

Report #8 of the Committee of the Whole

For consideration by Regional Council

November 27, 2024

The Committee of the Whole recommends approval of the following:

1. Enbridge Franchise Agreement Renewal ([2024-COW-44](#))

 - A) That staff be authorized to enter into a franchise agreement with Enbridge Gas Inc. in the form of the Model Franchise Agreement attached hereto as Attachment #1 to Report #2024-COW-44 of the Regional Solicitor and Director of Legal Services, for a term of up to 20 years;
 - B) That the draft by-law generally in the form attached hereto as Attachment #2 to Report #2024-COW-44, be approved;
 - C) That the draft by-law and agreed-to franchise agreement be authorized for submission to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act;
 - D) That the Ontario Energy Board be requested to make an Order declaring and directing that the assent of the municipal electors to the draft by-law and franchise agreement pertaining to the Corporation of the Regional Municipality of Durham is not necessary, pursuant to the provisions of Section 9(4) of the Municipal Franchises Act; and
 - E) That the recommendations contained in the confidential memorandum from the Regional Solicitor (as contained in Attachment #3 to Report #2024-COW-44), be adopted.
2. Durham Region Cycling Wayfinding and Signage Strategy ([2024-COW-45](#))

 - A) That the Cycling Wayfinding and Signage Strategy, provided as Attachment #1 to Report #2024-COW-45 of the Commissioner of Planning and Economic Development, Commissioner of Finance and Commissioner of Works, be endorsed; and
 - i) Aligned with current practice and the existing Council approved funding formula for cycling infrastructure, that the Region will be responsible for funding, implementation, and maintenance of cycling wayfinding signage along on-road cycling facilities on Regional Roads, with area municipalities or other agencies to hold responsibility for funding, implementation, and maintenance of cycling wayfinding signage along all other corridors of the Primary Cycling Network, depending on route jurisdiction; and

- B) That the Cycling Wayfinding and Signage Strategy actions be considered along with all other priorities through future annual Regional Business Plans and Budget processes.

3. Regional Electric Kick Scooter By-law Extension ([2024-COW-46](#))

- A) That the Effective Date be removed from the Regional Electric Kick Scooter By-law, allowing it to continue to be in force for so long as the Province of Ontario's Regulation 389/19: Pilot Project – Electric Kick-Scooters is in effect; and
- B) That a by-law to amend the Electric Kick-Scooter By-law (#23-2022), generally in the form included as Attachment #2 to Report #2024-COW-46 of the Commissioner of Planning and Economic Development, Commissioner of Works and Regional Solicitor and Director of Legal Services, to remove the section titled "Effective Date", be presented to Council for adoption to give effect to the recommendation.

4. Motion Requesting the Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding

Whereas municipalities face growing infrastructure needs, including roads, bridges, public transit, water systems, and other critical services, which are essential to community well-being and economic development;

Whereas the current sources of municipal revenue, including property taxes and user fees, are insufficient to meet these increasing demands for infrastructure investment;

Whereas the Province of Ontario currently collects the Land Transfer Tax (LTT) on property transactions in municipalities across the province, generating significant revenue that is not directly shared with municipalities;

Whereas the Federal Government collects the Goods and Services Tax (GST) on property transactions, a portion of which could be directed to municipalities to address local infrastructure needs;

Whereas redistributing a portion of the Provincial Land Transfer Tax and GST to municipalities would provide a predictable and sustainable source of funding for local infrastructure projects without creating a new tax burden on residents or homebuyers;

Whereas a redistribution of a portion of the existing Land Transfer Tax and GST would allow municipalities to better plan and invest in long-term infrastructure initiatives, supporting local economic growth and improving the quality of life for residents;

1. Now Therefore Be It Hereby Resolved That The Regional Municipality of Durham Council formally requests the Provincial Government to consider redistributing a portion of the Land Transfer Tax collected on property transactions to municipalities;
 2. Be It Further Resolved That The Regional Municipality of Durham Council calls on the Federal Government to allocate a percentage of the GST collected on property sales to municipalities;
 3. Be It Further Resolved That this redistribution of the Land Transfer Tax and GST should be structured to provide predictable and sustainable funding to municipalities, allowing for better long-term planning and investment in infrastructure projects that benefit local communities, thus ensuring that local governments receive a fair share of the revenue to address critical infrastructure needs;
 4. Be It Further Resolved That the province be reminded it has been asked by AMO and municipalities to develop a new and comprehensive funding arrangement with municipalities including the housing affordability taskforce recommendations;
 5. Be It Further Resolved That a copy of this resolution be forwarded to Prime Minister Justin Trudeau, Premier Doug Ford, the Ontario Minister of Finance, the Minister of Municipal Affairs and Housing, local Members of Parliament (MPs) and Members of Provincial Parliament (MPPs); and
 6. Be It Further Resolved That a copy of this resolution be forwarded to all 444 Municipalities in Ontario, the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their endorsement and advocacy.
5. Motion Regarding Use of Automated Speed Enforcement System

Whereas Section 205.1 of the Ontario *Highway Traffic Act* only allows the use of an automated speed enforcement (ASE) system in a community safety zone and/or in a school zone both of which must be designated by by-law;

Whereas community safety zones in Ontario are designated areas that aim to protect vulnerable road users, such as pedestrians and cyclists, through measures like reduced speed limits, enhanced signage and increased fines;

Whereas a school zone is an area near a school or crosswalk with young pedestrians;

Whereas the use of automated speed enforcement (ASE) systems in permitted zones has had a positive effect on influencing driver behavior and reducing vehicle speeds;

Whereas many streets may not be suitable for designation as a community safety or school zone, but have seen an increase in the speed of vehicles;

Therefore Be It Resolved That the Council of the Regional Municipality of Durham requests the Minister of Transportation amend the Ontario *Highway Traffic Act* to allow the use of automated speed enforcement (ASE) systems on any municipal highway, road or street a municipality believes ASE would have a positive effect on driver behavior and reduce vehicle speeds; and

That a copy of this resolution be sent to the Premier, the Minister of Transportation, the Solicitor General, all Durham Region MPPs, and the Association of Municipalities of Ontario (AMO).

6. Motion Regarding Opportunities for Free Level 3 EV Charging Stations and Revenue Opportunities for Durham Region

Whereas electric vehicles (EVs) are increasingly becoming a critical component of sustainable transportation and the reduction of greenhouse gas emissions in Ontario;

Whereas the availability of free Level 3 EV charging stations in municipalities can support the Region's efforts to encourage EV adoption, enhance environmental sustainability, and improve air quality for residents;

Whereas free Level 3 EV charging stations provide an attractive amenity that encourages both local and regional tourism, fostering economic development by encouraging drivers to visit local businesses during charging stops;

Whereas other municipalities have successfully partnered with private sector companies to implement free EV charging solutions, thereby benefiting from potential revenue streams and public-private partnership opportunities;

Therefore Be It Resolved That:

1. Durham Region Council directs staff to explore partnership opportunities with Ontario providers that provide free level 3 charging stations;
2. Staff report back by Q2 of 2025 with their findings on potential partnerships with private sector entities, potential locations for charging stations, and opportunities for introducing free Level 3 charging infrastructure;
3. The analysis includes an assessment of possible revenue-generation models such as advertising, corporate sponsorships, and innovative technologies that would offset installation and maintenance costs while providing economic benefits to the Region;

4. Staff provide a timeline for implementation, should Council approve proceeding with any identified projects; and
 5. This motion be circulated to all Durham Region municipalities.
 7. Confidential Report of the Commissioners of Finance and Planning and Economic Development - a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Region with respect to Negotiations with Metrolinx for Design Services Agreement for GO Stations along the Lakeshore GO East Extension to Bowmanville (2024-COW-47)
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That the recommendations contained in Confidential Report #2024-COW-47 of the Commissioners of Finance and Planning and Economic Development be adopted.

Respectfully submitted,

J. Henry, Regional Chair and CEO