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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, May 24, 2023

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

Regional Chair Henry assumed the Chair.

1. Call to Order and Traditional Territory Acknowledgment

Regional Chair Henry read the following land acknowledgement:

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

Chair Henry invited members to participate in the “Take a Walk in My Shoes: job integration experiences of Canada’s skilled immigrants” photo exhibit, co-created by the Durham Local Immigration Partnership (DLIP) and Trent University that has been touring around the Region. The exhibit is a photo gallery display that chronicles the employment journeys of skilled immigrants in the Region. The exhibit is on display in the Upper Galleria at Regional Headquarters until the end of June. Council members were invited to experience the exhibit through a guided walk through subsequent to the council meeting.

Chair Henry recognized the retirement of Jenni Demanuele, the Director of Corporate Infrastructure and Strategic Business Services for the Works Department. He outlined her many accomplishments and contributions and stated that J. Demanuele has a reputation as a superhero and that her skills in negotiation, budgeting, operations management and customer service are legendary. He stated that Jenni Demanuele has dedicated sixteen years of service to the Region of Durham and will be retiring at the end of the week, which happens to be National Public Works Week.

Chair Henry also reminded members of the annual National Public Works Week festivities being held on May 27, 2023. He advised members that three events will be held at the Scugog Depot in Port Perry; Duffin Creek Water Pollution Control Plant in Pickering; and Durham York Energy Centre in Courtice. He also advised that there will be a variety of activities such as a truck and equipment display, educational information, a driving simulator and tours of the facilities.

2. Roll Call

The following members were present:

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

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

All members of Council were present with the exception of Councillors Cook and Dies

3. Declarations of Pecuniary Interest

There were no Declarations of Pecuniary Interest.

4. Adoption of Minutes

Moved by Councillor Pickles, Seconded by Councillor Woo,
(123) That the minutes of the following meetings be adopted:

- Regular Regional Council meeting held on April 26, 2023;

- Special Regional Council meeting held on April 28, 2023;
- Closed Special Regional Council meeting held on April 28, 2023;
- Regular Committee of the Whole meeting held on May 10, 2023.

CARRIED

5. Presentations

5.1 Christopher Norris, Deputy General Manager, Transit Operations, re: 2022 Safe Driver Awards

Christopher Norris, Deputy General Manager, Transit Operations presented the 2022 Safe Driver Awards. Highlights of the presentation included:

- 2014 to 2022 Safe Driver Awards
- 5 Years
 - Jeanette Abrahams
 - Alex Bahrami
 - Brandon Church
 - Clarette Escobar
 - Dawn Peat-Martin
 - Lance Richards
 - Rob Spinelli
 - Steve Vonsick
 - Mike Zoller
- 10 Years
 - Tonya Carnegie
 - Michael Clarke
 - Tara Dancey
 - Jody Goodman
 - Damany Kmall
 - Chris Spanes
 - Gordon Trotter
 - Steve Williamson
- 15 Years
 - Graeme Bell
 - Dan Gallant
 - Debbie Gallant
 - Tom Gibson
 - Peter Hansen
 - Rob Heaslip
 - Lorie Marsden
 - Ricky Thompson
 - Manny Silva
- 20 Years
 - Loretta Thompson

Dawn Peat-Martin, Safe Driver Award Recipient, thanked Durham Region Transit and Regional Council for the acknowledgement.

6. Delegations

There were no delegations to be heard.

7. Communications

CC 44 Notice Regarding Appointment of Representative to the Canadian National Exhibition Association (CNEA) Membership – 2023/2024 Term

Moved by Councillor Chapman, Seconded by Councillor Roy,
(124) That Councillor Shahid be re-appointed as the representative to the Canadian National Exhibition Association for the 2023 – 2024 term.
CARRIED

CC 45 Memorandum dated May 24, 2023 from Alexander Harras, Regional Clerk, re: Corporate Records Classification and Retention Schedule – repeal of By-law

Moved by Councillor Marimpiteri, Seconded by Councillor Kerr,
(125) That Council Correspondence CC 45 from Alexander Harras, Regional Clerk, re: Corporate Records Classification and Retention Schedule – repeal of By-law, be received for information.
CARRIED

8. Reports related to Delegations/Presentations

There are no reports related to Delegations/Presentations.

9. Committee Reports

9.1 Report of the Health and Social Services Committee

1. The Association of Local Public Health Agencies (alPHa) Call for Board of Health Nominations (2023-MOH-4)

[CARRIED]

- A) That the nomination of Councillor Elizabeth Roy for election to the alPHa Board of Directors for a two-year term to represent the Central East Region be endorsed; and
- B) **That Councillor Carter and Councillor Chapman be identified to sponsor the nomination and complete the nomination form.**

2. Supply and Service of Dish Machines for the Regional Municipality of Durham's Four (4) Long-Term Care Homes (2023-SS-4)

[CARRIED]

- A) That authorization be granted to award a sole source agreement to Hobart Canada for the procurement of new and replacement dish machine equipment and that the Hobart Canada dish machine be the Regional standard for a period of five (5) years effective July 1, 2023, at a total estimated cost not to exceed \$704,000 at the Regional Municipality of Durham's four (4) Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budgets; and
- B) That authorization be granted to award a sole source agreement to Hobart Canada effective July 1, 2023, for a period of five (5) years for non-warranty maintenance and service repair at an annual cost not to exceed \$47,600 at the Regional Municipality of Durham's four (4) Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budgets; and
- C) That the Commissioner of Finance be authorized to execute any necessary agreement.

3. Unbudgeted Provincial Funding for the Homelessness Prevention Program (2023-SS-7)

[CARRIED]

- A) That the 2023 portion of unbudgeted Provincial funding from the Ministry of Municipal Affairs and Housing in the amount of \$5,360,850 for the period of April 1, 2023 to December 31, 2023, be expended in accordance with the Homelessness Prevention Program guidelines; and
- B) That the Commissioner of Social Services be authorized to enter into all necessary agreements related to the Homelessness Prevention Program.

4. Authorization to Extend the Existing Bulk Cable TV Services Standing Agreement with Rogers Cable TV for the Regional Municipality of Durham's Four (4) Long-Term Care Homes (2023-SS-8)

[CARRIED]

- A) That authorization be granted to award a single source extension of the existing standing agreement to Rogers Cable TV for the supply and delivery of bulk cable TV services for a period of one (1) year expiring April 30, 2024, at a total estimated cost not to exceed \$274,000 for the Regional Municipality of Durham's four (4) Long-Term Care Homes, subject to financing being approved in the annual Social Services Business Plans and Budgets; and
- B) That the Commissioner of Finance be authorized to execute any necessary agreement.

Moved by Councillor Carter, Seconded by Councillor Chapman,

- (126) That the recommendations contained in Item 1 of Report #4 of the Health and Social Services Committee be adopted and that Councillors Carter and Chapman be identified as the two sponsors of Councillor Roy's nomination.

CARRIED

Moved by Councillor Roy, Seconded by Councillor Carter,

- (127) That the recommendations contained in Items 2 to 4 of Report #4 of the Health and Social Services Committee be adopted.

CARRIED

9.2 Report of the Planning and Economic Development Committee

1. Freight and Goods Movement Forum (2023-P-14)

[CARRIED]

- A) That Report #2023-P-14 of the Commissioner of Planning and Economic Development be received for information; and
- B) That a copy of Report #2023-P-14 be provided to the Ontario Ministry of Transportation (MTO) and Durham Region's area municipalities.

2. Durham Active Transportation Committee re: June Bike Month

[CARRIED]

Whereas June is Bike Month;

And whereas Durham Regional Planning Staff have organized numerous bike friendly activities annually for over a decade to educate residents about cycling safety, promote the benefits of cycling, and encourage residents to bike more by participating in Bike Month throughout the month of June;

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

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

Moved by Councillor Chapman, Seconded by Councillor Pickles,
(128) That the recommendations contained in Items 1 and 2 inclusive of Report #5 of the Planning and Economic Development Committee be adopted.
CARRIED

9.3 Report of the Works Committee

1. Energy from Waste – Waste Management Advisory Committee 2023-2024 Workplan (2023-WR-4)
[CARRIED]
 - A) That the Energy from Waste-Waste Management Advisory Committee's 2023 – 2024 Workplan, as outlined in Attachment #1 to Report #2023-WR-4 of the Commissioner of Works, be approved; and
 - B) That a copy of Report #2023-WR-4 be forwarded to the Municipality of Clarington for information.
2. Expropriation of Lands Required for the Adelaide Avenue Extension and Courtice Trunk Sanitary Sewer Phase 5 Projects from Townline Road to Trulls Road, in the City of Oshawa and the Municipality of Clarington (2023-W-16)
[CARRIED]
 - A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary with respect to the property requirements for the Adelaide Avenue (Regional Road 58) extension from Townline Road (Regional Road 55) in the City of Oshawa to Trulls Road in the Municipality of Clarington, and the construction of Courtice Trunk Sanitary Sewer Phase 5 along the same route (each a "Project") as depicted in Attachment #1 of Report #2023-W-16 of the Commissioner of Works, and other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the said Projects;
 - B) That authority be granted to the Regional Clerk and the Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act, R.S.O. 1990, c. E26 to give effect to Recommendation C in Report #2023-W-16, including the Notices of Application of approval to Expropriate;

- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A of Report #2023-W-16 and to forward to the Ontario Land Tribunal any requests for hearing that is received, to attend the hearings to present the Regional Municipality of Durham's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
 - D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act, R.S.O. 1990, c. E. 26 related to the Adelaide Avenue extension project and the Courtice Trunk Sanitary Sewer (Phase 5) project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the Municipal Act, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all compensation claims have been resolved on a full and final basis.
3. Expropriation of Lands Required for the Townline Road North Reconstruction and Widening from Beatrice Street to Taunton Road, in the City of Oshawa and Municipality of Clarington (2023-W-17)
[CARRIED]
- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary with respect to the property requirements for the proposed Townline Road North (Regional Road 55) Reconstruction and Widening Project, impacting both the east and west sides of Townline Road from Beatrice Street to Taunton Road (Regional Road 4), in the City of Oshawa and the Municipality of Clarington (the "Project") as depicted in Attachment #1 of Report #2023-W-17 of the Commissioner of Works, and as such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the said Project;
 - B) That authority be granted to the Regional Clerk and the Regional Chair to execute any notices and forms as may be statutorily mandated by the *Expropriations Act*, R.S.O. 1990, c. E.26 to give effect to Recommendation C in Report #2023-W-17, including the Notices of Application of Approval to Expropriate;

- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A) of Report #2023-W-17, and to forward to the Ontario Land Tribunal any requests for hearing received, to attend the hearings to present the Regional Municipality of Durham's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
 - D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act, R.S.O. 1990, c. E. 26 related to the Townline Road North Reconstruction Project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the Municipal Act, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all compensation claims have been resolved on a full and final basis.
4. Standardization of Office Workstation Furniture and Demountable Wall Systems for all Regional Municipality of Durham Facilities (2023-W-18)
[CARRIED]
- A) That Teknion Leverage Workstation System furniture continue as the standard for modular workstation furniture installations within the Regional Municipality of Durham's facilities and for all new construction projects requiring modular workstation furniture for a ten-year term beginning July 1, 2023 and ending June 30, 2033, with the supply and installation services to be competitively tendered to Teknion authorized furniture dealers;
 - B) That Teknion Tek Vue Demountable Wall System be adopted as the standard for demountable wall system installations within the Regional Municipality of Durham's facilities and for all new construction projects requiring demountable wall systems for a ten-year term beginning July 1, 2023 and ending June 30, 2033; and
 - C) That a negotiated sole source agreement with Teknion for the provision of a fixed pricing discount structure for a period of up to a five-year period and renewed for an additional five-year period at an annual cost of approximately \$2,000,000 be approved, with financing provided through Capital Projects approved in the annual Business Plans and Budgets.

Moved by Councillor Barton, Seconded by Councillor Marimpietri,
(129) That the recommendations contained in Items 1 to 4 inclusive of Report
#5 of the Works Committee be adopted.

CARRIED

9.4 Report of the Committee of the Whole

1. Updated Regional Response to the City of Oshawa Request for Cost Sharing for Dedicated Downtown Patrol Enforcement (2023-COW-19)
[CARRIED]
 - A) That the Region of Durham compensate the City of Oshawa for 50% of its 2023 special security costs to a maximum of \$500,000;
 - B) That consideration of transferring these funds to expanded Regional outreach services in 2024 be considered as part of the 2024 business planning and budget process; and
 - C) That recognizing that two outreach supervisors were included in the 2023 budget, that the next six months be used to recruit and train ten Regional outreach workers, for implementation in 2023, with funding for these workers to be sourced at the discretion of the Commissioner of Finance & Treasurer.
2. Project Woodward – Disposition and Development of Regional Lands for Economic Development (2023-COW-20)
[CARRIED]
 - A) That the properties described Firstly as Part Lot 28 Concession Broken Front Darlington, Part 1 on plan 40R-29418, Municipality of Clarington and identified with PIN 266050139; and Secondly as Part of Lots 27 and 28 Concession Broken Front Darlington, Parts 9 and 10 on plan 40R-29418, Municipality of Clarington and identified by PIN 266050114, be declared surplus to Regional Municipality of Durham requirements;
 - B) That the Regional Municipality of Durham, as the expropriating authority, approve the disposition of lands without offering the expropriated owners the first chance to repurchase the lands on the terms of the best offer received, therefore approving a waiver of the requirement under s.42 of the Expropriations Act, R.S.O. 1990, c. E.26;

- C) That the plan outlined in Report #2023-COW-20 of the Commissioners of Planning & Economic Development and Works be endorsed, which is to market the lands declared surplus in Recommendation A) of Report #2023-COW-20 to potential buyers, and execute a purchase and sale agreement that obligates the prospective purchaser to develop the lands in a manner consistent with the Region's, and the Municipality of Clarington's, vision to create a clean energy business and industrial park, and attract users from the clean energy and/or advanced automotive sectors; and
- D) That staff return to Council for approval of the agreement of purchase and sale in the event a suitable buyer is identified.

3. Development of Greenbelt Lands (2023-COW-23)
[CARRIED]

That Report #2023-COW-23 of the Chief Administrative Officer, be received for information.

4. Confidential Report of the Commissioner of Corporate Services – Labour Relations or Employee Negotiations with respect to Collective Bargaining 2023-2026 (2023-COW-21)
[CARRIED]

That the recommendations contained in Confidential Report #2023-COW-21 of the Commissioner of Corporate Services, be approved.

5. Confidential Report of the Chief Administrative Officer - A Position, Plan, Procedure, Criteria or Instruction to be Applied to any Negotiations Carried on or to be Carried on with Respect to the Development of Greenbelt Lands (2023-COW-22)
[CARRIED]

That the recommendations contained in Confidential Report #2023-COW-22 of the Chief Administrative Officer, be approved.

Moved by Councillor Carter, Seconded by Councillor Yamada,

(130) That the recommendations contained in Items 1 to 5 inclusive of Report #5 of the Committee of the Whole be adopted.

CARRIED

10. Departmental Reports and Other Resolutions

There were no Departmental Reports or Other Resolutions.

11. Notice of Motions

There were no notice of motions.

12. Unfinished Business

There was no unfinished business to be considered.

13. Announcements

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

14. By-laws

40-2023 Being a by-law to establish a corporate records classification system and retention periods by way of corporate policy and to repeal by-law #02-2020.

This by-law implements the recommendations contained in Council Correspondence Item #7.2 presented to Regional Council on May 24, 2023

Moved by Councillor Ashe, Seconded by Councillor Barton,
(131) That By-law Number 40-2023 be passed.
CARRIED

15. Confirming By-law

41-2023 Being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at its meeting on the 24th day of May, 2023.

Moved by Councillor Ashe, Seconded by Councillor Barton,
(132) That By-law Number 41-2023 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on May 24, 2023 be passed.
CARRIED

16. Adjournment

Moved by Councillor Chapman, Seconded by Councillor Pickles,
(133) That the meeting be adjourned.
CARRIED

The meeting adjourned at 10:05 AM

Respectfully submitted,

John Henry, Regional Chair & CEO

Cheryl Bandel, Deputy Clerk