Resolution #:
 Date: May 14, 2024

Corporate Services Department Legislative Services Division	
Date & Time Received:	May 16, 2024 2:02 pm
Original To:	CIP
Copies To:	
Take Appropriate Action:	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

WHEREAS Ontario has more private non-native (“exotic”) wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province;

AND WHEREAS the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of exotic wild animals in captivity;

AND WHEREAS exotic wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province;

AND WHEREAS the keeping of exotic wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife;

AND WHEREAS owners of exotic wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns;

AND WHEREAS municipalities have struggled, often for months or years, to deal with exotic wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges;

AND WHEREAS the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection’s campaign for provincial regulations of exotic wild animals and

Recorded vote requested:

	For	Against
Tom Armstrong		
Patricia Hull		
Paul Kelly		
Lynne Paquette		
Patty Quinn		

I declare this motion

<input type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Disclosure of Pecuniary Interest*

Chair: _____

*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.

THE CORPORATION OF THE TOWNSHIP OF LARDER LAKE

69 Fourth Avenue, Larder Lake, ON

Phone: 705-643-2158 Fax: 705-643-2311



MOVED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

SECONDED BY:

- Thomas Armstrong
- Patricia Hull
- Paul Kelly
- Lynne Paquette

Motion #: 9

Resolution #:

Date: May 14, 2024

roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry;

THEREFORE BE IT RESOLVED THAT The Corporation of the Township of Larder Lake hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of exotic wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the exotic wild animal population;

AND FINALLY THAT a copy of this resolution be forwarded to the Premier of Ontario, Ontario's Solicitor General, Ontario's Minister for Natural Resources and Forestry, MPP Timiskaming-Cochrane, AMO, AMCTO, MLEAO, Timiskaming Municipal Association (TMA), the Federation of Northern Ontario Municipalities, (FONOM), and all municipalities within the District of Timiskaming.

Recorded vote requested:

	For	Against
Tom Armstrong	✓	
Patricia Hull	✓	
Paul Kelly	✓	
Lynne Paquette	✓	
Patty Quinn	✓	

I declare this motion

<input checked="" type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Disclosure of Pecuniary Interest*

Chair:

*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.

May 14, 2024

Via email: minister.mah@ontario.ca

Minister of Municipal Affairs and Housing
Attention: Paul Calandra
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Mr. Calandra:

RE: Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.

The Administrative Monetary Penalty System (AMPS) is an enforcement tool approved by the Provincial Government in August of 2009 and was originally used for parking offences to free up court time and cost.

A large number of municipalities have adopted an AMPS program and have applied AMPS to other Municipal enforcement by-laws as a replacement to the standard Part 1 Provincial Offences Act (POA) ticket system, as it provides the alleged offender with a flexible appeal system and the municipality the ability to apply unpaid penalties on to the property taxes. AMPS frees up valuable Provincial Offences Court time saving the province and the municipalities valuable resources and funds.

AMPS was written into the Building Code Act in December of 2017 however it has not received Royal Assent. AMPS has proven to be a valuable tool for education and enforcement of other Municipal by-laws. On behalf of the Council of the Corporation of the Township of Lake of Bays, we ask that AMPS receive Royal Assent. In doing so this would free up time for Building Officials to conduct their primary job (building inspections) instead of having to attend court normally a full day to hear an appeal to Part 1 ticket, at the same time providing the offender a more streamlined appeal system.

Sincerely,


Carrie Sykes, Dipl. M.A., CMO, AOMC,
Director of Corporate Services/Clerk.

TG/iv
Copy to: MPP, Graydon Smith
Association of Ontario Municipalities
Association of Municipal Clerk and Treasurers of Ontario
All Area Municipalities

Date & Time Received:	May 16, 2024 9:03 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	



374028 6TH LINE • AMARANTH ON • L9W 0M6

Corporate Services Department Legislative Services Division	
Date & Time Received:	May 17, 2024 10:03 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

May 16, 2024

Sent Via Email

Re: Resolution on Water Testing Services for Private Drinking Water

At its regular meeting of Council held on May 15, 2024, the Township of Amaranth Council passed the following resolution concerning Water Testing Services for Private Drinking Water.

Resolution #: 5

Moved by: G. Little

Seconded by: A. Stirk

BE IT RESOLVED THAT:

Whereas the Ontario Auditor General's annual report on public health from December 2023 indicates that Public Health Ontario is proposing the phasing-out of free provincial water testing services for private drinking water; and

Whereas free private drinking water testing services has played a pivotal role in safeguarding public health, particularly in rural communities, including the entire Township of Amaranth, that rely predominantly on private drinking water; and

Whereas the removal of free private drinking water testing could lead to a reduction in testing, potentially increasing the risk of waterborne diseases in these vulnerable populations; and

Whereas the tragic events in Walkerton, Ontario underscored the critical importance of safe drinking water.


Now Therefore Be It Resolved that The Township of Amaranth hereby requests that the Province reconsider and ultimately decide against the proposed phasing-out of free private drinking water testing services.

Further Be It Resolved that this resolution be sent to all Ontario municipalities, Minister of Environment Conservation and Parks, Minister of Health, Wellington Dufferin Guelph Public Health Unit, and MPP Sylvia Jones.

CARRIED

Please do not hesitate to contact the office if you require any further information on this matter.

Yours truly,



Nicole Martin, Dipl. M.A.
CAO/Clerk

CC:
Minister of the Environment, Conservation and Parks
Minister of Health
Wellington Dufferin Public Health Unit
MPP Sylvia Jones
All Ontario Municipalities



May 2024

 Corporate Services Department Legislative Services Division	
Date & Time Received:	May 22, 2024 9:42 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Enbridge Gas Inc.
 500 Consumers Road
 North York, Ontario M2J 1P8
 Canada

Your Worship and Members of Council,

I am writing to provide an update on the ongoing activity regarding Enbridge Gas' rate rebasing application and the Government's introduction of the Keeping Energy Costs Down Act.

Enbridge Gas raised numerous concerns with the Ontario Energy Board's (OEB) decision on Phase 1 of our rate rebasing application. We took action by appealing the decision in Divisional Court and filing a Motion to Review evidence with the OEB. Many municipalities and stakeholders across Ontario passed motions to support access to natural gas and continue to bring the issues that matter to your municipalities forward – your voices matter tremendously in this important conversation.

We commend the Government of Ontario for its definitive action in support of affordable energy and consumer choice with the introduction of Bill 165, the [Keeping Energy Costs Down Act](#). The legislation reinforces the critical role of natural gas in keeping energy costs down for Ontarians and the importance of natural gas and its associated infrastructure in achieving Ontario's energy transition in a measured and practical way. The Standing Committee on the Interior considered Bill 165 in April 2024, where interested parties, including many municipal voices, delivered presentations and provided submissions. Bill 165 received royal assent on May 16, 2024.

This legislation is an important step to addressing energy affordability, resiliency, and reliability. However, there continues to be critical barriers that must be addressed to ensure the remainder of the OEB's decision does not have significant negative impacts on Ontario's growth plans. The reduction in capital continues to put at risk thousands of planned connections in 2024 and will significantly constrain our ability to invest in energy projects that contribute to addressing Ontario's economic development, competitiveness, and emissions reductions. It is imperative that strategic investments in the energy infrastructure are backed by a supportive regulatory environment that ensures the availability of capital to meet Ontario's growing demand for affordable, reliable, and resilient energy. To that end, the Government must send a clear signal in its Natural Gas Policy Statement that for capital investments in energy infrastructure, which are required to meet Government policy goals, the OEB shall ensure cost-recovery mechanisms that provide regulatory certainty for recovery of these capital investments.

In addition, on April 26, Enbridge Gas filed evidence for Phase 2 of our rate rebasing application. Our Phase 2 application was structured to provide our customers with what they have identified is most important to them: the continued safe and dependable delivery of natural gas at a reasonable cost while simultaneously taking measured steps to advance an orderly transition to a sustainable energy future for Ontario. This is an open and public process. Interested groups or individuals can find out more information on the [OEB's website](#) under case number EB-2024-0111.

We have shared information on the role of natural gas in Ontario and facts to correct the record on numerous claims being circulated by activists that are simply untrue. We encourage municipalities and stakeholders to become familiar with the facts before voting or making decisions. You can find information and resources on our website at [Natural Gas Matters | Enbridge Gas](#) and reach out with questions at any time.

As local leaders across the province, your voice on the future of Ontario's energy system matters. Access to affordable energy supports economic development, housing growth and energy reliability. We encourage you to continue to highlight the need for natural gas and its infrastructure for Ontario today and into the future.

As always, we welcome the opportunity to discuss any of these items with you. Please reach out to your municipal advisor or find us at municipalaffairs@enbridge.com.

With thanks,



Heidi Bredenholler-Prasad
 Vice President and Chief Customer Officer
 Enbridge Gas Inc.

Via Email to: Clerks@Durham.ca

May 22, 2024.

Durham Region Council
c/o Clerks
605 Rossland Road East
Whitby ON L1N 6A3

Re: Request Update Report re DYEC throughput capacity increase to 160,000 tonnes per year & May 8th Durham Works Correspondence Item 7.1 a) letter from MECP And Delegations Works Items 6.1 and 6.3

Dear Chair Henry and Regional Councillors:

The authors of this letter both delegated to Works Committee on May 8th regarding the Minister of the Environment, Conservation and Parks (MECP) letter informing Durham and York that they could proceed with the Project to increase throughput capacity, subject to any other required permits or approvals.

For the proposed capacity increase from 140,000 tonnes per year (tpy) to 160,000 tpy, Durham undertook an EA Screening process, which is self-directed and does not require the level of assessment and review that an Individual EA does. Durham held all three public consultations in the second half of 2019 **prior to** producing their Dec. 2021 EA Screening Report (ESR) and though requested to do so, none after release of ESR.

In our delegations we requested that Works Committee recommend to Council that Works staff produce a report to verify/update assumptions about the need for the capacity increase and to update council around costs assumptions which had been provided in January 2019 and other pertinent matters including updates around maximum achievable control technologies and monitoring, as per Durham's Host Community with Clarington, **prior to proceeding with** submitting applications to amend the Environmental Compliance Approval.

W. Bracken also delegated about new concerns with the invalidation of more months of AMESA data, further adding to the unresolved issues previously brought before this Council.

This council must provide much needed and long overdue project oversight, and require, and review, an update report.

While a motion requiring staff to produce an update report to address matters included in Slide 7 of L. Gasser's PowerPoint was discussed, it was not moved.

The Works minutes capture a staff statement they would provide a report to the CIP at some point, timing not specified, with staff giving every indication they intend to proceed to the ECA phase.

See page 8 extract from the May 8th minutes found at:

<https://calendar.durham.ca/meetings/Detail/2024-05-08-0930-Works-Committee-Meeting/7591ff3d-928e-4cff-916e-b172013adaab>

In response to a question from the Committee regarding whether staff could provide additional, updated information with respect to the concerns noted on Page 7 of L. Gasser's PowerPoint delegation [Refer to Item 6.2 A)], R. Jagannathan advised that staff could provide a Council information report that would address the additional information requested through the noted delegation. R. Jagannathan advised the next steps are to submit an Environmental Compliance Application (ECA).

A report updating council about various aspects of the DYEC throughput increase is required **before** Durham staff proceed to the ECA phase.

"Need" for Throughput Increase Not Demonstrated

Over the course of the Environmental Assessment for the incinerator, what is today known as the Durham York Energy Centre, was "sold" as being a 20 year "disposal solution".

Durham's share of the DYEC capacity is 78.6% i.e. 110,000 of the currently 140,000 initial capacity. In addition, landfill will always be needed for materials that cannot be processed at the DYEC, during maintenance and other outages and for ash residues which are shipped to landfills outside Durham.

Many of the assumptions around the "need" for this capacity increase were made over 5 years ago, with the request to increase capacity coming a mere three years after commercial start up in January 2016.

Durham has not demonstrated that they have maximized their waste reduction and diversion opportunities, have not reached the Council approved target of 70% diversion and have not demonstrated the "need" for this capacity increase. Please see the attached table I have compiled tracking Durham's Diversion Rates since 2009. Note the increase in diversion rates that Durham reports due to RPRA counting bottom ash beginning in 2017.

From chart on page 7 of the 2022 Waste Management Annual Report, other than an upward blip in 2020 & 2021 during early years of Covid, Durham’s garbage tonnage (in purple) has trended downwards.

https://www.durhamyorkwaste.ca/en/education-and-resources/resources/Documents/2022%20Waste%20Diversion%20Reports/20231031_RPT_Durham_2022_Annual_Waste_Diversion_ACC_RFS.pdf



2022 garbage tonnage at 123,369 tonnes is 13,369 tonnes above Durham’s currently 110,000 share, which is LESS than the 15,720 tonnes of additional capacity.

IF Durham doesn’t use their share of the increased capacity due to diversion and waste reduction improvements, then York Region would take up that capacity and burn in Durham.

Many growth assumptions were made prior to the pandemic and current housing & affordability crisis. While there will be some growth in Durham it may be lower than predicted due to housing constraints for some time to come.

Durham staff would have 2023 waste management data by now and should provide those numbers along with updated predictions about growth.

On page 6 of the 2022 Annual Waste Management Report, Durham reported that when conducting a curbside participation study, it was revealed **that only 61% of households** place a green bin out for collection. Given Durham has had a region-wide curbside green bin program

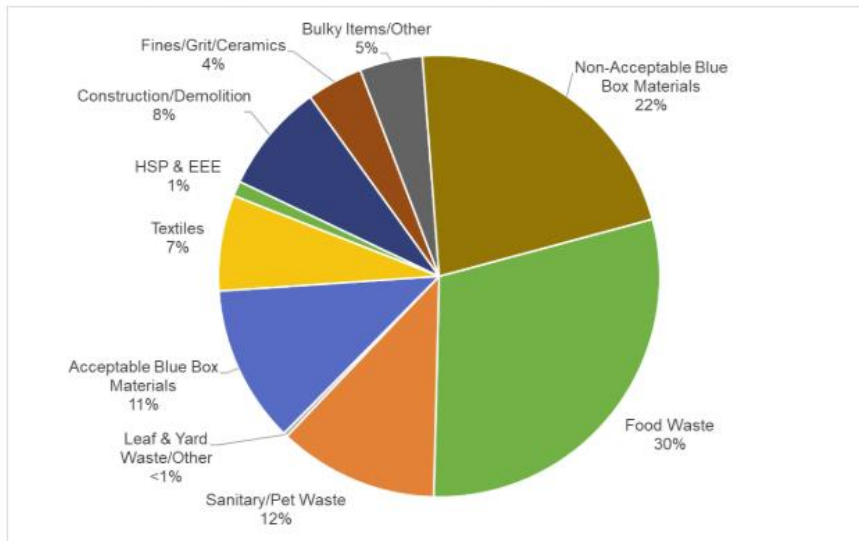
since 2006, this indicates that a lot more green bin material could be collected including with enhanced programs, public education and better enforcement.

Council approved the Enhanced Green Bin to begin on July 1st, 2024, which staff stated would divert approximately 10,000 tonnes per year from garbage.

As well, Durham staff intend to offer Source Separated Organics collection to Multi Residential units possibly by 2025, which would remove even more tonnage from the garbage. Currently multi res-units make up over 10% of the 248,846 households from which Durham collected in 2022 (pg 4 Annual Waste Management Report).

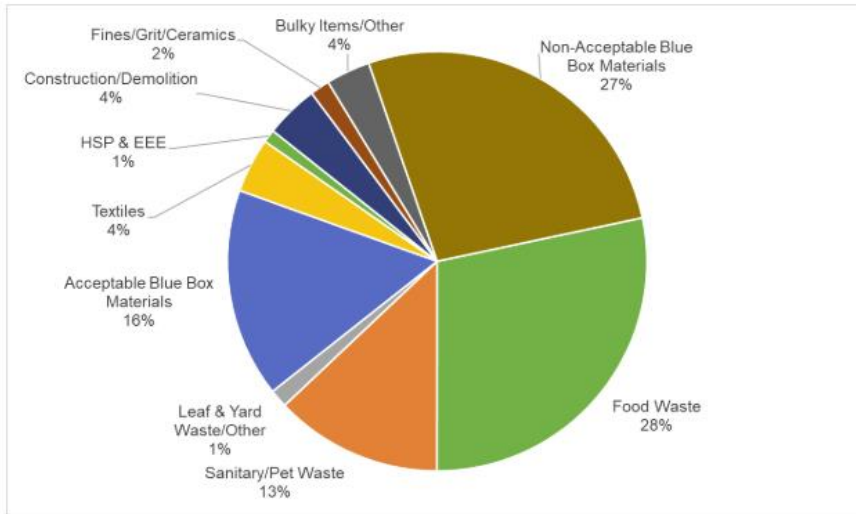
The 2022 Long Term Waste Plan included two charts depicting both single family home and multi res garbage bag composition, illustrating that large amounts of food waste remain in the garbage bags of both housing types (Single family & Multi-Res) as well as other divertible materials. See below:

Figure 9: Single-family Garbage Composition (2018)



Source: 2018 Waste Composition Study – Single-family

Figure 10: Multi-residential Garbage Composition (2018)



Source: 2018 Waste Composition Study – Multi-residential

From Durham’s Long Term Waste Plan, see explanation from page 24 below (my emphasis added) which describes moving from reporting Diversion Rates to Waste Generation per Capita: https://www.durham.ca/en/living-here/resources/Documents/GarbageandRecycling/Long-Term-Waste-Plan/Final-Documents/Durham_Region_LTWMP_FINAL_Jan-31-2022-AODA.pdf

*Many municipalities are starting to report on the total amount of waste generated, which typically includes garbage, Blue Box recycling, Green Bin organics, Leaf and Yard Waste (LYW) and other materials. This may be reported on a per capita basis (i.e. per person) to give a better indication of how these rates are changing from year to year. **This metric gives a truer picture of all materials that municipalities must manage, rather than just reporting on what was diverted.***

See below waste generation per capita report on page 8 2022 Annual Waste Management Report.

Waste Generation

Waste generation rate is a tonnage per person measurement (kg/capita) used to track progress towards the Long-term Waste Management Plan waste reduction efforts.

With the move to Extended Producer Responsibility for the Blue Box program, Durham Region will focus on two key streams of collected waste — green bin organics and garbage. Yard Waste generation is not included as this waste is mostly unpredictable, with yard waste tonnage greatly influenced by weather, not

Durham Region Garbage Generation Rate (kg/capita)	
Year	Garbage
2018	173.2
2019	171.5
2020	180.6
2021	176.1
2022	166.0

In the Host Community Agreement between Durham Region and Clarington, Section 6.1: *“Durham shall continue to implement and support an aggressive residual waste diversion and*

recycling program to achieve and/or exceed a 70% diversion recycling rate for the entire Region”.

Durham has not maximized Waste Reduction and Diversion opportunities and should do so before proceeding to expand capacity. (As at 2022 Durham’s RPRA Diversion Rate was 62% which includes credit for bottom ash, grass cycling and back yard composting).

Financial Assumptions Reported January 2019 should be Updated & Confirmed

See below a table from page 13 of Report 2019 COW-3:

Footnotes:

1. Reduced Covanta fee based on deduction of landfill charge and reduced processing fee for tonnages beyond 140,000 tonnes processed (estimated at \$35.45 per tonne in 2019, increasing to an estimated \$38.03 per tonne by 2023). It is assumed York Region uses its full 21.4 per cent share of amended capacity.
2. Includes materials recovery facility residue tonnes, which are the cost responsibility of the MRF contractor (approximate recovery of \$0.3 million).
3. Landfill fees are assumed to escalate from \$90.00 per tonne in 2019 to \$98.21 per tonne in 2023.
4. Power revenues escalation estimates are based on 35 per cent CPI per the IESO Power Purchase Agreement. Conservatively, revenues for ferrous and non-ferrous metals recoveries are not assumed to escalate.

Since that time Covanta has a new owner. Durham should require written confirmation that the costs per tonne estimates from 2019 still hold.

At the time it was not known nor can we recall staff confirming IF the Ontario power purchase subsidy would be available for tonnage beyond 140,000 tpy. Without that subsidy burning is excessively expensive and those per tonne processing estimates would go out the window.

Staff should inform council how much has been spent on the EA Screening process from 2019 to date and should provide an estimate as to how much further studies and subsequent approvals would cost.

Staff should also confirm the landfill contracts they have secured, at what locations, at what cost and over what term(s).

No Update of 2009 SSHHERA and No Opinion from Durham's MoH

During the Works meeting discussion, your Waste Director mentioned the Site Specific Human Health and Ecological Risk Assessment that was completed in 2009 for the Individual Environmental Assessment (SSHHERA), perhaps leaving the impression that there had been a complete assessment of the 400,000 tpy scenario. He also stated that Durham's Medical Officer of Health was circulated with EA Screening matters

In her April 22nd, 2024 letter to those individuals requesting that the EA be elevated from a Screening to Individual Assessment (listed as an attachment to Works Correspondence 7.1.a) found at: <https://pub-durhamregion.escribemeetings.com/filestream.ashx?DocumentId=4126> the Minister of the Environment, Conservation and Parks (MECP) wrote on page 2: "*The Regions have committed to completing an updated Human Health & Ecological Risk Assessment for **any future expansions** of the DYEC to assess any potential impacts to human and ecological health*". (emphasis added)

The Human Health and Ecological Risk Assessment (HHERA) and the Ministry Review of the original EA were **not specifically listed** as documents reviewed by the Regions in assessing potential impacts of their proposal to increase throughput to 160,000 tpy¹.

Yet those two documents identified potential health concerns and risks and provided expert reviews identifying capacity limits of comments as well as identifying pollutants whose emissions needed further mitigation.

The Regions' HHERA identified significant increases in the loading to soil, surface water, sediments, and fish for various contaminants in the 140,000 TPA case, including for dioxins/furans, mercury, cadmium, lead, and tin^{2,3,4,5}, yet the proposal to increase throughput to 160,000 TPA did not assess additional mass loading to the environment and, through the AQIA, only assessed impact to air quality.

Today, soil monitoring around the DYEC is conducted only every three years. The DYEC 2023 Soil Testing Report states "*Per Table 4, concentrations of dioxins and furans in soil measured during the 2023 sampling event increased at both the upwind and downwind sampling locations relative to historical levels*".⁶ The 2023 downwind dioxin/furan soil concentration is more than double the pre-incinerator 2013 value.⁷

The Regions' HHERA also identified potential risks in its Multi-Pathway Assessment for various scenarios and pollutants including for infants and toddlers for PCBs, dioxins and furans and Chemical Mixtures.^{8,9,10} Dioxin and furan emissions are a well-known issue with incinerators, especially during other-than-normal operating conditions (OTNOC). There have been stack exceedances for dioxins and furans at the DYEC, and there has been an ambient air exceedance for dioxin and furans next to this incinerator. The first four years (2015-2019) of AMESA

dioxin/furan data has been withheld and many months of AMESA data have been invalidated as well as withheld from 2020 to the present.

In Europe, recent studies have found dioxins/furans concentrations in backyard chicken eggs in the vicinity of incinerators (even around the newest Dutch incinerator) exceeding the EU limit and have prompted government warnings to affected residents not to consume them.^{11,12} Europe has also recently issued a directive which now mandates that emissions to air from waste incineration shall also be monitored **during Other-Than-Normal Operating Conditions** (emphasis added) (OTNOC).¹³

Back in 2009, Health Canada identified health concerns for fine particulate matter (PM2.5), nitrogen dioxide (NO2), and Respiratory Irritants exposures assessed in the EA for both the 140,000 TPA and 400,000 TPA scenarios and Health Canada recommended additional mitigation measures for these pollutants.¹⁴ The Regions, however, did not act on this advice. Now, in 2024, the Regions are considering applying for a permit that goes in the opposite direction – instead of mitigating, the Regions are applying to increase pollution by burning an additional 20,000 tonnes per year for the next 20(?) to 30(?) years.

The Ontario Ministry of Environment’s Human Health Toxicologists also identified concerns at the time of the EA^{15,16} and the Regulatory Toxicologist advised his comments were contingent on the 140,000 TPA scenario and that the proponent has committed to “conduct a new environmental study to support any increased capacity of the facility beyond 140,000 t/y that may occur in the future”¹⁷. Note the reviewer referred to “any” increase beyond 140,000 t/y.

To summarize, the Regions had Toxicologist review up to 140,000 TPA. **There has been no health expert that has reviewed this proposal to burn 160,000 TPA or provided an opinion on potential human health and ecological impacts.**

The Works Commissioner stated at the around the 1:31 minute mark of the meeting that staff would be glad to engage the MoH “to get his endorsement “....on the impacts of going from the 140 (000) to the 160 (000).” **Any opinion from Durham’s MoH must be in writing.**

Host Community Agreement with Clarington – Durham’s Commitments

DYEC Monitoring/Surveillance is not keeping up with other jurisdictions. Durham also made commitments in the Host Community Agreement:

Section 3.1: Durham shall ensure that the EFW Facility incorporates and utilizes modern state of the art emission control technologies that meet or exceed the Ontario A7 air emission guidelines and European Union standards as identified below

Section 3.2, “Durham shall ensure that the EFW facility utilizes maximum achievable control technology (MACT) for emissions control and monitoring systems.”

Section 3.3, “Durham shall ensure that, where technically feasible, the EFW Facility utilizes 24/7 monitoring systems for such parameters as are deemed appropriate by the Ministry of the Environment...”

Section 4.3 (emphasis added): “**At the time of any expansion**, Durham will give consideration to improvements to the emission control system to meet the then current MACT standards and shall apply for a new or amended Certificate of Approval if required by the Province of Ontario.”

Notify/update public and Commit to Request posting of ECA documents on ERO

From Minister’s request to Durham in April 22nd letter:

The reasons for my decision may be found in the attached letter to the requesters. In the interest of transparency, I encourage you to make my letter to you available to the public on the Project website.

Durham staff have posted the Minister’s April 22, 2024 letter to Durham and York on the 160K pages of the DYEC website, but not the attachment, which explain the reasons for her decision.

https://www.durhamyorkwaste.ca/en/facility-approvals/resources/Documents/20240422_LTR_MECP_DYEC_%20Elevation%20Request_Response_ACC.pdf

While Durham may be exempt from the requirement to post the ECA applications on the Environmental Registry (ERO), Durham should be willing to post these and advise the Ministry that they wish to do so especially since there has been NO public consultation on the capacity increase since December 2019.

In the interests of transparency and communicating with the public, Durham should take all steps to ensure that the public would be informed about all aspects of the proposed capacity increase.

One of our requests was that staff should be directed to provide material/documents submitted to MECP since the Dec. 2021 Environmental Screening Report AND copies of the Ministry’s comments over the course of the capacity increase application.

To summarize, we ask that Council consider the matters in our letter and pass a motion to require staff to produce an update report addressing the concerns raised, to be brought back to either Works Committee or preferably, to a Committee of the Whole given the financial and public health considerations.

Thank you for your attention.

Yours truly,

Linda Gasser

Whitby

Email: [REDACTED]

And

Wendy Bracken,

Newcastle

Email: [REDACTED]

Cc: Dr. Robert Kyle, Medical Officer of Health

Clarington Council

Enclosures: L. Gasser & W. Bracken PPTS to May 8th Works Committee

Durham Diversion Rates table from 2009-2022

Host Community Agreement with Clarington

References for Health Related Concerns Below

¹ see Section 3.11, page 68 of ESR

https://www.durhamyorkwaste.ca/en/facility-approvals/resources/Documents/2021%20Environmental%20Screening%20Report/Accessible_2022/20220119_DYEC_ESR_FINAL_ACC.pdf

² Site-Specific Human Health and Ecological Risk Assessment–Technical Study Report (HHERA), Durham York Residual Waste EA Study, December 10, 2009, Stantec, December 10, 2009, pages 80, 81 and *Section 6.2* p. 82-84
<https://www.durhamyorkwaste.ca/en/resources/Archived%20Documents/Environmental%20Assessment%20Appendix%20C12%20HHERA%20Technical%20Study%20Report.pdf>

³ HHERA, pages 85, 86 and *Table 6-2 Predicted Surface Water Loading as a Result of Normal and Process Upset Operation over a 30 Year Period for 140,000 tpy and 400,000 tpy*, pages 87-89

⁴ HHERA, pages 85, 86 and *Table 6-3 Predicted Sediment Loading as a Result of Normal and Process Upset Operation over a 30 Year Period for 140,000 tpy and 400,000 tpy*, pages 90-92

⁵ HHERA, *Table 6-9 Predicted Fish Loading as a Result of Normal and Process Upset Operation over a 30 Year Period for 140,000 tpy and 400,000 tpy*, pages 111-113

⁶ RWDI, *DURHAM YORK ENERGY CENTRE: 2023 SOIL TESTING REPORT*, RWDI #2301083, November 15, 2023, page 7
https://www.durhamyorkwaste.ca/en/environmental-monitoring/resources/Documents/Soil/2023/20231115_RPT_DYEC_2023_Soils_Testing_ACC.pdf

⁷ Ibid., Table 4, pdf page 19/58

⁸ HHERA, Table 7-14, page 210-212

⁹ HHERA, Table 7-15, page 212-213

¹⁰ HHERA, Table 7-18, page 226

¹¹ Euronews, *Millions in France warned not to eat eggs from backyard chickens due to forever chemical pollution*, <https://www.euronews.com/green/2023/11/21/millions-in-france-warned-not-to-eat-eggs-from-backyard-chickens-due-to-forever-chemical-p#vuukle-comments-2419688>

¹² Arkenbout, A. (2018). *Hidden Emissions: A story from the Netherlands, a case study*; Zero Waste Europe https://www.toxicowatch.org/_files/ugd/8b2c54_a4360271e0a945f88a8d9b25ffe121f5.pdf

¹³ Zero Waste Europe, *Long-awaited revamp of Industrial Emissions Directive improves dioxin monitoring in incinerators*, November 29, 2023 <https://zerowasteurope.eu/press-release/long-awaited-revamp-of-industrial-emissions-directive-improves-dioxin-monitoring-in-incinerators/>

¹⁴ *Review of the Durham and York Residual Waste Study Amended Environmental Assessment*, Ontario Ministry of Environment, 2010, (subsequent referenced as Ministry Review), page 125, Health Canada comments, September 25, 2009, reviewer M. Lalani on Durham/York Residual Waste Study Environmental Assessment Study <https://www.durhamyorkwaste.ca/en/resources/Archived%20Documents/Ministry%20Review%20of%20Environmental%20Assessment.pdf>

¹⁵ Ministry Review, Comments of Ministry Supervisor, Human Toxicology, Barry Lubek, June 25, 2009, page 85

¹⁶ Ministry Review, Comments of Ministry Toxicologist Samir Abdel-Ghafar, October 19, 2009, page 80

¹⁷ Ministry Review, Ministry Toxicologist comments by Samir Abdel-Ghafar, January 11, 2010, page 189, Comment 1

'10FEB19 PM 4:28:08



February 19, 2010

The Regional Municipality of Durham

Office of the C.A.O.

605 ROSSLAND ROAD E.
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
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Email: garry.cubitt@durham.ca

www.durham.ca

Garry H. Cubitt, M.S.W., C.S.W.
Chief Administrative Officer

Ms. Patti Barrie
Clerk
Municipality of Clarington
40 Temperance Street
Bowmanville, Ontario
L1C 3A6

Dear Ms. Barrie:

Re: Host Community Agreement

As the official record keeper for the Municipality of Clarington, I am forwarding to you one original signed copy of the Host Community Agreement between the Municipality of Clarington and the Regional Municipality of Durham for your records and files.

Yours truly,

Garry H. Cubitt, M.S.W.
Chief Administrative Officer

Attachment

c: F. Wu, Chief Administrative Officer, Municipality of Clarington

DISTRIBUTION		
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"Service Excellence for our Communities"



This Host Community Agreement dated the 18th, day of February, 2010 is made,

BETWEEN:

THE REGIONAL MUNICIPALITY OF DURHAM

("Durham")

-and-

THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON

("Clarington")

WHEREAS:

- (a) Durham jointly with The Regional Municipality of York, is in the midst of a procurement process designed to identify a preferred vendor capable of designing, building and operating an energy from waste ("EFW Facility") sufficient to meet their needs, as identified through an individual environmental assessment (the "EA") undertaken to identify a preferred method of processing post-diversion waste;
- (b) The EA process has resulted in the approval by Durham Regional Council of a preferred site for the EFW Facility within the Municipality of Clarington ("Clarington"), more particularly described in Schedule "A" hereto.
- (c) Durham is completing its requirements to finalize the EA for submission to the Minister of the Environment and to make application under the Environmental Protection Act for one or more Certificates of Approval.
- (d) Clarington will be the host community of the EFW Facility to the benefit of communities in Durham, York, the industrial/commercial/institutional sector, and potentially municipal waste from other municipalities identified in the EA.
- (e) Durham and Clarington wish to enter into this agreement in order to set forth their respective rights, duties, obligations and commitments regarding the development, construction and operation of the EFW Facility.

NOW THEREFORE the parties agree as follows:

1. Term

1.1 This agreement shall commence upon the date that it is last signed and shall last for the operational lifespan of the EFW Facility.

1.2 In the event that the facility is expanded beyond 400,000 tonnes per year and the expanded portions of the EFW Facility have a twenty five (25) year operating period, Durham and Clarington either shall extend the term of this agreement or enter into a new Host Community Agreement.

2. Community Consultation and Communications

2.1 Durham shall support the development and operation of an EFW Site Liaison Committee (SLC) for the purpose of facilitating input from the community and the distribution of relevant information in regards to the construction, operation and monitoring of the EFW facility.

2.2 The scope for a Terms of Reference for a new SLC shall be agreed upon by Durham and Clarington at the conclusion of the mandate of the initial SLC, which terms shall otherwise be generally analogous to the current committee.

2.3 Durham shall present to Clarington Council and hold one community information meeting prior to the submission of the final EA documentation to the Ministry of the Environment for approval. In addition, Durham shall make a presentation to Clarington Council and shall hold one community information meeting before the Site Liaison Committee regarding the terms of the Certificate of Approval for the EFW Facility subsequent to its issuance.

3. Protection of Human Health and the Environment

3.1 Durham shall ensure that the EFW Facility incorporates and utilizes modern, state of the art, emission control technologies that meet or exceed the Ontario A7 air emission guidelines and European Union standards as identified below:

**THE REGIONS' AIR EMISSION CRITERIA BASED UPON THE PROVINCE OF ONTARIO
AND EUROPEAN UNION AIR EMISSION REQUIREMENTS**

Total Particulate Matter	mg/Rm3	9	(2)
Sulphur Dioxide (SO ₂)	mg/Rm3	35	(3)
Hydrogen Chloride (HCl)	mg/Rm3	9	(4)
Hydrogen Flouride (HF)	mg/Rm3	0.92	(4)
Nitrogen Oxides (NO _x)	mg/Rm3	180	(4)
Carbon Monoxide (CO)	mg/Rm3	45	(4)
Mercury (Hg)	µg/Pµ3	15	(2)
Cadmium (Cd)	µg/Pµ3	7	(2)
Cadmium + Thallium (Cd + Th)	µg/Pµ3	46	(2)
Lead (Pb)	µg/Pµ3	50	(2)
Sum of (As, Ni, Co, Pb, Cr, Cu, V, Mn, Cl)	µg/Pµ3	460	(2)
Dioxins	pg/Rm3	60	(2)
Organic Matter (as CH ₄)	mg/Rm3	49	(2)

NOTES:

(1) = All units corrected to 11% O₂ and adjusted to Reference Temperature and Pressure
mg/Rm3 = Milligrams per Reference Cubic Metre (25°C, 101.3 kPa)

*g/Rm3 = Micrograms per Reference Cubic Metre (25°C, 101.3 kPa)

pg/Rm3 = Picograms per Reference Cubic Metre (25°C, 101.3 kPa)

(2) Calculated as the arithmetic average of 3 stack tests conducted in accordance with standard methods

(3) Calculated as the geometric average of 24 hours of data from a continuous emission monitoring system

(4) Calculated as the arithmetic average of 24 hours of data from a continuous emission monitoring system

3.2 Durham shall ensure that the EFW Facility utilizes maximum achievable control technology (MACT) for emissions control and monitoring systems. Durham and the operator shall seek to achieve normal operating levels significantly better than the emission limits identified in Section 3.1.

3.3 Durham shall ensure that, where technically possible, the EFW Facility utilizes 24/7 monitoring systems for such parameters as are deemed appropriate by the Ministry of the Environment. The results of such monitoring systems shall be made accessible to the public on a website or programmable display board designed for such purpose. In addition, Durham shall ensure that the operator monitors the ambient air in the immediate vicinity of the EFW Facility for a three year term commencing upon the commencement of operations.

4. Facility Size

4.1 Durham is seeking approval from the Ministry of the Environment to construct and operate an EFW Facility with a total processing capacity of up to 400,000 tonnes per year of municipal solid waste.

4.2 The parties hereto acknowledge and agree that EFW Facility will not immediately be constructed to the ultimate capacity. Durham will be seeking an initial Certificate of Approval for the construction and operation of a facility for approximately 140,000 tonnes per year. The capacity of the EFW Facility may be expanded, as required by Durham and York, up to the maximum permissible capacity set forth by the Ministry of the Environment in the Certificate of Approval which may be amended from time to time. The EFW Facility may not be expanded in excess of 400,000 tonnes per year.

4.3 At the time of any expansion, Durham will give consideration to improvements to the emission control system to meet the then current MACT standards and shall apply for a new or amended Certificate of Approval if required by the Province of Ontario.

4.4 Durham will not construct a transfer station for ICI waste in Clarington without the agreement of Clarington.

5. Architectural/Site Plan Considerations

5.1 Clarington shall be consulted with respect to the architectural and site plan requirements section(s) of the Request for Proposals.

5.2 Clarington and Durham shall negotiate in good faith the terms of a site plan agreement for the development of the EFW Facility site which shall include the lands required for the private truck access lane referred to in paragraph 9.5. Durham shall comply with normal site plan and building code permit requirements and shall construct Energy Drive through their lands identified on Schedule "A".

5.3 Durham shall incorporate a cash allowance of no less than Nine Million Dollars (\$9,000,000) in the Request for Proposals ("RFP") for the provision of architectural treatments and upgrades to the EFW Facility. Durham shall consult with Clarington on the proposed architectural treatments received from the preferred bidder and prior to submitting their site plan application to Clarington for approval.

5.4 At the time of any expansion, Durham will include similar and consistent architectural treatments and upgrades to any new portions of the EFW Facility. Durham shall consult with Clarington on the proposed architectural treatments during the finalization of the arrangements with the Operator for the expansion and prior to submitting their site plan application to Clarington for approval of the expansion.

6. Commitment to a Comprehensive Waste Management Strategy

6.1 Durham shall continue to implement and support an aggressive residual waste diversion and recycling program to achieve and/or exceed a 70% diversion recycling rate for the entire Region.

6.2 Durham shall establish a hazardous waste depot to serve the residents of Clarington within one (1) year of commissioning of the EFW Facility.

7. EFW Facility Waste Sources

7.1 Durham shall ensure that the source of the waste processed at the EFW Facility is consistent with that identified in the EA Terms of Reference and supporting documentation.

7.2 The Parties agree that Industrial, Commercial and Institutional ("ICI") Waste, with a similar composition to municipal solid waste, may be processed at the EFW Facility provided that said ICI Waste is first screened at a transfer station to ensure the removal of any undesirable and hazardous materials.

7.3 The EFW Facility may be utilized to process biosolid wastes generated from water pollution control plants located within Durham Region on an emergency basis in order to support Durham's other operations provided that biosolid wastes do not comprise more than 10% of the total annual tonnage of waste processed at the EFW Facility in a calendar year.

7.4 Notwithstanding the provisions of 7.1 hereof, in the event that the source of waste processed at the EFW Facility at any subsequent time includes the City of Toronto, then Clarington shall be paid the sum of Ten Dollars (\$10.00) per tonne for each tonne of waste from that source.

8. Payments in Lieu of Taxes

8.1 Durham shall not structure the ownership of the EFW Facility in any way designed to attain tax exempt status or to avoid the Payments in Lieu of Taxes (PIL's).

8.2 Durham acknowledges that the PIL will be in the vicinity of \$650,000 per year. However Durham cannot guarantee the exact amount as that is a matter outside of its direct control.

9. Economic Development

9.1 Durham shall acquire title by way of agreement or expropriation to the properties described in Schedule "B". Upon the properties described in Schedule "B" being determined by Durham Regional Council to be surplus to the present or future requirements of the Regional Municipality of Durham, then Durham shall convey, at nominal consideration, some part of the lands described in Schedule "B" to The Municipality of Clarington.

9.2 Prior to the commissioning of the EFW Facility, Durham shall complete construction of Energy Drive from Courtice Road to Osbourne Road as a Type "C" Arterial road, complete with

all applicable services including: sanitary sewerage, watermains, storm drainage, district heating, and street lighting and shall dedicate Energy Drive to Clarington as a public highway.

9.3 Durham shall construct a storm water management facility of a sufficient size to accommodate development of the Energy Park and Clarington shall execute a front-ending agreement in order to receive and reimburse Durham for the proportional costs of same from any benefiting landowners within the Energy Park. Provided approval to cross the CN Railway line with the necessary drainage works can be reasonably obtained from the Canadian National Railway, then Durham shall construct the storm water management facility on the lands described in 9.7 hereof.

9.4 Durham shall commence an environmental assessment process to support the provision of municipal services to the east Bowmanville science park which is located north of Highway 401.

9.5 Durham shall construct a private truck access lane with landscaping or other screening on its lands on the north side of the Canadian National Railway line connecting with Courtice Road to be utilized, where possible, for all deliveries of waste to the EFW Facility.

9.7 Durham shall convey to Clarington at a nominal cost the lands on the west side of Courtice Road identified in Schedule "C".

9.8 Concurrent with the construction of the EFW Facility, Durham shall construct a segment of a paved asphalt waterfront trail on a mutually agreed upon alignment from Courtice Road to the eastern limits of Durham's lands south of the Courtice Water Pollution Control Plant.

10. Operational Issues

10.1 Durham shall require the operator of the EFW Facility (the "Operator") to have the EFW Facility compliant with the International Standards Organization 14001:2004 Environmental Management Standard (ISO 14001) within thirty six (36) months of its commencing operations and to maintain such compliance thereafter.

10.2 Durham shall ensure that the Operator prepares, maintains and adheres to an Emergency Management Plan (including spills) for the EFW Facility which Plan shall be reviewed and approved by the Clarington Emergency and Fire Services Department.

10.3 Deleted

10.4 Durham shall ensure that the bottom and fly ash generated at the EFW Facility are dealt with in a manner which complies with all applicable legal and regulatory requirements and approvals. Bottom ash can be stored outside if fully screened. Fly ash shall be stored internally in a building until the time of transfer to a disposal site. No bottom ash or fly ash shall be disposed of in a landfill site in Clarington.

10.5 Durham will require the Operator of the EFW Facility to provide a certificate of insurance showing the Municipality of Clarington as an additional insured thereon.

10.6 Durham hereby agrees to indemnify and hold Clarington harmless from all manner of actions, causes of action, suits, demands, and claims whatsoever in connection with any and all injuries up to and including death, or damages to its property, which may occur as a result of the design, construction or operation of the EFW Facility save and except when such injury, loss or

damage is occasioned by the negligent acts or omissions or willful misconduct of Clarington, or those for whom it is at law responsible..

10.7 Durham shall ensure that all waste haulage vehicles accessing and egressing the EFW Facility site will use the truck access routes.

10.8 In addition to all public information, the Operator shall on or before March 31st in each calendar year provide the Clerk of Clarington with a report related to the emissions output from the EFW Facility for the previous calendar year.

11. End Use Plan

11.1 Durham shall decommission and dismantle the EFW Facility within five (5) years of its ceasing of operations to a standard suitable for re-use as an industrial/commercial site.

12. Issue Resolution

12.1 In the event of any dispute, disagreement, or claim arising under or in connection with this Agreement, then the parties hereto shall, upon written notice from either party, meet as soon as reasonably possible in order to resolve said dispute.

12.2 In the event that informal discussions are not effective in resolving any disputes or differences of opinion arising between the parties which concern or touch upon the validity, construction, meaning, performance or effect of this Agreement, then said dispute shall first be mediated within a sixty (60) day time period prior to any dispute proceeding to arbitration. The parties shall determine a mutually agreeable location for the mediation to occur. The parties shall make all reasonable efforts to resolve their disputes by amicable negotiations and agree to provide, without prejudice, frank, candid, and timely disclosure of relevant facts, information, and documents to facilitate these negotiations. Any resolution of the dispute in mediation shall be kept confidential by all parties.

12.3 By giving a notice in writing to the other party, not later than ten (10) working days after the date of termination of the mediated negotiations, all matters remaining in difference between the parties in relation to this Agreement shall then be referred to the arbitration of a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party and a third to be chosen by the first two named before they enter upon the business of arbitration. The award and determination of the arbitrator or arbitrators or two of the three arbitrators shall be binding upon the parties and their respective heirs, executors, successors, administrators and assigns.

13. Clarington's Commitments

13.1 Clarington agrees, in consideration of the aforementioned commitments on the part of Durham, to be a willing host to the EFW Facility and to acknowledge that willingness as follows:

.1 It shall not oppose the development or operation of the EFW Facility;

.2 It acknowledges that, provided that there is public ownership of the EFW Facility and the site by one or more municipalities, it will be considered a "public use" for the purposes of the Zoning By-law and that is not necessary to amend the Clarington Official Plan or Zoning By-law;

.3 It shall expedite the review of all applications for approval submitted by, or on behalf of, the Operator or Durham related to the construction, maintenance and operation of the EFW Facility; and,

.4 Should the existing South Service Road ever be deemed to be surplus due to the construction of Energy Park Drive, the South Service Road shall be closed and conveyed to Durham for nominal consideration; and,

.5 It shall strongly encourage and promote development within the Clarington Energy Business Park and other areas of Clarington to utilize district heating and cooling provided by the EFW Facility.

14. Miscellaneous

14.1 This agreement is entered into solely between Durham and Clarington and is not intended or designed, and in fact it explicitly excludes the creation of any rights or beneficial interests in any third party save and except the Regional Municipality of York in so far as its interest exists in the EFW Facility, from time to time.

15. Further Assurances

The parties hereby covenant and agree, after a request in writing by one party to the other parties, to forthwith execute and provide all further documents, instruments and assurances as may be necessary or required in order to carry out (and give effect to) the true intent of this Agreement, and to effect the registration against and release from title to the lands subject to this Agreement of such notices or other instruments in accordance with the provision of this Agreement.

16. Enurement

This Agreement shall enure to the benefit of and bind the parties hereto and their respective successors and assigns.



IN WITNESS WHEREOF Durham and Clarington have executed this Host Community Agreement.

THE REGIONAL MUNICIPALITY OF DURHAM

Per: 
Roger Andersop, Regional Chair

Per: 
Pat Madill, Regional Clerk

THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON

Per: 


Per: 
Patti L. Barrie, Clerk

Schedule "A"

Legal Description of Proposed Site of EFW Facility

Part of Lot 27, Concession Broken Front, Darlington, designated as Parts 1 and 2 on 40R-19984, save and except Parts 1 and 2 on 40R-20362, Municipality of Clarington, Regional Municipality of Durham, being all of PIN 26605-0082(LT)

Schedule "B"

Legal Description of Lands Proposed to be acquired

FIRSTLY: PT LTS 27 & 28 BROKEN FRONT CONCESSION, DARLINGTON, AS IN N41298 SAVE & EXCEPT PART 1 PL 40R21517 NORTH OF THE CANADIAN NATIONAL RAILWAY; MUNICIPALITY OF CLARINGTON, REGIONAL MUNICIPALITY OF DURHAM, being all of PIN 26605-0086 (LT)

SECONDLY: PT LT 28 BROKEN FRONT CONCESSION, DARLINGTON BEING PTS 2 & 3 on 10R2689; MUNICIPALITY OF CLARINGTON, REGIONAL MUNICIPALITY OF DURHAM, being all of PIN 26605-0030 (LT)

THIRDLY: PT LT 28 BROKEN FRONT CONCESSION, DARLINGTON being PT 1, 10R2689; MUNICIPALITY OF CLARINGTON, REGIONAL MUNICIPALITY OF DURHAM, being all of PIN 26605-0031 (LT)

Schedule "C"

Legal Description of Lands to be Transferred to Clarington

FIRSTLY: PT LT 29 AND 30 BROKEN FRONT CONCESSION, DARLINGTON being PTS 1, 2, AND 3, 40R20750; MUNICIPALITY OF CLARINGTON, REGIONAL MUNICIPALITY OF DURHAM, being all of PIN 26604-0017 (LT)

SECONDLY: PT LT 29 BROKEN FRONT CONCESSION, DARLINGTON being PT 1 on 10R571; MUNICIPALITY OF CLARINGTON, REGIONAL MUNICIPALITY OF DURHAM, being all of PIN 26604-0016 (LT)

Delegation to Works Committee
May 8, 2024

W. Bracken

**Proposed DYEC Throughput Increase to
160,000 tonnes per year (tpy)**

2022 Region Responses did not resolve key issues. Reminder of Key Issues Raised Back Then:

1. Pursue claim that concentrations decrease.
2. Pursue Implications to 2011 ESDM, ECA Air Permit, Source Tests.
3. Request Regions to provide updated health assessment, toxicologist and medical opinions on proposal. Only have engineering opinions now.
4. Mass loading to environment – 20,000 more tonnes of garbage burned for an unspecified number of years cannot be ignored – and it was not assessed.
5. Pursue better monitoring and reporting, including for AMESA.

The “eyebrow raising” AQIA Conclusion:

“Overall, the results of the modelling assessment indicate that the 160,000 tpa would result in a small overall decrease in the maximum predicted concentration for all contaminants and the change in cumulative concentrations would be even less significant. The decrease is attributed to increased stack gas temperature and flowrate which improve the dispersion characteristics of the facility.”²⁰

AQIA Mixed and Matched Theoretical and Empirical Data from different years to *create* a non-existent 140,000 TPA Scenario instead of using *actual* 140,000 TPA operational data, thereby inflating 140,000 TPA concentrations

TABLE 1: Data Sources For 140,000 TPA and 160,000 TPA Scenarios

STACK PARAMETER	“140,000 TPA” Scenario Represented in 2021 AQIA	160,000 TPA Scenario Represented in 2021 AQIA
Volumetric Flow Rate	2011 ESDM (110% MCR)	2018 SOURCE TEST (100% MCR), pro-rated
Exhaust Temperature	2011 ESDM (110% MCR)	Contradictory information – SOURCE TEST (Ortech, 2021) as stated in AQIA or MANUFACTURER’S DOCUMENTATION provided by Covanta (Regions’ March 11 th letter to Clarington)?
Stack Concentrations	2020 SOURCE TEST (100% MCR) or stack emission limits or other emission factors	2020 SOURCE TEST (100% MCR) or stack emission limits or other emission factors

Excerpts below From Host Community Agreement: Time to Act is NOW For BACT, Better Monitoring & Reporting

4. Facility Size

4.1 Durham is seeking approval from the Ministry of the Environment to construct and operate an EFW Facility with a total processing capacity of up to 400,000 tonnes per year of municipal solid waste.

4.2 The parties hereto acknowledge and agree that EFW Facility will not immediately be constructed to the ultimate capacity. Durham will be seeking an initial Certificate of Approval for the construction and operation of a facility for approximately 140,000 tonnes per year. The capacity of the EFW Facility may be expanded, as required by Durham and York, up to the maximum permissible capacity set forth by the Ministry of the Environment in the Certificate of Approval which may be amended from time to time. The EFW Facility may not be expanded in excess of 400,000 tonnes per year.

4.3 At the time of any expansion, Durham will give consideration to improvements to the emission control system to meet the then current MACT standards and shall apply for a new or amended Certificate of Approval if required by the Province of Ontario.

4.4 Durham will not construct a transfer station for ICI waste in Clarington without the agreement of Clarington.

3.3 Durham shall ensure that, where technically possible, the EFW Facility utilizes 24/7 monitoring systems for such parameters as are deemed appropriate by the Ministry of the Environment. The results of such monitoring systems shall be made accessible to the public on a website or programmable display board designed for such purpose. In addition, Durham shall ensure that the operator monitors the ambient air in the immediate vicinity of the EFW Facility for a three year term commencing upon the commencement of operations.

DYEC Monitoring Not Keeping Up With Other Jurisdictions

- Europe has continuous emissions monitoring of particulate matter (we have outdated opacity monitoring)
- Europe now requires testing during Other-Than-Normal Operating-Conditions (OTNOC)
- Oregon has established new law requiring continuous testing for many pollutants including PCBs, lead, mercury and arsenic

<https://www.wastedive.com/news/oregon-incinerator-emissions-law-sb-488-covanta-marion/689838/>

<https://www.energyjustice.net/index.php/or/sb488>

- US Environmental Protection Agency is proposing new air quality standards that are lower than existing limits and removal of startup, shutdown and malfunction (SSM) exclusions and exemptions

<https://www.federalregister.gov/documents/2024/01/23/2024-00747/standards-of-performance-for-new-stationary-sources-and-emission-guidelines-for-existing-sources;>

<https://www.epa.gov/newsreleases/epa-proposes-stronger-air-pollution-standards-large-facilities-burn-municipal-solid>

European directive now mandates that emissions to air from waste incineration shall also be monitored during other than normal operating conditions (OTNOC)

European Parliament votes to hold waste incinerators accountable for emissions

A vote in the Parliament on the controversial Industrial Emissions Directive (IED) saw vital progress on preventing emissions originating from incineration, according to NGO Zero Waste Europe.

written by Gary Cartwright | July 11, 2023 | 0 comment



<https://zerowasteurope.eu/press-release/long-awaited-revamp-of-industrial-emissions-directive-improves-dioxin-monitoring-in-incinerators/>

High Time to Include Biomonitoring (chicken eggs, flora) as done in other Countries

- DYEC 2023 Soil Testing Report: *“Per Table 4, concentrations of dioxins and furans in soil measured during the 2023 sampling event increased at both the upwind and downwind sampling locations relative to historical levels”*

Table 4: Soil Analytical Results - Dioxins and Furans

Durham York Energy Center
 The Regional Municipality of Durham
 Project No. 2301083

Parameters	Units	Soil Standards	UPWIND					DYEC			DOWNWIND						
			22 Aug 13	25 Aug 15	17 Aug 16	23 Aug 17	19 Aug 20	14 Aug 23	25 Aug 15	17 Aug 16	23 Aug 17	22 Aug 13	25 Aug 15	17 Aug 16	23 Aug 17	19 Aug 20	14 Aug 23
<i>Dioxins & Furans</i>																	
Total PCDDs and PCDFs (TEQ)	TEQ ng/kg	7	0.977	1.32	0.622	0.47	0.596	1.3	0.9	1.29	1.44	1.12	0.7	0.626	1.22	1.23	2.4

Delegation to Works Committee re
proposed DYEC throughput increase from
140,000 -160,000 tonnes per year

Linda Gasser

May 8, 2024.

Agenda Item 7.1 a) Minister of the Environment's (MECP) April 22nd letter to Durham and York Staff re proposed throughput increase to 160,000 tpy

- Should require a staff report to COW/Council to evaluate AND confirm IF it is in BEST interest of Durham to pursue increase. This council should have opportunity to decide whether to burn or focus on reducing garbage.
- The vote to incinerate in June 2009 was 16-12. Close and contentious.
- Minister suggested posting to project website the attachment to her letter (not included in your agenda) to inform public.
- **April 22nd letter NOT yet posted –you must advise the public.**
- DYEC's throughput increase to 160K webpage link: <https://www.durhamyorkwaste.ca/en/facility-approvals/increasing-capacity-to-160000.aspx>

How much is Covanta fee in excess of 140,000 tpy?

Does Ontario power subsidy apply to tonnage beyond 140K?

Current cost per tonne to landfill tonnage in excess of Durham's 110,000?

Require update of 2019 financial assumptions in Report 2019 COW-3, page 13/41

Footnotes:

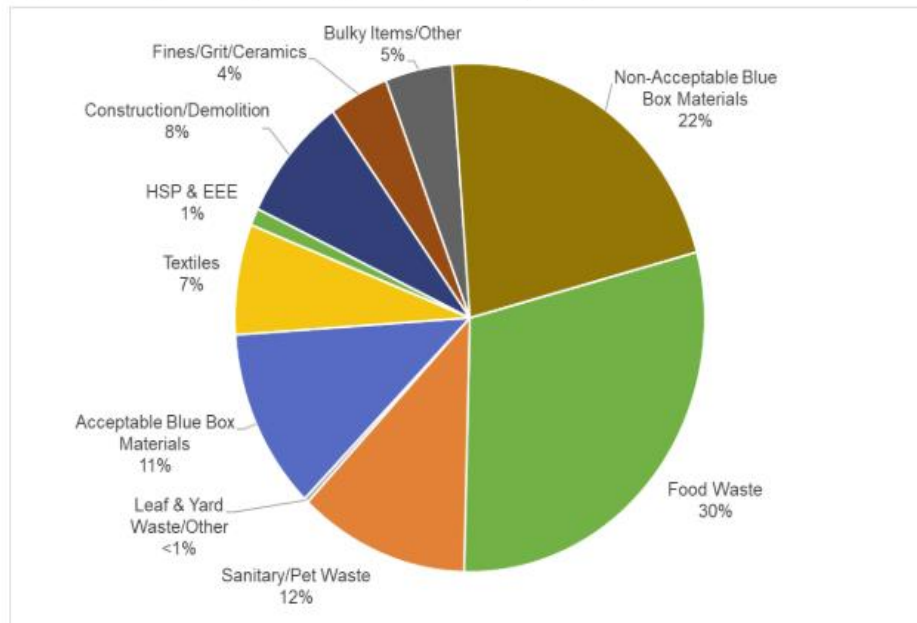
1. Reduced Covanta fee based on deduction of landfill charge and reduced processing fee for tonnages beyond 140,000 tonnes processed (estimated at \$35.45 per tonne in 2019, increasing to an estimated \$38.03 per tonne by 2023). It is assumed York Region uses its full 21.4 per cent share of amended capacity.
2. Includes materials recovery facility residue tonnes, which are the cost responsibility of the MRF contractor (approximate recovery of \$0.3 million).
3. Landfill fees are assumed to escalate from \$90.00 per tonne in 2019 to \$98.21 per tonne in 2023.
4. Power revenues escalation estimates are based on 35 per cent CPI per the IESO Power Purchase Agreement. Conservatively, revenues for ferrous and non-ferrous metals recoveries are not assumed to escalate.

Request to Council to increase in 2019. Last public consultation December 2019. You owe Durham residents an update.

- A lot has changed since 2019's staff request to increase throughput including proposed programs proposed to reduce residual waste.
- Effective July 1, 2024, enhanced green bin to allow material such as pet waste (including cat litter), diapers and sanitary produces. Could divert approx. 10,000 tonnes per year.
- Effective possibly by 2025, Durham will offer source separated organics collection to multi-residential residents. Increasing share of new units will be multi-res.
- According to page 6 of 2022 Waste Management Annual Report (most recent) ***“61% of households place a green bin out for curbside collection”***.
- There's LOTS of opportunity to increase participation & capture of organics.

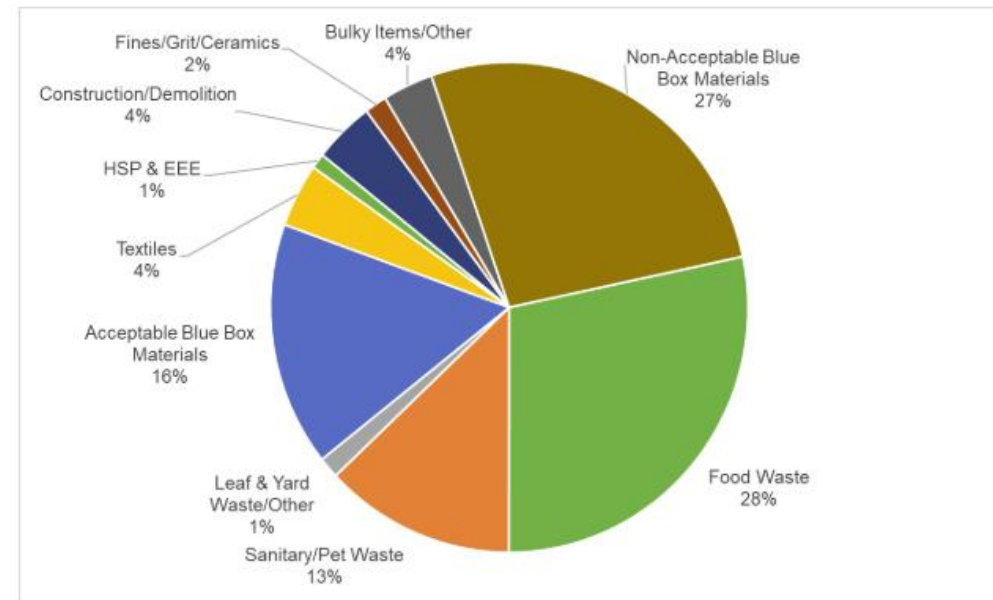
Pages 28-30 Attach. 2, Report 2022-WR-1 Long Term Waste Plan: *“In summary, the waste profiles of single-family and multi-residential garbage are quite similar, with the largest component of garbage consisting of food waste (which was found in almost equal proportions for each sector).”*

Figure 9: Single-family Garbage Composition (2018)



Source: 2018 Waste Composition Study – Single-family

Figure 10: Multi-residential Garbage Composition (2018)



Source: 2018 Waste Composition Study – Multi-residential

Capacity increase =14.28%.

COW/Council should review impacts of increase including additional air pollution loading and increased GHGs

- Updated Audit info would help identify materials that could be diverted to existing programs AND those that should be investigated for new programs.
- There is little incentive to reduce waste is you apply to burn more!
- DYEC already Durham's largest GHG corporate emitter, even with only non-biogenic emissions reported. (Report 2024-COW-12).
- Additional loading of pollutants to Durham air shed is NOT insignificant.
- If Durham got serious about reducing waste and succeeded, then York Region could burn more garbage to use up the contracted capacity –they don't care, they don't live here.
- The more you burn, the more ash that you send to landfills outside Durham. Incineration = burning AND burying.
- In 2023, 25,087 tonnes of bottom ash sent to the US and 11,132 tonnes fly ash to Thorold landfill in Ontario – YOU are already exporting problem waste.

Recommend an update report to COW/Council on costs and potential impacts of capacity increase.

THIS council should decide

- Works should recommend to council that staff be required to produce a report that updates 2019 assumptions including:
 - potential environmental & health impacts
 - Includes opinion of Durham's Medical Officer of Health on potential health impacts of capacity increase
 - Identify ALL costs associated with capacity increase including required study costs etc.
 - Includes material provided to MECP since the Dec. 2021 Environmental Screening Report AND the Ministry's comments over the course of the capacity increase application.
 - Report should provide results of recent waste audits. New audit should be requested if no update since 2018 audit data in 2022 Long Term Waste Plan.
 - Works should direct staff to POST attachment to Minister's letter on DYEC website immediately to inform public and continue to update capacity increase web pages.
 - IF proceeding, Council should direct staff to request/recommend that ECA application(s) be posted to the ERO and commit to posting all ECA study data to the DYEC project website promptly.
- THANK YOU – QUESTIONS?

2010 to 2022 Diversion Rates (%) reported by Durham Region & from MBN Canada Annual Performance Measurement Reports (updated Jan.27, 2024)

YEAR	Durham Diversion/Annual Waste Management Report	MBN Canada Annual Performance Report	MBN Re-stated years 2018 & 2019
2009	52 (2009-J-44)	51	
2010	52	52	
2011	53	53	
2012	53	53	
2013	52	52.3	
2014	Reported 55 and 53%	53.2	
2015	Reported 55 and 52%	52	
2016	Reported 55 and 53%	52.8	
2017	*Reported 55% and 51%. Revised retroactively to 65%	47	
2018	64	49	64
2019	64	47	64
2020	63	63**	
2021	62	62	
2022 ***	62	****did not report percent diverted	

*RPRA diversion numbers from landfill after curbside collection does not include Durham Region’s approved energy-from-waste initiatives. ***Updated from 55 per cent to reflect finalized 2017 RPRA diversion rate. First year RPRA recognized recycled materials recovered through energy-from-waste.** Durham 2021 Annual Waste Management Report, Page 15

https://www.durhamyorkwaste.ca/en/education-and-resources/resources/Documents/2021%20Waste%20Diversion%20Reports/20221017_RPT_2022_Durham_Annual_Waste_Diversion_rfs_ACC.pdf

**** In 2020 MBN changed how they report Durham’s diversion rate to mirror RPRA and retroactively restated diversion rates for 2018 & 2019 .**

*** Pending verification. RPRA diversion numbers from landfill after curbside collection does not include Durham Region’s approved energy-from-waste initiatives.

(Durham Region is classified as Urban Regional by the RPRA, along with Essex-Windsor Solid Waste Authority, Waterloo Region, Simcoe County, Niagara Region, and City of Ottawa.) Durham 2022 Annual Waste Management Report, Page 6

https://www.durhamyorkwaste.ca/en/education-and-resources/resources/Documents/2022%20Waste%20Diversion%20Reports/20231031_RPT_Durham_2022_Annual_Waste_Diversion_ACC_RFS.pdf

****In 2022, MBN Canada did not percent of residential solid waste diverted, as it had previously

<http://mbncanada.ca/app/uploads/2023/12/2022-updated-public-report.pdf>