



The Regional Municipality of Durham

COUNCIL INFORMATION PACKAGE

November 25, 2016

Information Reports

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- [2016-INFO-44](#) Commissioner of Finance – re: The Consolidated Budget Status Report to October 31, 2016 and Full Year Forecast

Early Release Reports

There are no Early Release Reports.

Staff Correspondence

1. [Memorandum from John Presta](#), Director, Environmental Services, Works Department – re: Policy Proposal – Reducing Phosphorus to Minimize Algal Blooms in Lake Erie

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

2. [Memorandum from S. Siopis](#), Commissioner of Works – re: Durham York Energy Centre - Source Test Update

Durham Municipalities Correspondence

1. [City of Oshawa](#) – Recommendation adopted at their Council meeting held on November 7, 2016, regarding the Request from the Township of Scugog to Support Comments Regarding Proposed Provincial Changes to the Oak Ridges Moraine Conservation Plan.
2. [Municipality of Clarington](#) – Resolution passed at their Council meeting held on November 21, 2016, regarding the Lakebreeze Townhomes located at 300-330 Lakebreeze Drive, Newcastle.
3. [Municipality of Clarington](#) – Resolution passed at their Council meeting held on November 21, 2016, regarding Celebrate Agriculture, 2017 Legacy Project.

Other Municipalities Correspondence/Resolutions (For Information)

1. [Township of Bonfield](#) – Resolution passed at their Council meeting held on November 8, 2016, regarding the 2015 Pan Am and Parapan AM Games.

Miscellaneous Correspondence (For Information)

1. [The Honourable Bill Mauro](#), Minister of Municipal Affairs, advising that the government introduced Bill 68 – the proposed *Modernizing Ontario's Municipal Legislation Act, 2016* in the Legislature on November 16, 2016.

Advisory Committee Minutes (For Information)

There are no Advisory Committee Minutes for review

Action Items from Council (For Information Only)

[Action Items](#) from Committee of the Whole and Regional Council meetings

Members of Council – Please advise the Regional Clerk at clerks@durham.ca by 9:00 AM on the Monday one week prior to the next regular Committee of the Whole meeting, if you wish to add an item from this CIP to the Committee of the Whole agenda.



The Regional Municipality of Durham Information Report

From: Commissioner of Finance
Report: #2016-INFO-36
Date: November 25, 2016

Subject:

Durham Region's Submission for Federal Public Transit Infrastructure Fund (PTIF) Program Funding

Recommendation:

That this report be received for information.

Report:

1. Purpose

1.1 The purpose of this report is to inform Regional Council of the project list which staff submitted for the Federal Public Transit Infrastructure Fund (PTIF) on October 18, 2016.

2. Background

2.1 The Federal PTIF allocation for Ontario is \$1.5 billion (out of \$3.4 billion) over three years, starting in 2016-17. Durham Region's allocation is \$17,530,114.

2.2 PTIF funding is distributed so that each recognized transit system receives a minimum base amount of \$50,000 with the remainder of the PTIF funds to be distributed based on overall ridership of each transit system. PTIF federal funding can be up to 50 per cent of total eligible costs per project and municipalities will receive funding on a reimbursement basis, after costs are incurred.

2.3 Under the program criteria, 75 per cent of project costs must be incurred by March 31, 2018 and 100 per cent of costs must be incurred by March 31, 2019.

2.4 For the Federal Government and the Province of Ontario to reach agreement on the PTIF program, the province was required to identify projects representing a significant portion of total federal funding. Therefore, on August 23, 2016, a substantial portion (\$688,745,733, or 46 per cent) of the federal funding was allocated to pre-approved projects in Barrie, Greater Sudbury, Toronto, Ottawa

and Waterloo, as well as to Metrolinx, providing agencies of those jurisdictions with advanced approvals.

Ontario's PTIF Allocation	\$1,486,680,000	100%
August 2016 Approved Projects		
Barrie	\$4,000,000	0.3%
Greater Sudbury	\$3,822,500	0.3%
Toronto	\$474,197,000	31.9%
Metrolinx	\$27,985,233	1.9%
Ottawa	\$155,900,000	10.5%
Waterloo	\$22,841,000	1.5%
Approved Projects Total	\$688,745,733	46.3%
Remaining Funds	\$797,934,267	53.7%

- 2.5 Remaining funds, including Durham Region's allocation, were all to be applied for through the Ontario Ministry of Transportation (MTO) by October 18, 2016. MTO has planned to submit the list of projects to the federal government by the end of October. Following federal approval of projects, MTO will notify the municipal recipients that their projects have been selected.

3. Eligible Investments

- 3.1 PTIF eligible investment areas are targeted at meeting immediate public transit priorities that will strengthen communities and grow the economy. Eligible investments include:
- Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, or other existing public transit capital assets; refurbishment or replacement of existing rolling stock; and replacement or enhancement of transit stations);
 - Expenditures to support the asset management capacity of a public transit system;
 - Expenditures to support the design and planning for the future expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies; and
 - Projects for system expansion can be funded, which may include active transportation, if they can be completed within the program timeframe.

4. Durham Region's Submissions

- 4.1 The following table outlines the 10 transit projects that were submitted for funding under the terms of the PTIF program which include the requirement that 75 per cent of costs be incurred by March 31, 2018 and 100 per cent of costs be incurred

by March 31, 2019. Roads-related transit projects were reported to Committee of the Whole on November 2, 2016 as part of the 2017 Transportation Servicing and Financing Study and all projects were reported to the Transit Executive Committee on November 10, 2016.

Project	Federal PTIF Funding	Regional Funding	Total
<u>Transit Projects</u>			
On Board Bus Security Cameras	\$1,000,000	\$1,000,000	\$2,000,000
Durham Region Transit Mini- Bus Fleet Expansion (2)	\$200,000	\$200,000	\$400,000
Durham Region Transit Fleet Replacements (24)	\$6,105,000	\$6,105,000	\$12,210,000
Durham Region Transit Specialized Services Fleet Replacements (8)	\$800,000	\$800,000	\$1,600,000
Preparation for Raleigh Garage Facility Expansion	\$3,725,000	\$3,725,000	\$7,450,000
Durham Region Transit Fleet Refurbishment (5)	\$505,114	\$505,114	\$1,010,228
Transit Projects Subtotal	\$12,335,114	\$12,335,114	\$24,670,228
<u>Roads-Related Transit Projects</u>			
Construction of PULSE Curbside Bus-Only Lanes on Highway 2 between Westney Road and Harwood Avenue	\$4,475,000	\$4,475,000	\$8,950,000
Detail Design and Critical Utility Relocations for Highway 2 PULSE (Route 900) Curbside BRT Expansion between Glenanna Road and Brock Road in the City of Pickering	\$500,000	\$500,000	\$1,000,000
Construction of a cycling lane to support Highway 2 PULSE (Route 900) BRT Expansion between Galea Drive and Lake Ridge Road in Ajax	\$165,000	\$165,000	\$330,000
Improvements to the North Simcoe Commuter Lot through the installation of a paved surface and lighting	\$55,000	\$55,000	\$110,000
Roads-Related Transit Projects Subtotal	\$5,195,000	\$5,195,000	\$10,390,000
TOTAL	\$17,530,114	\$17,530,114	\$35,060,228

5. Financial Implications

- 5.1 Funding for the Region's share of PTIF projects will be considered in the 2017 detailed business plans and budget.
- 5.2 There is risk that the Region may not receive all of its PTIF allocation if 75 per cent of project costs are not incurred by March 31, 2018 and 100 per cent of costs are not incurred by March 31, 2019. This risk will be mitigated through project management overseen by Regional staff.

6. Conclusion

- 6.1 The Federal PTIF program provides an opportunity for the Region to accelerate transit related investments and is expected to improve mobility, customer safety/security, and service reliability.
- 6.2 This report has been prepared with input from the Works Department, the Planning Department and DRT.

Respectfully submitted,

Original signed by

R.J. Clapp, CPA, CA
Commissioner of Finance



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2016-INFO-37
Date: November 25, 2016

Subject:

Relocation of the Royal Coat Of Arms of the United Kingdom to the Centennial Building Located in the Town of Whitby

Recommendation:

Receive this report for information.

Report:

1. Purpose

1.1 This report provides an update on the relocation of the Royal Coat of Arms of the United Kingdom, which was displayed at the former Regional Municipality of Durham (Region) Headquarters building located at 601 Rossland Road East, in the Town of Whitby (Whitby).

2. Background

2.1 In 1892, the County of Ontario purchased a Royal Coat of Arms of the United Kingdom (Coat of Arms) for display at the Court House which was located at what is currently known as the Centennial Building, in Whitby. The Coat of Arms was displayed above a doorway in that building until the Court House was relocated to the Ontario County Court House and Administration Building located at 601 Rossland Road East, Whitby, in 1964.

2.2 The Coat of Arms was displayed at the 601 Rossland Road East location until 2010, when the building was demolished. The Coat of Arms was packed and stored at an offsite Regionally owned location.

2.3 Ownership of the Centennial Building remains with the Regional Municipality of Durham (Region), but the property has been leased to the Town of Whitby (Town) for a nominal annual sum for several years.

3. Relocation

- 3.1 In 2016, members of the public with interest in the history of Whitby approached the Region to inquire about the status of this artifact, and to consider putting the Coat of Arms back on display.
- 3.2 Regional staff retrieved the artifact from storage and examined it for damage. The Coat of Arms was in good condition, requiring some cleaning but no repair.
- 3.3 Staff initiated discussions with staff at the Town to determine the potential to return the Coat of Arms to its original location at the Centennial Building. Staff from the Town were very receptive to this suggestion, and are currently working with Regional staff to find a suitable location within the building to hang the Coat of Arms.

4. Conclusion

- 4.1 The Regional Municipality of Durham staff are currently working with staff from the Town of Whitby to display the Royal Coat of Arms of the United Kingdom, purchased in 1892, at the Centennial Building which was the former Court House for the County of Ontario and the Coat of Arms' original location.

Respectfully submitted,

Original signed by John Presta for

S. Siopis, P.Eng.
Commissioner of Works



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2016-INFO-38
Date: November 25, 2016

Subject:

Durham York Energy Centre: Acceptance Certificate Update

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 This report provides an update on the Durham York Energy Centre (DYEC) issuance of the Acceptance Certificate.

2. Background

2.1 The Facility Acceptance Test Certificate was issued in December 2015 and Commercial Operations commenced at the DYEC on January 28, 2016.

2.2 In accordance with the Project Agreement, Covanta is required to complete the following related to the issuance of the Acceptance Certificate:

- a. Contemporaneous with the issuance of the Acceptance Test Certificate, Covanta shall deliver to the Owners any applicable licenses necessary to operate the Facility;
- b. Covanta shall proceed with all due diligence to perform the repairs, modifications, installations, corrections and adjustments identified in the Punch List;
- c. Deliver to the Owners final comprehensive operating and maintenance manuals and final and complete sets of stamped and certified "as built" drawings showing the details of the Facility "as is" at completion;
- d. Provide any additional relevant information including sub-process and equipment specific manuals, forms and documents relating to confirming compliance with applicable Certificate of Approval provisions, equipment

and process specific Computer Based Training and Video Tape Training materials, training records; and

- e. Deliver to the Owners all documentation pertaining to warranties.

3. Discussion

- 3.1 Covanta submitted its request to the Owners under Article 6.3.2 of the Project Agreement stating the DBO Contractor had completed the Finishing Work and requesting the Owners issue the Acceptance Certificate in the form set forth in Appendix 18 of the Project Agreement.
- 3.2 HDR, the Owners' consultant, in their technical memo dated November 2, 2016, (Attachment #1) concluded that "Based on HDR's review of the status of the Finishing Work, as of the date of this letter, the conditions precedent to issuing the Acceptance Certificate have been met by Covanta."
- 3.3 The Management Committee subsequently approved issuance of the Acceptance Certificate which was issued on November 23, 2016.
- 3.4 With the issuance of the Acceptance Certificate, the Owner will provide Covanta half (five per cent) of the *Construction Lien Act* (CLA) holdback (\$12.65 million). The remaining half of the CLA holdback (five per cent) becomes a two-year Performance Holdback under the Project Agreement. The Performance Holdback can be substituted by Covanta for a suitable demand letter of credit from an accredited financial institution.
- 3.5 In the event Covanta fails to fulfill any obligations under the Project Agreement during the two-year Recall Period post final Acceptance Certificate, the Owners may set off against the Performance Holdback (or draw on a substituted letter of credit) to ensure compliance with Performance Guarantees or correct Facility defects.

4. Conclusion

- 4.1 Covanta was awarded the Acceptance Certificate based on the HDR assessment of the completion of the Acceptance Certificate requirements and the Management Committee decision to approve the issuance of the Acceptance Certificate.
- 4.2 The remaining half of the CLA holdback (five per cent) becomes a two-year Performance Holdback under the Project Agreement.
- 4.3 Should any equipment be repaired or replaced during this period, the two-year period in respect to that portion of the work or equipment, will automatically recommence extending a further two-years from the date of repair or replacement.

4.4 This report has been reviewed by Corporate Services – Legal Services and the Finance Department.

5. Attachments

Attachment #1: HDR Technical Memorandum: Durham York Energy Centre (DYEC): Key Action Items Conditions Precedent to Issuance of Acceptance Certificate

Respectfully submitted,

Original signed by John Presta for

S. Siopis, P.Eng.
Commissioner of Works



Technical Memorandum

To: Mirka Januszkiewicz PEng (Region of Durham)
Laura McDowell, P Eng (Region of York)

Cc: Greg Borchuk, PEng; Gioseph Anello, PEng (Region of Durham)
Seth Dittmann, PEng; Luis Carvalho, PEng; Ron Gordon (Region of York)
Shawn Worster; D. Mike Singler; John Clark, PE (HDR)

From: Bruce Howie, PE (HDR Corporation)

Date: November 2, 2016

Re: **Durham York Energy Centre (DYEC):
Key Action Items Conditions Precedent to Issuance of
Acceptance Certificate**

Background

Covanta provided a letter, dated October 28, 2016, notifying the Regions of Durham and York (the Owners) of the completion of the Finishing Work per the Project Agreement (PA). HDR Corporation (HDR), as the Owner's Consultant for the Owners, has been asked to provide our technical opinion on the status of activities related to the completion of the Finishing Work and the issuance of the Acceptance Certificate to Covanta by the Owners. To support our opinion and recommendations, HDR has again reviewed the language in Section 6.2.7 and 6.3 of the PA, and other pertinent sections of the PA with a focus on the Acceptance Certificate requirements. HDR is addressing the technical aspects under review. There are a number of areas in which the ultimate decision by the Regions will be constrained or affected by the terms and conditions of the Project Agreement and thus require appropriate legal advice.

Discussion of the Acceptance Certificate

As described below, as of the date of this letter, the conditions precedent to issuance of the Acceptance Certificate have been met.

Per Section 6.2.7 of the Project Agreement, Covanta is required to complete the following upon issuance of the Acceptance Test Certificate and prior to the issuance of the Acceptance Certificate:

- (a) Contemporaneous with the issuance of the Acceptance Test Certificate, Covanta shall deliver to the Owner any applicable licenses necessary to operate the Facility;

- (b) Covanta shall proceed with all due diligence to perform the repairs, modifications, installations, corrections and adjustments identified in the Punch List ;
- (c) Deliver to the Owner final comprehensive operating and maintenance manuals and final and complete sets of stamped and certified “as built” drawings showing the details of the Facility “as is” at completion;
- (d) Provide any additional relevant information including sub-process and equipment specific manuals, forms and documents relating to confirming compliance with applicable Certificate of Approval provisions, equipment and process specific Computer Based Training and Video Tape Training materials, training records; and
- (e) Deliver to the Owner all documentation pertaining to warranties.

Completion of the Finishing Work and issuance of the Acceptance Certificate

Pursuant to Section 6.3,1, “The Finishing Work shall be complete when all the Design Build Work, with the exception of the performance and observation of all those covenants, agreements and obligations that continue under this Agreement, has been completed in all respects (including the rectification of all deficiencies and the performance and completion of all items on the Punch List) in compliance with the Contract Documents, Laws and Regulations including, without limiting the generality of the foregoing, the fulfillment of the following conditions:

The DBO Contractor has complied with all of its obligations and undertakings set forth in this Agreement, with the exception of the performance and observation of all those covenants, agreements and obligations that continue under this Agreement; and

The title to the Facility Lands is free and clear of the registration of construction liens and certificates of action in each case solely to the extent arising out of or related to the Work; and

The DBO Contractor has removed from the Place of Work all tools, construction machinery and equipment which the DBO Contractor required to perform the Punch List Work.

Pursuant to Section 6.3.2, when Covanta is of the view that it has completed the Finishing Work, it shall request that the Acceptance Certificate be issued. The Owner shall, within fifteen (15) Business Days after the Owner's receipt of Covanta's request, either issue the Acceptance Certificate or, if the Owner determines that the conditions for completion of the Work, including the Finishing Work, have not been fulfilled, then the Owner shall issue a

Non-Conformance Notice specifying on what basis the Owner has determined that the conditions for completion of the Work, including the Finishing Work, have not been fulfilled. Upon remedying the Non-Conformance(s) specified by the Owner, Covanta shall transmit a new request in writing, to the Owner and the procedure set out above shall apply.

Issuance of the Acceptance Certificate

Table 1 below outlines the prerequisites required for the Regions to issue the Acceptance Certificate and the progress of these items to date.

Table 1 –Specific Prerequisites to Issuance of the Acceptance Certificate

Project Agreement Prerequisite	Status
Delivery of any applicable licenses necessary to operate the Facility (6.2.6 (e))	See January 2016 Required to be issued at the same time as the Acceptance Test Certificate A copy of the Facility Operating License is maintained in the Control Room.
Completion of all items on the Punch List (6.2.7 (a))	<p>As noted in the attachment, all items on the Punch List were completed or resolved on or before October 7, 2016. There remained three (3) outstanding issues related to the site asphalt, site landscaping and the HVAC systems for the Visitor Center bridge. HDR’s disposition regarding the remaining three items is the following:</p> <ul style="list-style-type: none"> • Asphalt Issues: HDR, as well as Durham Region’s Material Testing representative, reviewed the reports and test results provided by Covanta regarding the issues with the asphalt. HDR and Region’s representative concluded that the concerns identified in the reports were mainly aesthetic in nature (i.e. cracking, etc.) and not structural. It was HDR and the Region’s recommendation that any potential future issues would be covered under the long-term operating agreement between Covanta and the Regions. HDR’s recommendation was to CLOSE this item on the Punch List. • Landscaping Issues: Covanta addressed the landscaping items identified by Clarrington in the original Punch List, but additional deficiencies were noted by

	<p>Clarrington during their September 2016 inspection of the site. The additional issues were caused by the exceptionally dry spring/summer resulting in some planting deaths. It is HDR's recommendation that the Punch List item be CLOSED, as all required plantings have been completed and the remaining deficiencies will be replaced next spring during the Recall Period and Letter of Credit performance holdback.</p> <ul style="list-style-type: none"> • Visitor Centre bridge HVAC: Covanta installed an updated design to address the issues with the HVAC systems for the bridge between the Visitor Centre and the plant. HDR recommended the item be CLOSED. In the event the modifications do not address all of the issues as evidenced by problems during this upcoming winter, any deficiencies will be covered by the Recall Period per the Project Agreement.
<p>Deliver to the Owner final comprehensive operating and maintenance manuals and final and complete sets of stamped and certified "as built" drawings showing the details of the Facility "as is" at completion;(6.2.7 (b))</p>	<p><u>O&M Manuals:</u> Updated O&M manuals and SOP's are maintained on site and the Region has been provided a set. HDR reviewed the SOPs and O&M manuals prior to start-up and Acceptance Testing in 2015. These documents are updated from time to time to reflect changes/updates in procedures, and the review of these documents is an ongoing process.</p> <p><u>As Built Drawings:</u> On October 28, 2016, HDR completed our review and confirmation that the drawings currently on site represent a full set of the As-Built Drawings for the DYEC. HDR has reviewed the copies and the electronic folders provided and concur that the As-Built Drawings have been provided by Covanta.</p>
<p>Provide any additional relevant information including sub-process and equipment specific</p>	<p>Covanta maintains a full set of O and M manuals, SOP's and has on ongoing training program which</p>

manuals, forms and documents relating to confirming compliance with applicable Certificate of Approval provisions, equipment and process specific Computer Based Training and Video Tape Training materials, training records (6.2.7(c))	includes details related to compliance.
Deliver to the Owner all documentation pertaining to warranties (6.2.7 (d))	Covanta has provided to the Regions the remaining warranty related to the roofing.. It is our understanding that the warranty period on the balance of items has passed. Covanta remains responsible for the performance of the Facility over the term of the Service Agreement.
The title to the Facility Lands is free and clear of the registration of construction liens and certificates of action (section 6.3.1 (b))	It is our understanding that Covanta provided to the Region confirmation that this requirement has been satisfied.
Removed all tools, construction machinery and equipment which Covanta required to perform the Punch List Work (Section 6.3.1 (c))	All construction equipment used in completing the punch list items have been removed from the site

Conclusion

Based on HDR's review of the status of the Finishing Work, as of the date of this letter, the conditions precedent to issuing the Acceptance Certificate have been met by Covanta.

All Punch List Items

#	Title	Status	Date Initiated	Due Date	Actual Completion Date	Location	Reference Covanta \$	Priority	HDR FINAL	Final Disposition
1848	Steam feed pump - demonstration of ability to carry load - issues with relief on supply line and/or exhaust	Closed			08/17/2016	Turbine Hall	\$ 500		\$ 5,000	
1842	M-5000 Rev 2 incomplete	Closed	10/28/2015	11/22/2015	04/21/2016	Ground floor turbine bldg. 13.8 switch gear room	\$ 500		\$ 6,000	Provided and addressed further under the As Built drawings.
1834	DCS Screens need to be cleaned up to eliminate false alarms, bad data and lack of signal. errors in tagging nomenclature between units.	Closed	10/15/2015	11/09/2015	04/26/2016	control room DCS screens	\$ -	Medium	\$ 5,000	
1833	Bridge HVAC base board htg operational and functional.	Closed	10/15/2015	11/09/2015	07/11/2016	VC Bridge		Medium	\$ 15,000	Covanta installed an updated design to address the issues with the HVAC systems for the bridge between the Visitor Centre and the plant. HDR recommended the item be CLOSED. In the event the modifications do not address all of the issues as evidenced by problems during this upcoming winter, any deficiencies will be covered by the Recall Period per the Project Agreement.
1832	Hanger supports for Soot Blower re-stress analysis	Closed	12/10/2015	11/06/2015	07/11/2016		\$ 15,000	High	\$ 20,000	
1830	IGR duct work still leaking releasing fly ash, greater quantities present	Closed	12/10/2015	11/06/2015	02/29/2016	Blr House 18M (DA storage tank)	\$ 5,000	Medium	\$ 24,000	
1829	Insulate IGR nozzles both Boilers	Closed	12/10/2015	11/06/2015	03/24/2016	Blr House 18M (DA storage tank)	\$ 3,000	Medium	\$ 12,000	
1823	Raised vinyl flooring various spots	Closed	12/10/2015	11/06/2015	01/15/2016		\$ 100	Low	\$ 500	
1819	Floor Tile missing in stair well # 3	Closed	12/10/2015	11/06/2015	01/15/2016	stairwell # 3	\$ 50	Low	\$ 500	
1816	Remove silt from the west site drainage pond	Closed	11/10/2015	11/05/2015	02/29/2016	west drainage pond.	\$ 84,000	Medium	\$ 90,000	
1810	Remove excess construction material off CEMs roof.	Closed	11/10/2015	11/05/2015	01/15/2016	CEMs roof	\$ 50	Medium	\$ 500	
1809	Relief valve not sealing blowing by.	Closed	11/10/2015	11/05/2015	Closed	air system to the Unit #2 Guillotine system	\$ 2,000	Medium	\$ 2,000	
1806	Backup lime feed system needs to be demonstrated	Closed	11/10/2015	11/05/2015	01/20/2016		\$ 10,000	High	\$ 10,000	
1801	Water Treatment Improvements - - Commissioning of Filtration System	Closed	01/10/2015	10/26/2015	07/11/2016	RO	\$ -	High	\$ 1,000	
1800	Covanta to perform an inspection of furnace water walls in Unit 1 and Unit 2 in November 2015 and perform the appropriate action.	Closed	01/10/2015	10/26/2015	3/29/2016			High	\$ 20,000	
1799	HVAC controls for the VC	Closed	09/22/2015	10/17/2015	4/27/2016	VC	\$ 5,000	Medium	\$ 10,000	
1797	Outstanding water damage	Closed	09/22/2015	10/17/2015	1/28/2016	Visitor Center- Pedestrian Br.	\$ 500	Medium	\$ 3,000	
1789	General Fire Protection Engineered Dwgs	Closed	08/23/2015	09/17/2015	9/26/2016	GENERAL		Medium	\$ 10,000	Provided and addressed further under the As Built drawings.
1770	Asphalt deficiencies and Additional impressions on Asphalt	Closed	07/28/2015	08/22/2015	10/6/2016	North drive of Visitor Centre	\$ 660,000	Medium	\$ 660,000	Covanta provided additional Stantec Marshall Testing results on October 6, 2016 per the Regions and HDR request. It is HDR's recommendation that any potential future issues be covered under the long-term operating agreement between Covanta and the Regions. HDR's recommendation is to CLOSE this item.

#	Title	Status	Date Initiated	Due Date	Actual Completion Date	Location	Reference Covanta \$	Priority	HDR FINAL	Final Disposition
1760	KONE CRANE: 2 vendor deliverables (1) manual brake release arms are missing on bridge and trolley and (2) bridge signs	Closed	10/07/2015	07/17/2015	7/28/2016	NON-SCOPE	\$ 4,000	Medium	\$ 5,000	
1735	R- Various Steam line hangers incorrectly set and one scale missing	Closed	04/06/2015	06/29/2015	3/28/2016	Boiler house proper	\$ -	Medium	\$ 5,000	
1609	Damage to the gutter at the north end of the Residue Building	Closed	05/15/2015	06/09/2015	3/24/2016	Residue Building	\$ 1,000	Medium	\$ 1,500	
1521	R- Sample line support system	Closed	05/05/2015	05/30/2015	1/22/2016	Blr House between 18-15 elevation	\$ 5,000	Medium	\$ 6,000	
1475	Landscape deficiencies	Closed	04/27/2015	05/22/2015	10/7/2016	site	\$ 15,000	Low	\$ 15,000	This item is complete, but the additional deficiencies noted by Clarington caused by the exceptionally dry spring/summer shall fall into the Recall Period and Letter of Credit performance holdback. The Town requires holding the Security holdback for a 1-year warranty on newly planted items so this cannot clear until next summer at the earliest. They are still withholding ~\$12,000 of Region money as security. If Covanta fails to replace dead items during the Recall period we would access their LOC to get the work done to the Town's satisfaction.
1472	Perimeter fencing and gate repairs	Closed	04/27/2015	05/22/2015	2/4/2016	perimeter	\$ 1,000	Medium	\$ 1,500	
1437	Finish exterior/interior wall on south -west side TG building (expansion needed for trap)	Closed	04/22/2015	05/17/2015	Closed	NON-SCOPE	\$ 1,500	Medium	\$ 2,000	
1427	gas line safety valve resetting	Closed			9/20/2016		\$ 1,500		\$ 1,500	
1400	Painting structural supports various	Closed	04/20/2015	05/15/2015	2/4/2016	Various APC Elev 12 and below	\$ 1,000	Medium	\$ 2,000	
1328	Line 21 piping penetration Elev 10 boiler bldg	Closed	04/14/2015	05/09/2015	1/15/2016	Elev 10 boiler Bldg	\$ 250	Medium	\$ 500	
1313	Main steam 21 line penetration	Closed	04/13/2015	05/08/2015	1/28/2016	Blr House 12.9M (OFA nozzles)	\$ 250	Low	\$ 500	
1273	R- SS sample lines appear to be under high temperature/pressure conditions and damage to these lines could be a safety issue.	Closed	07/04/2015	05/02/2015	closed	Elev 26,23	\$ 2,000	Medium	\$ 5,000	
1266	Scaffolding on boiler drums..... planking not fire proof / resistant on wood decking	Closed	07/04/2015	05/02/2015	4/21/2016	NON-SCOPE	\$ -	Medium	\$ 5,000	
1255	R- Outlet of the Unit heater at face height off adjacent platform	Closed	02/04/2015	04/27/2015	1/15/2016	North access door of platform of ACC PDC	\$ 500	Medium	\$ 500	
1240	R- paint peeling drain line	Closed	03/25/2015	04/19/2015	closed	Blr Bldg East Side of Boiler #1 at 21 line	\$ 5,000	Medium	\$ 5,000	
1209	Paint supplemental steel for sway strut at elv23m	Closed	03/24/2015	03/31/2015	4/21/2016	NON-SCOPE	\$ 500	Medium	\$ 500	
1186	R- Flooring loss of contact with glue	Closed	03/22/2015	04/16/2015	1/22/2016	bridge floor	\$ 100	Low	\$ 500	
1029	Remove all temporary power in ground floor electrical room	Closed	03/21/2015	03/28/2015	2/8/2016	Visitor Center- 1st Floor	\$ 500	Medium	\$ 500	
989	R- Many bolts on safety railing need to be painted yellow (prevent rust streaking) and support beams need to be painted grey as well. This is in the vicinity of the #1 ca fan but is a wide spread	Closed	03/19/2015	03/26/2015	closed	Blr House 0M (ground flr)	\$ 5,000	Low	\$ 5,000	
972	Conveyor 7 needs a lot of touch up paint	Closed	03/19/2015	03/26/2015	closed		\$ 500	Medium	\$ 1,000	
951	Replacement of cnv -7 and 10 vibration switches	Closed	03/18/2015	04/12/2015	closed	NON-SCOPE	\$ 100	Medium	\$ 1,000	

#	Title	Status	Date Initiated	Due Date	Actual Completion Date	Location	Reference Covanta \$	Priority	HDR FINAL	Final Disposition
929	R- Insulation of the outlet duct on both combustion air fan steam coils.	Closed	09/03/2015	04/03/2015	3/2/2016	Ground floor west of the Steam Coils	\$ 5,000	Medium	\$ 15,000	
851	R- PIT transmitters for the ACC need to be insulated	Closed	02/27/2015	03/05/2015	3/29/2016		\$ 1,000	High	\$ 1,000	
779	Position Indicating lights on ERV	Closed	01/02/2015	02/08/2015	closed	NON-SCOPE	\$ 50	Medium	\$ 500	
704	R- Cement and pozz conveyor penetration seal through silo skirt total of 8	Closed	01/13/2015	01/20/2015	closed		\$ 1,000	Medium	\$ 2,000	
640	R- Properly prepare and repaint secondary air duct modifications.	Closed	07/01/2015	02/01/2015	closed		\$ 500	Medium	\$ 2,000	
622	Paint Piping supports see photos	Closed	07/01/2015	02/01/2015	closed		\$ 1,000	Low	\$ 2,000	
592	R- Boiler 1 slurry slip stream system is too far from circulation loop valves should be as close to loop as possible to proper flush - see photo and P&ID	Closed	07/01/2015	02/01/2015	closed	Blr House 0M (ground flr)	\$ 1,000	Medium	\$ 2,000	
573	R- Install back draft damper for residue dust collector	Closed	07/01/2015	02/01/2015	2/29/2016		\$ 1,000	Medium	\$ 2,000	
537	R- Insulate all Sootblower Piping for process conditions	Closed	06/01/2015	01/31/2015	2/29/2016		\$ 39,559	Medium	\$ 40,000	
459	swing gate missing at cement and pozz silo's	Closed	12/12/2014	06/01/2015	3/29/2016	NON-SCOPE	\$ 250	Medium	\$ 500	
328	R- Three minor insulation deficiencies on NW part of TG skid	Closed	10/16/2014	10/11/2014	3/24/2016	TG room 20M (TG level)	\$ 250	Low	\$ 500	
138	East and West Crane - Cranefrigor (HVAC) drains	Closed	06/08/2014	08/31/2014	closed	NON-SCOPE	\$ 1,000	Medium	\$ 1,000	
89	R- Grout at base of Stack	Closed	01/27/2014	02/21/2014	closed	Stack	\$ 1,000	Medium	\$ 3,000	
HDR 1	Residue Building Improvements to minimize potential dusting	Closed			4/27/2016				\$ 10,000	
HDR 2	Commission the bottom ash lime system. Make necessary modifications	Closed			closed				\$ 5,000	
HDR 3	Determine cause and implement improvements to the steam turbine to obtain GE Guaranteed design efficiency.	Closed			closed				\$ 5,000	
HDR 4	PLACE HOLDER "RED_LINE DWGS"	Closed			4/27/2016				\$ 50,000	
HDR 6	Seal air on the knife gates in the Breeching.	Closed			closed				\$ 1,500	
HDR 7	Boiler Steam header inspection pipe protrusions - insulation - insulate all exposed boiler steel for personnel protection Steam header	Closed			closed				\$ 5,000	
HDR 8	Baghouse insulation on Roof and isolation damper access opening	Closed			closed				\$ 5,000	

#	Title	Status	Date Initiated	Due Date	Actual Completion Date	Location	Reference Covanta \$	Priority	HDR FINAL	Final Disposition
HDR 10	Provide means to stop buildup of ash in 2nd pass hopper - Addition of Air Cannons to the 2nd pass hopper - or addition of permanent platforms for manual poking of hoppers through new poke holes	Closed			4/21/2016				\$ 25,000	
HDR 11	Provide means to demonstrate cement/pozzolan/flyash ratios are being complied with for each day. Rotary valve feedback for cement/pozzolan and flyash. May also require means to demonstrate hoppers are not plugged. And material is actually flowing from hoppers - (ie plugged chute detectors)	Closed			4/21/2016				\$ 35,000	
REGION 1	Per the ECA, a full set of "Record Drawings" must be available on-site within 90-days of the initial Source Test (October 2, 2015). See line item "HDR 4" for cost of outstanding REDLINE drawings.	Closed			4/27/2016				\$ -	
							\$ 883,009		\$ 1,172,000	



The Regional Municipality of Durham Information Report

From: Commissioner of Social Services
Report: #2016-INFO-39
Date: November 25, 2016

Subject:

Children's Services Division 3rd Quarter Statistical Report

Recommendation:

Receive for information

Report:

1. Fee Subsidy

- 1.1 The Children's Services Division Statistics for the 3rd quarter (July, August and September 2016) identify there were a total of 3546 children receiving child care fee subsidy as of September 30, 2016.
- 1.2 The number of children receiving subsidy in the 3rd quarter of the year has increased from the 2nd quarter of 2016.
- 1.3 As of November 21, 2016 there are 3,583 children on the wait list and 554 of these children do not currently require child care services at this time. New placements continue to be made. The families at the top of wait list applied July 31, 2015. This means that the wait list is reduced from just over 2 years to 1.5 years. We are hoping that an increase in subsidy from the Province will further reduce the waitlist.

2. Durham Behaviour Management Services

- 2.1 As of September 30, 2016 there were 491 clients on Durham Behaviour Management Services active client list accessing various types and levels of service. All clients of the program have the opportunity to access a variety of service options, such as interim consultation, intensive/comprehensive consultation, workshops and/or phone/email contact with senior consultation while waiting for consultation. Currently there are 159 individuals waiting for ongoing consultation, and 47 individuals currently waiting for intensive consultation services due to the nature and severity of the presenting behaviour.

2.2 In addition to the behaviour consultation, community workshops and drop-in sessions are provided to Durham Region residents including families waiting for services. During the period July 1 – September 30, 2016, 6 sessions were provided to a total of 73 individuals.

3. Attachments

Attachment #1: Fee Subsidy statistics – July - September 2016

Attachment #2: Behaviour Management Services statistics – July – September 2016

Respectfully submitted,

Original signed by

Dr. Hugh Drouin
Commissioner of Social Services

Children Services Division 3rd Quarter Statistics

City of Ajax

Months	Number of Active Sites	Number of Subsidized Children Placed
July	49	955
August	49	949
September	48	998

The total number of children on the wait list in Ajax at the end of this quarter is 1422.

Brock Township

Months	Number of Active Sites	Number of Subsidized Children Placed
July	4	40
August	4	42
September	4	65

The total number of children on the wait list in Brock at the end of this quarter is 46.

Municipality of Clarington

Months	Number of Active Sites	Number of Subsidized Children Placed
July	31	214
August	31	210
September	32	287

The total number of children on the wait list in Clarington at the end of this quarter is 308.

City of Oshawa

Months	Number of Active Sites	Number of Subsidized Children Placed
July	41	613
August	41	593
September	45	781

The total number of children on the wait list in Oshawa at the end of this quarter is 1083.

City of Pickering

Months	Number of Active Sites	Number of Subsidized Children Placed
July	38	668
August	38	671
September	38	697

The total number of children on the wait list in Oshawa at the end of this quarter is 584.

Township of Scugog

Months	Number of Active Sites	Number of Subsidized Children Placed
July	9	28
August	9	26
September	10	37

The total number of children on the wait list in Scugog at the end of this quarter is 41.

Township of Uxbridge

Months	Number of Active Sites	Number of Subsidized Children Placed
July	10	30
August	10	33
September	10	38

The total number of children on the wait list in Uxbridge at the end of this quarter is 47.

Town of Whitby

Months	Number of Active Sites	Number of Subsidized Children Placed
July	57	572
August	57	581
September	58	643

The total number of children on the wait list in Whitby at the end of this quarter is 608.

2nd Quarter totals

Months	Number of Active Sites	Number of Subsidized Children Placed
July	239	3120
August	239	3105
September	245	3546

The total number of children on the wait list at the end of this quarter is 4298. This total includes 159 children awaiting move to Durham Region.



Durham Behaviour Management Services 3rd Quarter Report

The graphic below reflects referrals, active cases receiving behaviour consultation, and closures by geographic area for the Developmental and Special Needs Resourcing programs from July 1 – September 30, 2016.

Referrals

Month	Ajax	Brock	Clarington	Oshawa	Pickering	Scugog	Uxbridge	Whitby
July	11	0	4	9	4	1	1	7
Aug	9	0	5	11	5	0	1	5
Sept	10	0	11	18	5	1	5	11
Totals	30	0	20	38	14	2	7	23

Active

Month	Ajax	Brock	Clarington	Oshawa	Pickering	Scugog	Uxbridge	Whitby
July	100	5	81	199	63	15	12	115
Aug	104	5	64	183	51	13	10	106
Sept	86	6	64	167	47	13	8	100
Totals	290	15	198	549	161	41	30	321

Closures

Month	Ajax	Brock	Clarington	Oshawa	Pickering	Scugog	Uxbridge	Whitby
July	4	0	2	16	3	1	0	11
Aug	10	1	11	25	16	3	2	16
Sept	23	0	11	27	7	0	4	20
Total	37	1	24	68	25	4	6	47

Original signed by

Brian Brittain
Manager, Durham Behaviour
Management Services



The Regional Municipality of Durham Information Report

From: Commissioner of Finance and Commissioner of Works
Report: #2016-INFO-40
Date: November 25, 2016

Subject:

The Government of Canada Clean Water and Wastewater Fund

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 The purpose of this report is to provide a summary of the Government of Canada Clean Water and Wastewater Fund (CWWF) including funding allocations, eligible project criteria, timing and the list of water and wastewater capital projects to be submitted by the Regional Municipality of Durham (Region) for funding under this program.

2. Clean Water and Wastewater Fund (CWWF)

2.1 The 2016 Federal Budget included a plan to invest more than \$120 billion in infrastructure over 10 years. The Government's Plan will be implemented in two phases. Phase 1 of the Government's Infrastructure Plan includes the CWWF which is a \$2 billion fund aimed at supporting the rehabilitation and modernization of the drinking water, wastewater and stormwater infrastructure. Phase 2 is to be announced within the next year.

2.2 For Phase 1, each Province / Territory is receiving a base allocation of \$50.0 million (i.e. \$650 million in total) and the remainder of the \$2.0 billion is allocated on per capita basis. The Province of Ontario is receiving \$569.6 million.

2.3 The CWWF is governed by bilateral agreements between Canada and the Provinces and Territories. The Province of Ontario has entered into an agreement with the Federal Government for the \$569.6 million in funding. The Ontario Ministry of Infrastructure is responsible for the administration of the CWWF in Ontario.

- 2.4 The Federal government will contribute 50% of the eligible project costs and the Province and municipality will each contribute 25%. The Region was advised on September 14, 2016 that its share of the CWWF from the Federal Government is \$22,038,823, with corresponding contributions from the Province and Region as follows:

Table 1
CWWF Funding Allocation

Federal Contribution	\$22,038,823 (50%)
Provincial Contribution	11,019,412 (25%)
Regional Contribution	<u>11,019,412 (25%)</u>
Total	<u>\$44,077,647</u>

- 2.5 The CWWF is not a competitive process. The Region was required to provide a list of capital projects to the Province by October 31, 2016, totaling \$44.078 million.
- 2.6 The CWWF program funds the following types of water, wastewater and stormwater capital projects:
- Rehabilitation;
 - New construction;
 - Optimization initiatives; and
 - Planning and design work.
- 2.7 The capital projects are required to be completed by March 31, 2018. Where need is demonstrated, up to 25% of costs can be extended beyond March 31, 2018. Extensions beyond March 31, 2018 require pre-approval by the Federal and Provincial governments.
- 2.8 The Region is expected to receive a response by the Province in January 2017 to confirm if the projects submitted qualify under the CWWF. Durham will be required to sign a contribution agreement with the Province shortly after January 2017.

3. Regional Submission

- 3.1 Staff developed the following table which identifies the list of projects totalling \$44.078 million which was submitted for funding under the CWWF.
- 3.2 The Region's share of funding (\$11.0 million) will be included in the 2017 Water Supply and Sanitary Sewerage Business Plans and Budgets to be recommended to the Committee of the Whole on December 7, 2016.

**Table 2
Durham Region Capital Projects
(\$ 000's)**

Project #	Project Location	Project Title	Total Eligible Cost	Federal Contribution	Provincial Contribution	Durham Contribution
1	Town of Whitby	Watermain replacement on King St. from Arthur St. to Dunlop St., James St from Kings St. to Centre St., & Ontario St. W. from Henry St. to King St.	\$1,500	\$750	\$375	\$375
2	Town of Whitby	Sanitary sewer replacement on King St. from Arthur St. to Dunlop St., James St from Kings St. to Centre St., & Ontario St. W. from Henry St. to King St.	1,400	700	350	350
3	Town of Whitby	Watermain replacement crossing Hwy 401 east of Brock St.	1,600	800	400	400
4	Town of Whitby	Whitby WSP - dechloration equipment for backwash prior to discharge	400	200	100	100
5	Town of Whitby, City of Oshawa	Sanitary Sewer on Regional Rd. 25 (Consumers Dr.) extension from east of Thickson Rd. to Thornton Rd.	1,240	620	310	310
6	Town of Whitby, City of Oshawa	Watermain on Regional Rd. 25 (Consumers Dr.) extension from east of Thickson Rd. to Thornton Rd.	1,100	550	275	275
7	City of Oshawa	Sanitary Sewer on Regional Rd. 52 (Thornton Rd.) from Champlain Ave. to Consumers Dr.	410	205	103	103
8	City of Oshawa	Replacement of a feedermain on Bloor St from Grandview St. to Townline Rd.	2,000	1,000	500	500
9	City of Oshawa	Harmony Creek Water Pollution Control Plant Upgrades - Phase 3	15,500	7,750	3,875	3,875
10	City of Oshawa	Oshawa Water Supply Plant - Plant No. 1 - Filter Rehabilitation	3,200	1,600	800	800
11	Municipality of Clarington	Courtice Water Pollution Control Plant - Resource Recovery Study - Phase 2	300	150	75	75
12	Township of Scugog	Twinning of the sanitary forcemain from Water St. Sanitary Sewage Pumping Station to the intersection of Carlan Drive and Regional Road 8 (Reach Street)	4,100	2,050	1,025	1,025
13	Regional Municipality of Durham	Rehabilitation of existing watermains (Cement lining)	3,000	1,500	750	750
14	Regional Municipality of Durham	Cathodic Protection of watermains	2,800	1,400	700	700
15	Regional Municipality of Durham	Polybutylene water service connection replacement program	5,528	2,764	1,382	1,382
Total			\$44,078	\$22,039	\$11,019	\$11,019

4. Summary

- 4.1 The Federal Government is proceeding with its \$120 billion 10-year Infrastructure Plan as outlined in the 2016 Federal Budget. Phase 1 of the plan includes \$2 billion for water, wastewater and stormwater infrastructure projects, with \$569.6 million being directed to the Province of Ontario.

- 4.2 The Region will be able to advance approximately \$44.0 million in water and wastewater projects through the Federal allocation of \$22.0 million and additional contributions from the Province (\$11.0 million) and \$11.0 million from the Region. The application form for the CWWF which list the capital projects totalling \$44.078 million was made to the Province prior to the deadline of October 31, 2016.

Respectfully submitted,

Original signed by

R.J. Clapp, CPA, CA
Commissioner of Finance

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

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: #2016-INFO-41
Date: November 21, 2016

Subject:

Quarterly Report on Planning Activities (Third Quarter: July 1, 2016 to September 30, 2016). File: 1.2.7.19

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The 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. Under the Delegation By-law, the Commissioner is required to provide quarterly reports to Council concerning actions taken under this delegated authority.

1.2 The purpose of this report is to provide information on planning activities during the third quarter of 2016, including:

- Regional Official Plan Amendment (ROPA) applications;
- Commissioner's actions on behalf of Council on the approval of Area Municipal Official Plan amendments, plans of subdivision, plans of condominium, and part-lot control exemption by-laws;
- Regional review of planning applications;

- Appeals to the Ontario Municipal Board; and
- Reserved street names.

2. Regional Official Plan Amendment Applications

2.1 In the third quarter of 2016, one new application was submitted.

- ROPA 2016-003 (Clara and Nick Conforti – Optilinx Systems) - to permit the continuation and expansion of a contractors yard and office in the Major Open Space designation (Town of Whitby).

2.2 As of September 30, 2016, there were a total of 11 ROPA applications under consideration.

In the third quarter, one ROPA application (2011-009 G. & L. Group Limited) was approved by Council subject to an appeal period prior to coming into full force and effect.

Three ROPA applications (2015-005 Harder Farms; 2015-007 J. Lipani and Son Sod Farms Ltd.; and 2016-002 Regional Municipality of Durham) came into full force and effect in the third quarter.

One application (2014-007 SASE Aggregates Ltd.) was approved in the second quarter and was appealed to the Ontario Municipal Board by local resident Jennifer Morrison (Refer to Attachment 1).

3. Regional Review of Planning Applications

3.1 The Region reviews planning applications from the area municipalities to ensure conformity with the Regional Official Plan (ROP), other Regional policies, and Provincial plans and policies. The Planning Division coordinates comments from other Regional Departments and provides a single coordinated response back to the area municipalities on the following types of 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.

3.2 Comments are also provided to the Land Division Committee on consent applications.

3.3 Table 1 summarizes commenting activity in the third quarter of 2016.

Table 1

Summary of Regional Review of Planning Applications

July 1 to September 30, 2016

Application Type	Status	Commenting Activity
Area Municipal Official Plan Amendments	Received	5
	Commented	1
Delegated Subdivisions & Condominiums	Received	8
	Provided Comments & Conditions for Draft Approval	11
	Cleared conditions of Draft Approval	7
Zoning By-law Amendments	Received	15
	Commented	5
Non-Delegated Part Lot Control	Received	1
	Approved	1
Consents	Received	47
	Commented	57

4. Appeals to the Ontario Municipal Board

4.1 The third quarter of 2016 saw the following new Ontario Municipal Board (OMB) activity:

- A hearing was held for Land Division Committee Application LD 138/2015

on August 30, 2016. The application is awaiting a decision of the OMB.

- Three decisions of the Land Division Committee were appealed to the OMB; LD 031/2016, LD 091/2016, LD 104/2016. Hearing dates have not yet been scheduled.

4.2 Four non-exempt Area Municipal Official Plan amendment applications and five consent applications remain before the OMB (Refer to Attachment 2).

5. Reserved Street Names

5.1 The Planning Division coordinates street naming in the Region. Street names are reviewed by the Region in consultation with Durham Regional Police Services in order to avoid the use of similar sounding street names. Approved street names are included in a street name reserve list for each area municipality. One new street name (Stellar Road) was added to the Regional reserve street name list in the third quarter of 2016 (Refer to Attachment 3).

6. Attachments

Attachment #1: Regional Official Plan Amendment Applications Currently Being Processed or Before the Ontario Municipal Board

Attachment #2: Planning Applications Appealed to the Ontario Municipal Board

Attachment #3: Summary of Reserved Street Names

Respectfully submitted,

Original signed by

B. E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

REGIONAL OFFICIAL PLAN AMENDMENT APPLICATIONS CURRENTLY BEING
PROCESSED OR BEFORE THE ONTARIO MUNICIPAL BOARD*
As of September 30th, 2016

OPA FILE	COUNCIL/ STANDING COMMITTEE CORR.	APPLICANT	PROPOSED AMENDMENT
1997-013	97-352	1204538 Ontario Inc.	To permit a rural employment area in the General Agricultural Area designation Lot 11, Conc. 6 (Thorah) Township of Brock (West of Hwy. 12 & 48, North of Main St.) (Status: On hold. Applicant to advise of next steps.)
2000-003	2000-273	Town of Ajax	To delete a Type C Arterial Road (Deferral #3 to the Town of Ajax Official Plan) Town of Ajax (Status: Deferral #3 (i.e. Clements Road), to be further examined through the Region's TMP update.)
2005-009	SC-2005-66	Loblaw Properties Ltd.	To delete a Type C Arterial Road Lots 3 & 4 Conc. 1 Town of Ajax (Shoal Point Rd. extension, North of Bayly St.) (Status: Connection to be further examined through the Region's TMP update.)
2005-011	SC-2005-68	Brooklin Golf Club Limited	To permit two 18-hole golf courses and resort / conference centre in the Permanent Agricultural Reserve designation Lots 21 to 25, Conc. 8 Town of Whitby (South of Myrtle Rd., West of Baldwin St.) (Status: Awaiting further technical studies from the applicant.)
2011-009	SC-2012-10	G. & L. Group Limited	To permit an 18 hole golf course with existing driving range and new clubhouse Lots 31 & 32, Conc. 5 Town of Whitby South of Winchester Road, West of Cochrane St.) (Status: Decision meeting held on September 07, 2016. Application approved, appeal period expired on October 6, 2016, no appeals were filed.)
2012-002	SC-2012-66	VicDom Sand and Gravel (Ontario) Ltd.	To permit the expansion of an existing pit Lots 16 & 17, Conc. 5 Township of Brock (South of Brock Conc. Rd. 6, West of Side Rd. 18 and North of Brock Conc. Rd. 5.) (Status: Public meeting held on June 12, 2012. Decision meeting to be scheduled.)

2014-006		Magnum Opus Developments	<p><i>To delete the Type 'C' Arterial Road classification (Bayly Street south to Ashbury Boulevard) from the ROP.</i></p> <p>Part of Lot 4, Conc. 3 Township of Ajax (Shoal Point Road/ Realignment from Bayly Street to Ashbury Boulevard) (Status: Pre-hearing conference held on August 26, 2015. OMB hearing date has been rescheduled to February of 2017.)</p>
2014-007		SASE Aggregate Ltd.	<p><i>To expand an existing pit to the west by 29.4 ha. with 23 ha. proposed for extraction.</i></p> <p>Part of Lot 20, Conc. 4 Township of Uxbridge (South of Wagg Road, East of Concession 4) (Status: Decision meeting held on June 14, 2016. Application approved. The decision has been appealed to the OMB, a pre-hearing conference has been scheduled for December 13, 2016.)</p>
2014-008		Vicdom Sand & Gravel (Ontario) Ltd.	<p><i>To add a new aggregate resource area (18.9 ha. in size) in Uxbridge.</i></p> <p>Part of Lot 15, Conc. 7 & 8 Township of Uxbridge (North of Goodwood Road, West of Lakeridge Road) (Status: Public meeting held on January 6, 2015. Decision meeting to be scheduled.)</p>
2015-005		Harder Farms (Paul and Betty Ann Harder)	<p><i>To permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farms</i></p> <p>Part of Lot 12, Concession 14 Township of Scugog (Southwest corner of Concession Road 1 and Highway 7/12) (Status: Public meeting held on December 1, 2015. Decision meeting held on June 14, 2016. Application approved, ROPA Amendment No. 165 in full force and effect.)</p>
2015-007		J. Lipani & Son Sod Farms Ltd.	<p><i>To permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farms</i></p> <p>Part of Lot 37, Concession 4 Township of Uxbridge (Davis Drive east of Concession Road 4 and west of Concession Road 5) (Status: Public meeting held on February 2, 2016, decision meeting held on June 14, 2016. Application approved, ROPA Amendment No. 163 in full force and effect.)</p>
2016-001		Mulock Farms Limited	<p><i>To permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farms</i></p> <p>Lot 8, Concession 10 Township of Brock (Highway 48 and Thorah Concession Road 10, south of Trent Severn) (Status: Public meeting held on March 22, 2016. Decision meeting to be scheduled.)</p>

2016-002		Regional Municipality of Durham	<p><i>To permit a Paramedic Station in a Prime Agricultural Area designation with connection to existing municipal services</i> Lot 11, Concession 5 Township of Brock (Regional Road 10, east of Albert Street South, west of Side Road 17) (Status: Decision meeting held on June 14, 2016. Application approved, ROPA Amendment No. 162 in full force and effect.)</p>
2016-003		Clara and Nick Conforti – Optilinx Systems	<p><i>To permit the continuation and expansion of a contractors yard and office in the Major Open Space designation</i> Lot 21, Concession 4 Town of Whitby (Thickson Road in between Taunton Road East and Conlin Road) (Status: Public meeting scheduled for December 7, 2016.)</p>

Planning Applications Appealed to the Ontario Municipal Board

AREA MUNICIPAL OFFICIAL PLAN AMENDMENTS (NON-EXEMPT)

REGIONAL FILE NO. / OMB CASE NO.	APPLICANT	MUNICIPALITY	PURPOSE	STATUS
D13-01-16 / PL110236	Town of Ajax	Town of Ajax	To implement changes to the Residential Intensification (OPA 41) and Employment policies (OPA 42) of the Ajax Official Plan. Site specific appeals only.	Settlement conference held on October 20, 2015. Decision order issued on October 23, 2015. OPA 41 and OPA 42 approved in part, allowing retail uses in a Prestige Employment designation. Balance of appeals adjourned sine die.
2010-W/01 / PL120500	Town of Whitby	Town of Whitby	To bring the Whitby Official Plan into conformity with the Growth Plan and the Regional OP as amended by ROPA 128. (Official Plan Amendment 90A, By-law No. 6413-10).	OMB decision issued on May 18 th , 2016. The majority of the OPA is now in effect. Balance of OMB proceedings are on hold.
2009-W/02 / PL130466	Town of Whitby	Town of Whitby	To implement intensification policies into the Whitby Official Plan. (Official Plan Amendment 90B, By-law Nos. 6413-10 & 6553-11).	OMB decision issued on May 18 th , 2016. The majority of the OPA is now in effect. Balance of OMB proceedings are on hold.
COPA 2012-006 / PL140177	Municipality of Clarington	Municipality of Clarington	To provide a Secondary Plan for the "Courtice Main Street and Town Centre" in order to facilitate the development of a mixed-use corridor along Durham Highway 2. (Official Plan Amendment 89)	Amendment approved in part through the OMB in written decision on November 28, 2014. OPA 89 still has 1 outstanding appeal adjourned sine die.

CONSENTS

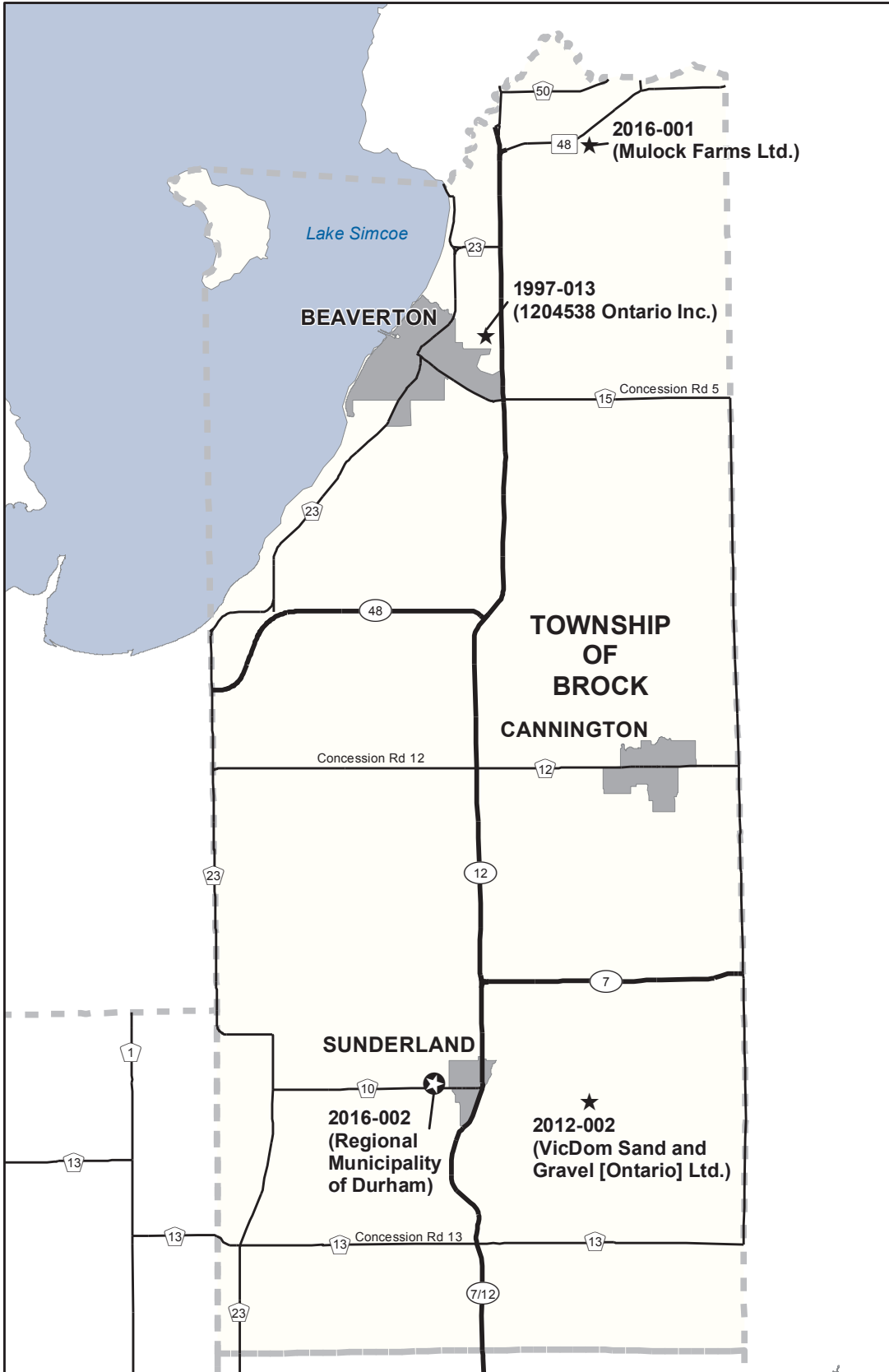
REGIONAL FILE NO. / OMB CASE NO.	APPLICANT	MUNICIPALITY	PURPOSE	STATUS
LD 116/2010 / PL101451	Laura Philps	Town of Ajax	Consent to sever a vacant 423.5 m ² residential lot, retaining a 5517.9 m ² residential lot with a care facility.	Hearing held on February 4, 2013. OMB order withheld pending fulfillment of conditions
LD138/2015 / PL160381	Nicholas Piccione	Town of Whitby	Consent to sever a 408 square metre residential lot retaining a 422 square metre residential lot with an existing dwelling to be demolished.	Hearing held on August 30, 2016. The decision has not yet been issued.
LD 031/2016 / PL 160920	Vince Baio & Bernie Jarrar	City of Pickering	Consent to sever a 924.3 square metre residential lot with an existing dwelling, retaining a 925.3 square metre residential lot.	A hearing date has yet to be scheduled.
LD 091/2016	Canadian Baptists of Ontario and Quebec Foundation	Town of Whitby	Consent to validate title to a vacant 1.52 hectare residential parcel of land, retaining a 5,394 square metre vacant residential parcel with existing structures to remain.	A hearing date has yet to be scheduled.
LD 104/2016	Her Majesty the Queen in Right of Ontario	City of Pickering	Consent to sever a 7,279.9 square metre residential parcel, retaining a 1,425.3 square metre vacant residential parcel of land. Application includes an easement for access.	A hearing date has yet to be scheduled.

Summary of Reserved Street Names

Municipality	Number of New Street Names Added July 1, 2016 – September 30, 2016	New Street Names Added	Total Number of Street Names Reserved
Ajax	0	-	301
Brock	0	-	29
Clarington	0	-	611
Oshawa	0	-	418
Pickering	0	-	634
Scugog	0	-	141
Uxbridge	0	-	87
Whitby	1	Stellar Road	298
Total	1	-	2,519



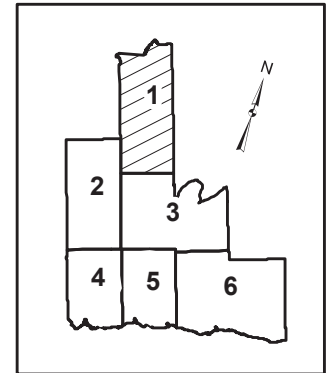
REGIONAL OFFICIAL PLAN AMENDMENTS (ROPAs) TOWNSHIP OF BROCK



ROPA Locations

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

REGIONAL MAP INDEX



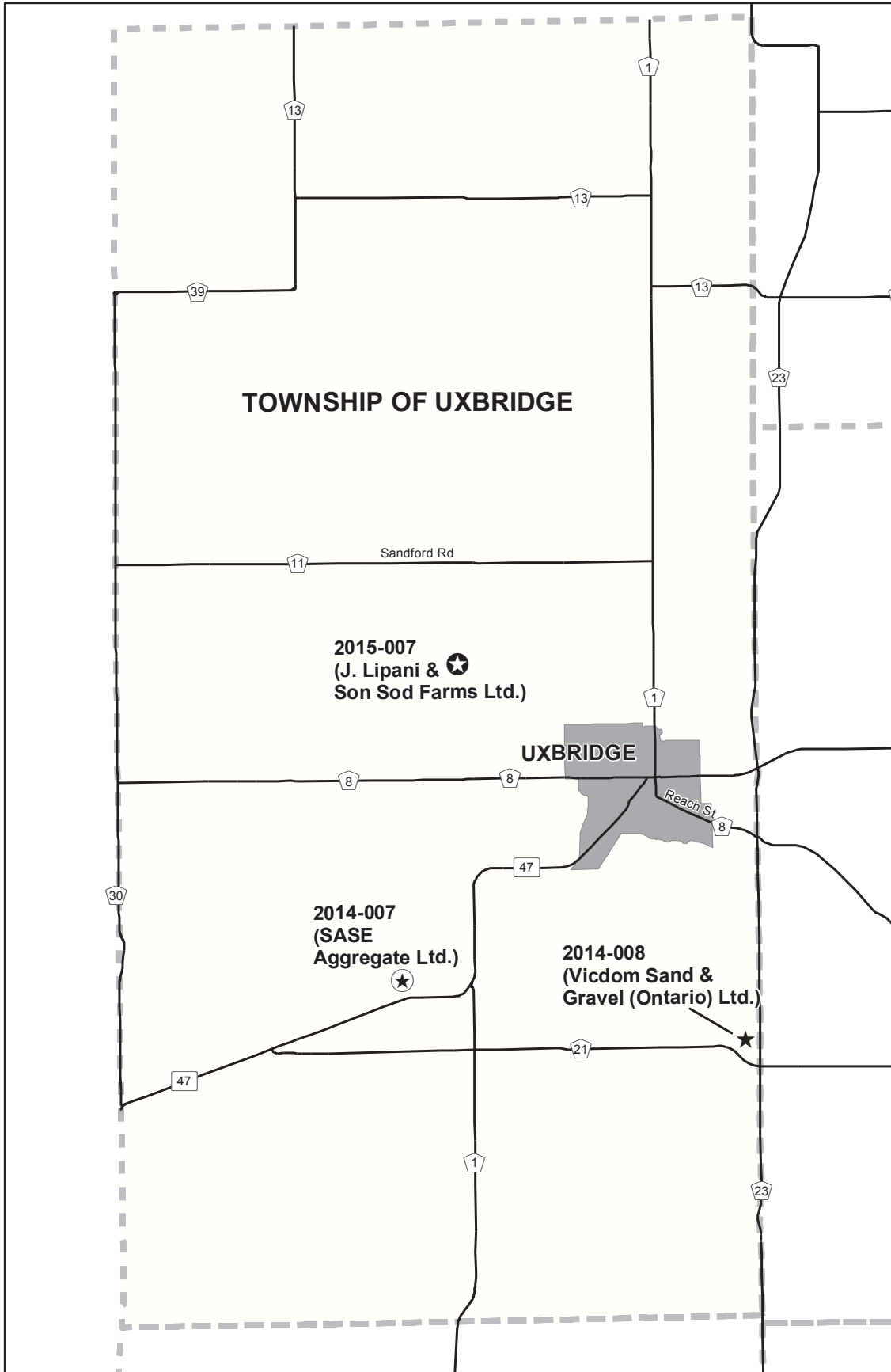
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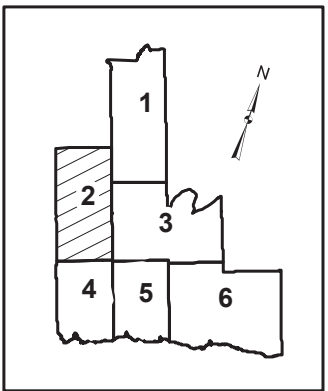
REGIONAL OFFICIAL PLAN AMENDMENTS (ROPAs) TOWNSHIP OF UXBRIDGE



ROPA Locations

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

REGIONAL MAP INDEX



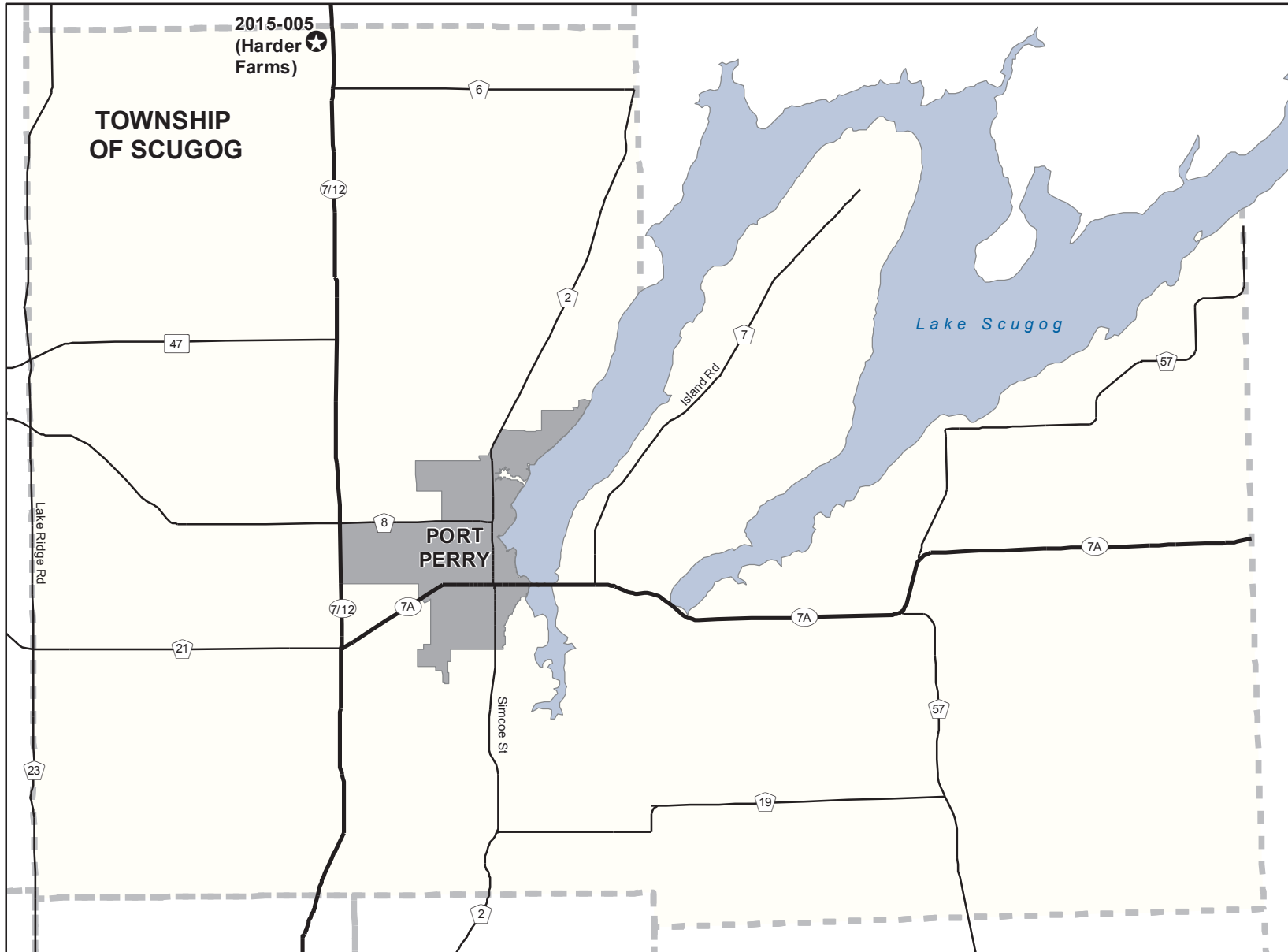
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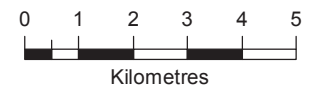
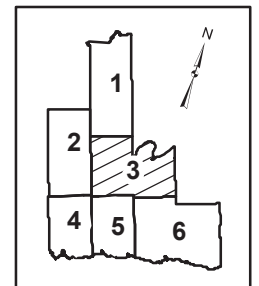
REGIONAL OFFICIAL PLAN AMENDMENTS (ROPAs) TOWNSHIP OF SCUGOG



ROPA Locations

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

REGIONAL MAP INDEX



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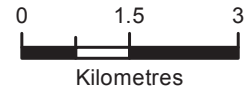
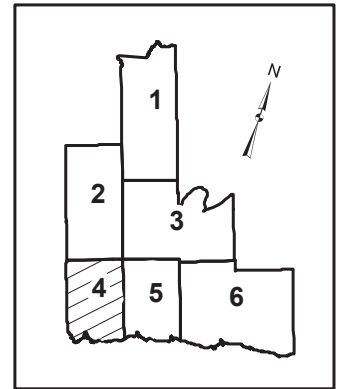


REGIONAL OFFICIAL PLAN AMENDMENTS (ROPAs) CITY OF PICKERING - TOWN OF AJAX

ROPA Locations

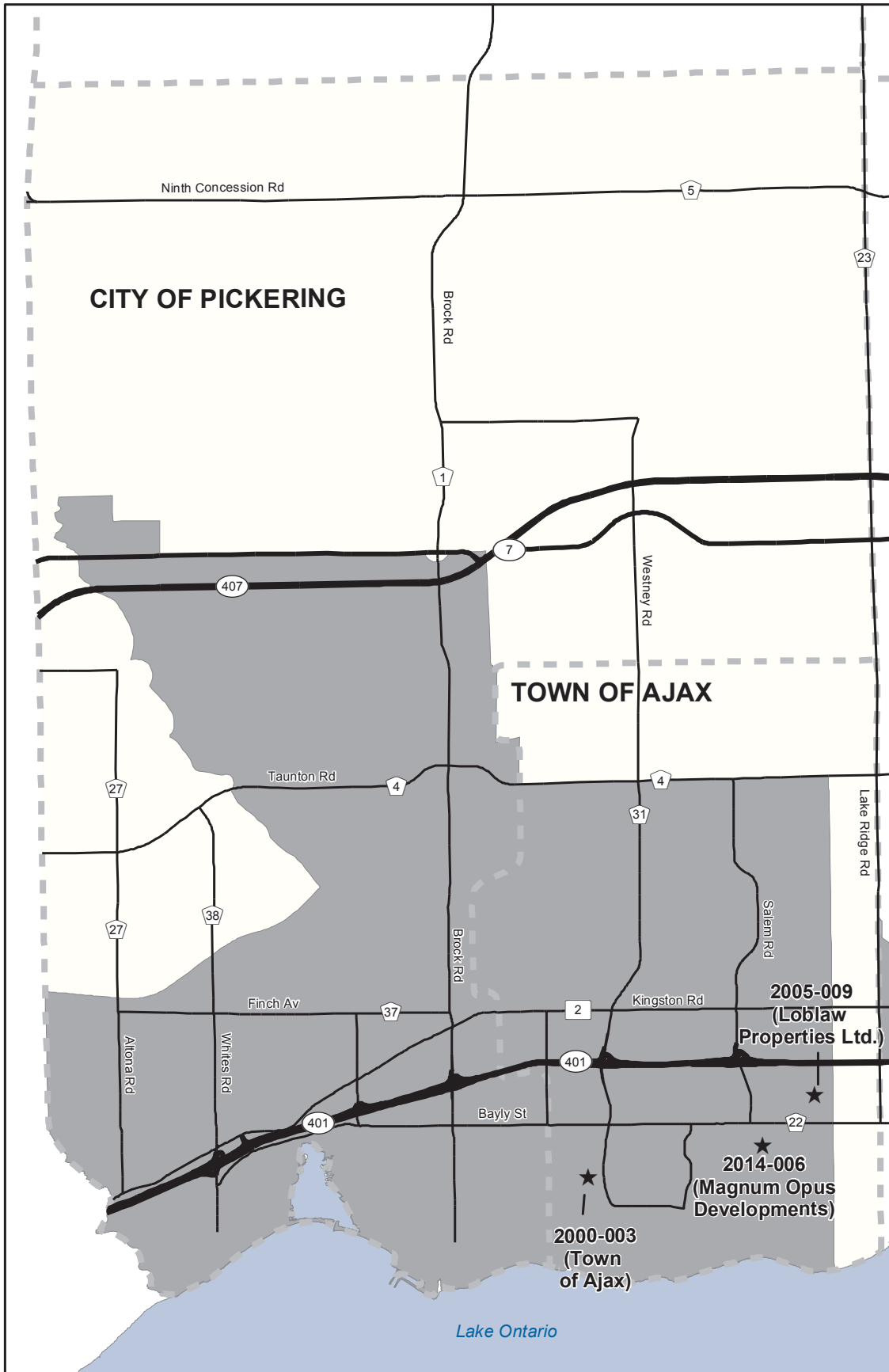
- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ Appealed to OMB
- ⊛ Approved
- Regional Official Plan Urban Area
- Municipal Boundary
- Provincial Highway
- Regional Highway
- Regional Road
- Local Road

REGIONAL MAP INDEX



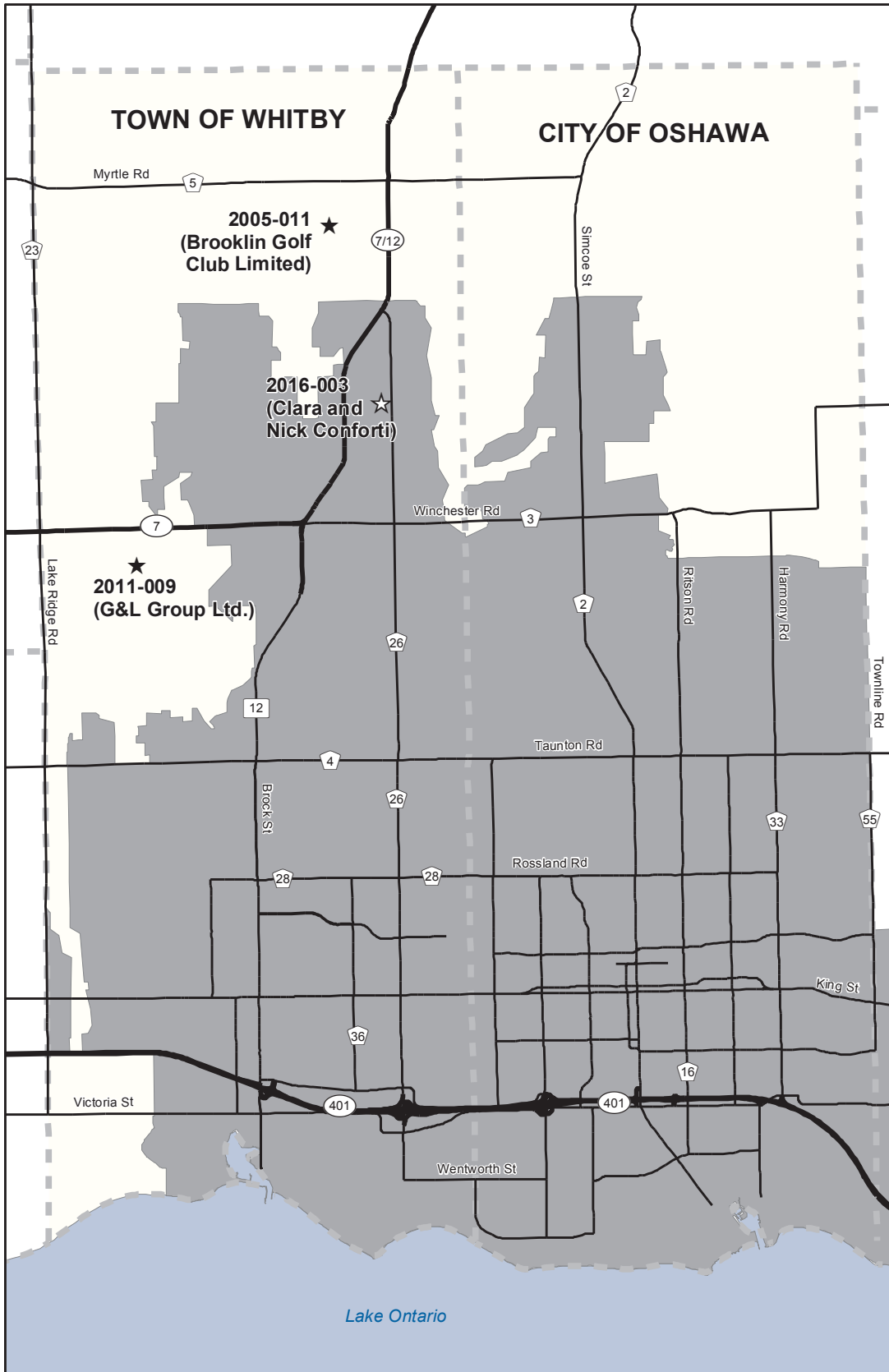
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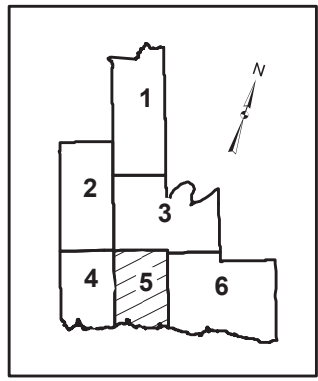
REGIONAL OFFICIAL PLAN AMENDMENTS (ROPAs) TOWN OF WHITBY - CITY OF OSHAWA



ROPA Locations

- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ (with star) Appealed to OMB
- ⊙ (with dot) Approved
- Regional Official Plan Urban Area
- - - Municipal Boundary
- (12)— Provincial Highway
- (48)— Regional Highway
- (5)— Regional Road
- Local Road

REGIONAL MAP INDEX



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If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2305.



The Regional Municipality of Durham Information Report

From: Commissioner of Finance
Report: #2016-INFO-42
Date: November 25, 2016

Subject:

City of Oshawa's Request to Join the Durham Municipal Insurance Pool (DMIP)

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to advise Regional Council on the City of Oshawa's request to join the Durham Municipal Insurance Pool (DMIP) at the Pool's next annual renewal date of July 1, 2017.

2. Background

2.1 The DMIP was established to cooperatively self-insure or pool the cost of insurance claims and to purchase insurance coverages under one common policy from the insurance market. The initial participating Municipalities included the Towns of Ajax and Whitby, the Municipality of Clarington, the Townships of Scugog, Uxbridge and Brock and the Region of Durham.

2.2 The Pool was formed to protect the participating municipalities from increasing insurance premium costs by structuring an alternative risk financing program with a high deductible and collectively self-insuring claims within the deductible.

2.3 Since its inception in 2000, the DMIP has been successful in combining the insurance and risk management requirements into a risk financing strategy for the Region of Durham and the majority of local municipalities within Durham Region.

2.4 Over time, compared to the commercial insurance sector, the DMIP risk-sharing pool has stabilized long-term insurance costs while ensuring that pool members can access the coverage and service necessary to sustain critical local government functions.

- 2.5 DMIP has achieved significant gains in improving risk management practices for its member municipalities, while at the same time DMIP has mitigated insurance premium increases over the past fifteen years.
- 2.6 The 2016/17 renewal for DMIP was successful both strategically and financially. Continued positive claims experience and investment income resulted in DMIP's ability to return its second dividend to members within the last three years.

3. City of Oshawa's Request

- 3.1 On December 14, 2015 the Council of the City of Oshawa passed the following resolution directing staff to work with the DMIP to explore the possibility of joining the DMIP by engaging an actuary to complete a review of the City's ten-year claim history and report back on the quantitative and qualitative analysis to determine whether joining the DMIP is prudent.
- 3.2 Since the December 14, 2015 directive from Oshawa City Council, the DMIP has been working with the City of Oshawa and KPMG to undertake an in-depth actuarial analysis of the City of Oshawa's claim data as the financial success of any insurance pool is dependent upon the claims experience of the group of participants.
- 3.3 KPMG's report indicates that the City of Oshawa's claims are generally consistent with the current pool members.
- 3.4 In light of KPMG's analysis, Oshawa City Council on November 28, 2016 is deliberating on their Finance Committee's recommendation to join the DMIP effective July 1, 2017.

4. Next Steps

- 4.1 Pending City of Oshawa Council's approval to join the DMIP effective July 1, 2017, there are several tasks that need to be concluded by both DMIP and the City of Oshawa before the City of Oshawa can be fully integrated into DMIP on July 1, 2017 including the following:
 - In accordance with DMIP's Subscribers Agreement, 80% of the Councils' of the DMIP members must approve the acceptance of the City of Oshawa into the Pool. The Region, along with the other DMIP members, will be bringing forward reports to their respective Council's early in the new year seeking direction on the City of Oshawa's request and authority to enter into the necessary memorandum of understanding with the City of Oshawa and the other DMIP members.
 - Pending agreement by 80% of the DMIP members' Council's, the City of Oshawa will be required to sign the Subscribers Agreement along with any other agreement or memorandum of understanding required to outline the terms of the gradual and well planned transition to successfully bring the City of Oshawa into the DMIP.

5. Conclusion

- 5.1 Oshawa has sought admittance into DMIP and as a result an extensive claims analysis was undertaken to ensure a successful mutual beneficial partnership for both the existing DMIP member municipalities and the City of Oshawa.

Pending the City of Oshawa's approval to join the DMIP effective July 1, 2017 and the completion of the remaining due diligence analysis, a report will be brought forward to Regional Committee and Council early in the new year formally seeking Council's direction on the City of Oshawa's request to join the DMIP.

Respectfully submitted,

Original signed by

R.J. Clapp, CPA, CA
Commissioner of Finance



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2016-INFO-43
Date: November 23, 2016

Subject:

Durham Tourism E-Newsletter- November 2016

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The Durham Tourism e-newsletter is a monthly snapshot of the tourism initiatives and activities across the Region of Durham. It serves as an environmentally-conscious, cost-effective marketing tool to promote economic development and tourism activity in Durham Region.

2. Background

2.1 The Durham Tourism e-newsletter was distributed to 7,527 subscribers in November 2016 with a 35% open rate and is also distributed via social medial channels through Corporate Communications staff.

- View the [Durham Tourism E-newsletter](http://myemail.constantcontact.com/Lest-we-forget-in-Durham-Region.html?soid=1101562300271&aid=J2OLEYD8BRo) online at <http://myemail.constantcontact.com/Lest-we-forget-in-Durham-Region.html?soid=1101562300271&aid=J2OLEYD8BRo>.

2.2 The Durham Tourism e-newsletter is produced in cooperation with Corporate Communications.

Respectfully submitted,

Original signed by

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



The Regional Municipality of Durham Information Report

From: Commissioner of Finance
Report: #2016-INFO-44
Date: November 25, 2016

Subject:

The Consolidated Budget Status Report to October 31, 2016 and Full Year Forecast

Recommendation:

Receive for information.

Report:

1. Purpose

1.1 The following summary on the status of the 2016 Consolidated Budget and Full Year Forecast for the General Tax, Durham Region Transit (DRT), Water Supply, and Sanitary Sewer Operations is based upon information supplied by the Regional Departments, a review of the financial statements to October 31, 2016 and preliminary information forecasted to the end of the year.

2. Budget Status Summary - General Tax Operations

2.1 A surplus position is forecast for both the General Tax Operations and Durham Region Transit for 2016, as indicated in the following table.

	<u>Surplus/(Deficit)</u>
	<u>\$</u>
General Tax Operations	
Social Services Department:	
Long-Term Care & Services for Seniors	(425,000)
Family Services	400,000
Children's Services	<u>330,000</u>
Total Social Services Department	<u>305,000</u>
Health Department	
Public Health Programs	1,200,000
Works Department	
Roads and General Operations	300,000
Solid Waste Management	<u>165,000</u>
Total Works Department	<u>465,000</u>
Planning and Economic Development Department	500,000
Corporate Services – Information Technology	300,000
Finance Department	250,000
Provincial Download Program	400,000
Other Initiatives	<u>(377,000)</u>
General Tax Operations Projected Surplus	<u>3,043,000</u>
Durham Region Transit Projected Surplus	<u>600,000</u>

3. General Tax Operations

3.1 Social Services Department

The Long-Term Care and Services for Seniors Division advises that as of the end of October overall revenue and expenditures are in a deficit position of approximately \$425,000. Factors contributing to this position are:

- An estimated over expenditure in utility costs of approximately \$260,000 at the new Fairview facility is primarily due to the new facility's first year of operation.
- All four Homes have required higher usage of temporary staff to ensure service levels are maintained. These situations are estimated to contribute approximately \$235,000 to the projected deficit.

- In addition, the resident Case Mix Index for 2016 is lower than that used for budget purposes and will result in an unfavorable variance of \$250,000 for per diem revenues across all four homes. This is partially offset by higher than expected Raw Food and Other Accommodation per diem revenue of \$120,000.
- Preferred accommodation revenue at all four homes is in a surplus position totaling approximately \$150,000.
- The Long-Term Care and Services for Seniors Division is reviewing all discretionary expenditures, as well as prioritization of capital expenditures, to mitigate the anticipated deficit position and expects to achieve approximately \$50,000 in savings at this time.

The Family Services Division reports that due to continuing staff vacancies in the Core Community Services and Employee Assistance programs, savings of approximately \$400,000 are anticipated for the year.

The Income and Employment Support Division is projecting a break even position in the Ontario Works Program Delivery and Client Benefit programs, as noted below:

A) Ontario Works (OW) Program Delivery

- The expenditures in the Ontario Works Program Delivery area are currently tracking below budget mainly due to the timing of staff leaves and filling of vacancies. However, the approved 2016 Service Contract for OW Program Delivery has resulted in funding of \$100,000 below the budgeted level, offsetting a portion of the savings. At this time, a surplus position of approximately \$480,000 in the Ontario Works Program Delivery area is being forecast.

B) Caseload

- The average year to date caseload is 364 cases below the average of 9,650 cases budgeted for the year (3.8 per cent below budget). With the introduction of the Social Assistance Management System (SAMS), the caseload data is not available on the same basis as previously presented, and may be contributing to the anomaly between higher costs and lower caseloads.

C) OW Client Benefits

- In the Income and Employment Support Division the caseload for the Client Benefits program as at October 31st, is below budgeted expectations, but the year to date benefit costs continue to trend over budget. At this time, a year-end deficit of approximately \$480,000 is being predicted. Caseloads and costs will be monitored closely over the remainder of the year. The 2016 year-to-date payments by type of assistance is presented in the following table.

SOCIAL ASSISTANCE BENEFITS - ONTARIO WORKS
2016 PAYMENTS BY TYPE OF ASSISTANCE
AS OF OCTOBER 31, 2016

	<u>Provincial Subsidy Rate</u>	<u>2016 BUDGET</u>	<u>YTD BUDGET</u>	<u>YTD ACTUAL</u>	<u>YTD VARIANCE Surplus / (Deficit)</u>
<u>GROSS EXPENSES</u> ⁽¹⁾		\$	\$	\$	\$
Client Benefits - Mandatory ⁽²⁾	94.2%	71,688,303	59,740,253	61,963,389	(2,223,136)
Client Benefits - Discretionary ⁽³⁾		3,129,081	2,607,568	2,688,790	(81,222)
TOTAL		74,817,384	62,347,821	64,652,179	(2,304,358)
<u>NET EXPENSES</u>					
Client Benefits - Mandatory		4,155,859	3,463,216	3,593,877	(130,661)
Client Benefits - Discretionary		600,221	500,184	764,288	(264,104)
TOTAL NET PAYMENTS		4,756,080	3,963,400	4,358,165	(394,765)
<u>NOTES:</u>					
(1) Represents payments made directly by the Region of Durham to Social Assistance clients or to agencies on their behalf.					
(2) Mandatory benefits estimated for October due to SAMS system issues.					
(3) The provincial formula for determining the maximum amount of discretionary benefits (health and non-health related) eligible for provincial cost-sharing is \$10 per the combined OW <u>and</u> ODSP caseload per month, and is subject to a year-end reconciliation of costs and caseload. The subsidy rate on expenses up to the capped amount in year is effectively 94.2%.					

The Children's Services Division is reporting a surplus of approximately \$330,000 for the year. Factors impacting the surplus are:

- Directly Operated programs and Administration are expecting to contribute Regional savings of approximately \$252,000 as a result of staff vacancies and the time required to fill positions. Certain vacancies will be covered by temporary staff until full time placements are finalized.
- Strong enrolment, full fee parents, a new toddler room at Lakewoods, as well as an additional room at Clara Hughes all contribute an estimated \$78,000 surplus in parent fee revenue from the Directly Operated Centres. Relocation of the Edna Thomson Early Learning and Child Care Program in Bowmanville is planned for 2017.
- In an ongoing effort to manage both applications and the provincial subsidy funding levels, there was a recent wait list release of 226 applicants, bringing the wait list date to the end of July 2015. The placement of more children in subsidized spaces is expected to result in a fee subsidy shortfall of approximately \$110,000. However, this shortfall is completely offset by the provincial subsidy that is not being utilized by the Directly Operated Programs.

The Housing Services Division reports that expenditures and revenues are in line with budgeted expectations. Expenditures on the Consolidated Homelessness Prevention Initiative are proceeding as planned in providing services that are addressing the selected outcomes of At Home in Durham, the Durham Housing Plan 2014 – 2024. A break even position is projected for the year.

Overall the Social Services Department is projecting a surplus of approximately \$305,000 for the year.

3.2 Health Department

- The approved Provincial subsidy for the Public Health programs is below the 2016 Regional budget expectations. However, staff leaves and the time lag associated with hiring of replacement staff is anticipated to provide savings in personnel expenditures, resulting in an overall net surplus of approximately \$1,200,000.
- The implementation of the provincial software for the immunization program is currently trending over budget; however, the Province has provided funding of \$191,400 which will offset the projected costs of this program.
- The Paramedic Services Division is reporting that payroll costs are in line with budgeted estimates. While there are savings in operational costs, including fuel costs, medical gases, and medical supplies, the approved provincial subsidies for 2016 are \$72,000 lower than Regional budget estimates. Consequently, a breakeven position is forecast for the Paramedic Services Division for the year.

3.3 Works Department

- A surplus position of approximately \$300,000 is forecast for the Roads and General Operations programs.
 - A) The Works Department has indicated that due to the number of winter storm events experienced in the early part of 2016, costs are tracking to budgeted estimates and a break-even position is anticipated. Year to date expenditures in the winter maintenance program are \$6,833,000 compared to the annual budget of \$9,574,000, or 71% of budgeted expenditures. The final status of the winter maintenance budget will be dependent upon actual winter storm events in the latter part of the year.
 - B) Staff leaves and vacancies in the engineering and staff support programs are anticipated to result in savings of approximately \$300,000.
- In the Solid Waste Management Operations, expenses are anticipated to result in an operating surplus of \$165,000, based on the following factors:
 - A) Personnel cost savings of approximately \$165,000 at Oshawa and Scugog Waste Management facilities, due to savings in temporary staffing for the year.

- B) The next Durham York Energy Centre (DYEC) update report in early 2017 will include the 2016 budget status for DYEC operations.
- C) Revenues from the sale of recycled materials are trending to budgeted levels and a break even position is forecast for Waste diversion revenues.

3.4 Planning and Economic Development Department

- The Planning and Economic Development Department is anticipating an overall surplus of \$500,000.
- Planning division revenues are trending to be \$50,000 higher than budget, and there are staff savings due to vacancies of \$300,000. At this time a surplus of approximately \$350,000 is projected.
- The Economic Development and Tourism Division is projecting a surplus of \$150,000 for the year due to staffing vacancies.

3.5 Corporate Services Department

- The Corporate Services - Information Technology division is currently anticipating savings of \$300,000 at year end due to staff vacancies and the timing of hiring replacements.
- The balance of the Corporate Services divisions advise that their revenues and expenditures to the end of October are in line with their year to date budget and a break even position is anticipated.

3.6 Finance Department

- The Finance Department is projecting a surplus of approximately \$250,000 for the year, primarily attributable to staff turnover and the time required to fill vacant positions.

3.7 Police Services Board

- The Police Service report that they are proceeding with actions related to the strategic plan as identified in the 2016 business plan covering areas such as Community Safety, Crime Prevention through Law Enforcement and Organizational Excellence. DRPS currently anticipate some savings in personnel costs due to timing of filling vacancies and fuel savings due to lower than anticipated fuel prices. Operational savings are being offset by higher than anticipated professional/legal costs and employee benefit costs. As such a break even position is being projected at this time.

3.8 Provincial Download Program

- Payments to external social housing providers, a portion of the Provincial Download budget, are presently tracking approximately \$800,000 below budget due to lower than anticipated benchmarked operating costs, lower interest rates on mortgage renewals and property taxes. Payments for Rent Geared to Income subsidies are tracking to budget.
- The net costs of the Durham Regional Local Housing Corporation (DRLHC) are trending to a deficit of \$400,000. The projected overages arise primarily from utility costs (electricity) and property maintenance, reflecting the ongoing maintenance and rehabilitation of the aging assets.
- Overall, it is anticipated that the surplus in payments to external social housing providers and projected deficit in the DRLHC budget will result in a net surplus position of approximately \$400,000 in the Provincial Download Program for 2016.

3.9 Other Initiatives

- The following unbudgeted items were approved by Regional Council during the year and are financed from the 2016 projected surplus.

	\$
Additional financing for Oshawa North Paramedic Station	78,625
Property tax share related to update of Regional Transit Development Charges By-law and Background Study	38,260
Additional capital funding for carpet replacement at Regional Headquarters	185,000
Consulting services to assist in monitoring of Social Housing Improvement Program capital repairs and renovations	<u>75,000</u>
Total Other Initiatives	<u>376,885</u>

4. Durham Region Transit

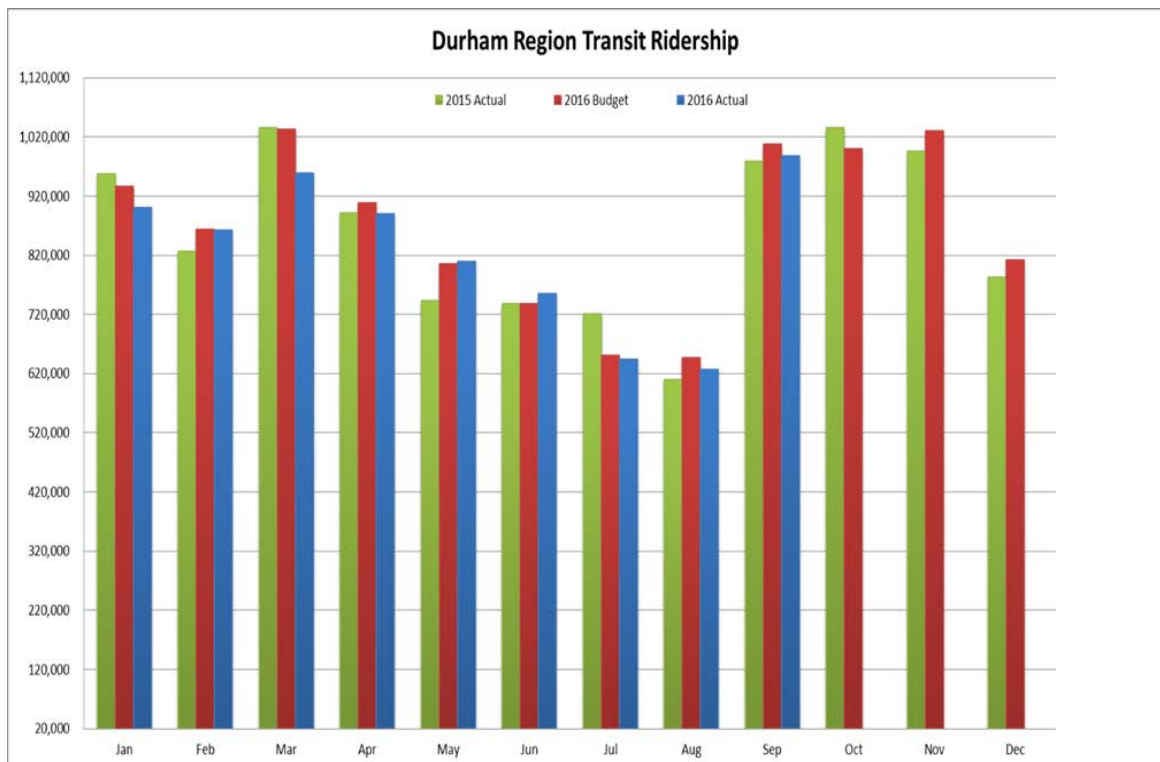
As of October 31, it is projected that Durham Region Transit (DRT) will have an operating surplus of approximately \$600,000, as outlined below:

DRT Operating Budget Status

	Detail	Surplus (Deficit)
	\$	Variance to Budget
	\$	\$
Fare Revenues		(450,000)
REVENUE PROGRAM SUMMARY		(450,000)
Operations	(500,000)	
Maintenance	1,425,000	
Specialized Services	125,000	1,050,000
EXPENDITURE PROGRAM SUMMARY		1,050,000
PROJECTED OPERATING DEFICIT		600,000

A) Ridership

- Overall, statistics available to the end of September indicate that conventional ridership is down 2.0 per cent (approximately 153,000 riders) to budgeted expectations, and 1.0 per cent (approximately 65,000 riders) compared to the same period in 2015.



- Statistics available to September indicate that specialized services ridership is down approximately 1.9 per cent when compared to the same period in 2015, and is about 5.5 per cent lower than 2016 budgeted expectations.

B) Fare Revenue

- Overall, a \$450,000 deficit position for fare revenue is projected for 2016 at this time. Cash fare revenue is expected to be in a \$400,000 deficit as ridership is down 5.7 per cent to budgeted expectations and 12.5 per cent to the comparable period in 2015. However, Presto ridership is trending higher than budget by approximately 1.8 per cent to date, leading to a projected surplus of \$200,000. In addition, pass and ticket sales revenue to the end of October continue to trend lower than the budgeted expectations for this type of fare media, and as a result, a \$250,000 deficit is expected.

C) Operations

- The annual forecasted deficit for the Operations program is expected to be approximately \$500,000. Overtime expenditures continue to trend lower than expected, and as a result, a \$90,000 surplus is expected for payroll related expenditures. In addition, the demand for the GO One-Fare-Anywhere service is approximately 12 per cent lower than budgeted expectations, and consequently, a surplus of \$80,000 is projected. However, contracted bus service for Whitby and the North expired on June 30, and costs associated with the six-month extension are expected to be \$420,000 higher than the approved budget. In addition, route maintenance services, including snow and ice removal in order to keep bus stops and shelters safe for DRT riders, is expected to be in a deficit position of about \$250,000.

D) Maintenance

- The year-end forecast for Maintenance is expected to be in a surplus position of \$1,425,000. Bus repairs and maintenance expenditures are trending higher than budget to date due to an increased frequency in unexpected engine and transmission failures, and consequently, a deficit of \$530,000 is anticipated. To October, the volume of conventional fuel used is trending higher than budget by approximately 0.7 per cent, or 40,000 litres, leading to a year-to-date fuel volume deficit of about \$45,000. However, since fuel prices remain lower than expected through 2016 so far, operating results are impacted by approximately \$2,000,000 in fuel price savings realized so far, resulting in an overall fuel surplus of \$1,955,000.

E) Specialized Services

- Overall, it is anticipated that the program will be in a \$125,000 surplus position. Service levels are slightly lower than budget for 2016 so far, and as a result, a \$25,000 surplus is expected for contracted taxis. In addition, a surplus of \$100,000 due to lower than expected fuel prices to date has been realized.

As of October 31, 2016, it is projected that DRT will be in a \$600,000 surplus operating position in 2016.

5. Water Supply and Sanitary Sewer Operations

5.1 Water Supply System

- The Works Department projects that the current operational expenditures of the Water Supply System are anticipated to produce a surplus position by year end with the following significant variances:

	Surplus/ (Deficit) \$
Engineering & Staff Support – savings in personnel related costs and operating costs such as professional fees	600,000
Water Supply Plants – savings in chemicals, utilities and other operational expenses	<u>1,400,000</u>
Projected Surplus	<u>2,000,000</u>

- To the end of October, due to the extremely dry summer, water user revenues are tracking above budget and a surplus of \$2.9 million is projected at this time.
- Overall, a net surplus position of approximately \$4.9 million in the water supply system is anticipated at this time.

5.2 Sanitary Sewer System

- The Works Department projects that the current operational expenditures of the Sanitary Sewer System are anticipated to produce a surplus position by year end with the following significant variances:

	Surplus/ (Deficit) \$
Water Pollution Control Plants - savings in operational accounts and personnel related costs	300,000
Engineering & Staff Support - savings in personnel related costs	400,000
Duffin Creek Water Pollution Control Plant – Durham share of savings from plant operations	<u>200,000</u>
Projected Surplus	<u>900,000</u>

- Similar to water supply, sewer user revenues are tracking above budget and a surplus of \$4.75 million is projected at this time.
- Overall a net surplus position of approximately \$5.65 million is anticipated for the sanitary sewer system operations.

6. Summary

6.1 Based on the available information to the end of October, surplus positions are forecast for the General Tax Operations, Durham Region Transit, the Water Supply System and the Sanitary Sewer Operations for the year.

6.2 Regional staff will continue to monitor costs and provide budget status updates.

Respectfully submitted,

Original signed by

R.J. Clapp, CPA, CA
Commissioner of Finance



Works
Department

Interoffice Memorandum

TO: Roger Anderson, Regional Chair and CEO
All Members of Regional Council

FROM: John Presta, P. Eng., MPA

COPY: Garry Cubitt, Chief Administrative Officer
Department Heads

DATE: November 25, 2016

RE: **Policy Proposal – Reducing Phosphorus to Minimize
Algal Blooms in Lake Erie
EBR Registry Number: 012-8760**

Please find attached Regional staff's submission letter on the Policy Proposal – Reducing Phosphorus to Minimize Algal Blooms in Lake Erie, EBR Posting Registry Number 012-8760.

Regional staff's submission letter reflects the recommendations related to the Regional Municipality of Durham's comments on Bill 66, the Great Lakes Protection Act as approved in Report # 2015-J-22.

Should you have any questions or require additional information, please do not hesitate to contact me.

Original signed by

John Presta, P.Eng.
Director, Environmental Services

Attachment

If this information is required in an accessible format, please contact the Accessibility Co-ordinator at 1-800-372-1102 ext. 2009.



**The Regional
Municipality of
Durham**

Works Department
605 Rossland Road East
PO Box 623
Whitby, ON L1N 6A3
Canada

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

Fax:
905-668-2051

Email:
works@durham.ca

www.durham.ca

Susan Siopis, P.Eng.
Commissioner of Works

November 18, 2016

MAILED AND E-MAILED (madhu.malhotra@ontario.ca)

Ms. Madhu Malhotra
Manager
Ministry of the Environment and Climate Change
Climate Change and Environmental Policy Division
Land and Water Policy Branch
135 St. Clair Avenue West, Floor 6
Toronto, ON M4V 1P5

Dear Ms. Malhotra:

RE: Policy Proposal- Reducing Phosphorus to Minimize Algal
Blooms in Lake Erie
EBR Registry Number: 012-8760

As staff at the Regional Municipality of Durham, we are writing in order to provide comments on the Policy Proposal for Reducing Phosphorus to Minimize Algal Blooms in Lake Erie (the Proposal) (Attachment #1). Although the Proposal is entitled as a policy for Lake Erie, there is a specific proposed action for Point Sources which would update provincial policies for Lake Ontario as well. Durham Region does not abut Lake Erie, but we do have a considerable amount of shoreline on Lake Ontario; hence, we are directly impacted by the Proposal. The action of concern to Durham Region is the one that would establish a legal effluent discharge limit of 0.5 mg/l of total phosphorous for all municipal sewage treatment plants that have an average daily flow capacity of 3.78 million litres or more per day.

The Region of Durham has previously provided comments on Bill 66, the Great Lakes Protection Act through Report # 2015-J-22, April 9, 2015 (Attachment # 2). These comments were endorsed

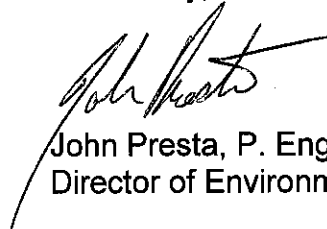
by Regional Council and generally support the policy direction to improve the protection of the Great Lakes Basin. Several comments within this report are applicable to the Proposal. Report # 2015-J-22 makes the following recommendations:

- i) The Region recommends that consultation on appropriate mechanisms, time frames and geographic scales for setting "targets" is required and that quantitative targets be supported by defensible science and peer-reviewed;
- ii) The Region recommends that working with partners in the Great Lakes Basin, the Province establish a common set of key indicators of ecological health for the Basin, gather and compile baseline data for each Great Lake, and develop a monitoring program for tracking the ecological health of the Basin over time; and
- iii) The Region recommends that targets set to reduce algal blooms should address the sources that have the greatest nutrient reduction potential in order to maximize the impact on the Great Lakes.

We appreciate the opportunity to provide comments on the Proposal. However, please note we are also somewhat dismayed. Given that this policy proposal specifically affects Lake Ontario and has potentially costly impacts for affected municipalities, we would have expected to have been consulted by your Ministry in a more direct and transparent manner. For example, such a proposed measure might be appropriately have been discussed in the context of developing the Lake Ontario Lake-wide Management Plan.

Regional staff are available for further consultation on this matter should such an opportunity exist.

Yours truly,



John Presta, P. Eng.
Director of Environmental Services

Attachments

Cc: Susan Siopis, P. Eng., Commissioner of Works
Brian Bridgeman, Commissioner of Planning
and Economic Development
Christine Drimmie, Policy and Research Advisor



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Policy Proposal Notice:

Title:

Reducing Phosphorus to Minimize Algal Blooms in Lake Erie

EBR Registry Number:

012-8760

Ministry:

Ministry of the Environment
and Climate Change

Date Proposal loaded to the Registry:

October 06, 2016

Comments may also be sent by e-mail to Land.Water@ontario.ca

Keyword(s): Nutrient Management | Water

Comment Period: 45 days: submissions may be made between October 06, 2016 and November 20, 2016.

Description of Policy:

Through the binational process, Canada and the U.S. adopted a 40 percent load reduction target for Lake Erie's western and central basins, based on extensive consultation on both sides of the border which included participation from the Province of Ontario. These targets were adopted by Ontario by virtue of provisions within the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2014 (COA).

Ontario is adopting a target of 40 percent phosphorus load reduction by 2025 (from 2008 levels), using an adaptive management approach, for the Ontario portion of the western and central basins of Lake Erie, as well as an aspirational interim goal of a 20 percent reduction by 2020, in order to assist in the reduction of algal blooms under Part IV subsection 9 (2) of the *Great Lakes Protection Act, 2015* (GLPA).

Further, Ontario is seeking early public input on proposed actions which will support the development of a draft Canada-Ontario Action Plan for Lake Erie. These proposed actions and subsequent Action Plan will comprise the plan required under subsection 9 (5) of the GLPA.

Ontario and Canada will engage the Great Lakes community, including First Nations, Métis, and specific sectors on a draft Action Plan for Lake Erie.

Context:

The Great Lakes are integral to the health, social and cultural well-being, and economic prosperity for all those who live and work within the basin. For millennia, Indigenous peoples have lived in the Great Lakes Basin – fishing, hunting, farming and trading, while maintaining a spiritual and cultural relationship with the Great Lakes. Lake Erie is shared by the people of Ontario and four U.S. states, and it serves as a source of drinking water for over 11 million people. Lake Erie also supports a multi-billion dollar tourism and recreation industry and sustains one of the largest commercial freshwater fisheries in the world.

Lake Erie is the shallowest, warmest and most biologically productive of the five Great Lakes, making it highly sensitive to changes in nutrient levels and

Contact:

All comments on this proposal must be directed to:

Ms. Madhu Malhotra
 Manager
 Ministry of the Environment
 and Climate Change
 Climate Change and
 Environmental Policy Division
 Land and Water Policy Branch
 40 St. Clair Avenue West
 Floor 10
 Toronto Ontario
 M4V 1M2
 Phone: (416) 314-1702
 Fax: (416) 326-0461

To submit a comment online, click the submit button below:

[Submit Comment](#) (opens in new window)

Additional Information:

The documents linked below are provided for the purposes of enhancing public consultation.

susceptible to algal blooms. Each day, the lake receives an estimated 11 billion litres of treated wastewater from Canadian municipal and industrial sources. Approximately 75 percent of the surrounding land base is dedicated to agricultural production. Following extensive phosphorus reduction efforts initiated in the 1970s, algal blooms that had been threatening Lake Erie were largely absent. However, harmful blue-green algae and nuisance algal blooms began to reappear in the mid-1990s.

Today, Lake Erie is once again showing symptoms of extreme ecological stress resulting in large-scale algal blooms that threaten drinking water quality, fish populations, beach quality, coastal recreation, and the overall ecological health of the lake.

There is consensus on both sides of the border that phosphorus is the primary nutrient that needs to be reduced. A number of contributing factors have been linked to algae such as increased loads of soluble reactive phosphorus (a form of phosphorus that is easily absorbed and available to algae), invasive species such as zebra mussels, changes to agricultural systems, and changes in climate.

Excess phosphorus is causing stress within the western, central and eastern basins of Lake Erie:

- Harmful "blue-green" algae (cyanobacteria that look like algae) bloom in the western basin and may contain toxins that can be harmful to humans and wildlife.
- Low oxygen (hypoxia) in the central basin is caused by the decomposition of dying algae that use up the oxygen in the lake bottom, depriving aquatic organisms (e.g., fish) of oxygen.
- Nuisance algae (Cladophora) in the eastern basin can clog water intakes, impede recreational uses, and degrade aquatic habitat. Algae decomposition can encourage bacterial growth and in some severe cases cause botulism resulting in bird and fish mortality.

The amount of phosphorus going into Lake Erie is variable and is dependent in large part on runoff from the land, and therefore is heavily influenced by weather which varies from season to season and from year to year. Phosphorus loads tend to be highest in late winter and spring, and years that receive more rain will generally have higher loads of phosphorus than drier years. Sources of phosphorus entering Lake Erie are generally considered to be either point sources (e.g., municipal and industrial wastewater treatment plants) or non-point sources (e.g., agricultural and stormwater runoff). For example, high runoff from fields can cause high phosphorus loadings during wet weather, while loadings are lower in dry conditions. Given the number and types of sources, multi-jurisdictional and multi-stakeholder collaboration and partnerships are essential for reducing nutrient loads to Lake Erie.

Point sources tend to be measured on a regular basis and their variability is relatively low because treatment processes are controlled, resulting in discharges with a fairly constant quality. Non-point sources are highly variable in quality and quantity over the course of a year and loads are more difficult to measure.

In the Ontario portion of the Lake Erie basin, similar to the U.S. portion of the basin, a significant majority of the loads are from non-point sources.

Commitments to Reduce Excess Phosphorus:

Without reducing the amount of phosphorus entering the lake, we will continue to see extensive algal growth and low oxygen conditions in Lake Erie. Ambitious and aggressive actions to reduce phosphorus loads are needed to restore and protect the lake's water quality and ecological health.

All links will open in a new window

1. [Canada-U.S. Great Lakes Water Quality Agreement, 2012](#)
2. [Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2014](#)
3. [Western Basin of Lake Erie Collaborative Agreement](#)
4. [Great Lakes Commission's Lake Erie Nutrient Targets Working Group Joint Action Plan](#)
5. [Ontario's 12-Point Plan on Blue-Green Algae](#)
6. [Ontario's Great Lakes Protection Act, 2015](#)
7. [Lake Erie Binational Targets](#)

Following public consultation, Canada and the U.S. formally adopted a science-based binational target of 40 percent reduction in phosphorus loads for the western and central basins from 2008 levels, based on an adaptive management framework. Canada's allocated portion of this reduction is 212 tonnes, while the U.S. reduction is 3,315 tonnes. This includes reducing phosphorus loadings by 40 percent from key watersheds on both sides of the lake where localized algae is a problem, including two watersheds in Ontario: Thames River and Leamington tributaries. Ontario participated in the development of these targets and fully supports collaborative efforts at all levels to reduce excess phosphorus entering Lake Erie. At this time, a target for the eastern basin has yet to be established and requires further scientific assessment. Ontario is participating in the development of this eastern basin target.

Ontario and Canada are committed to working together, through the COA, to develop a draft Action Plan for Lake Erie. The Canada-Ontario Action Plan will identify actions which are aimed at reducing nutrient loads to meet the binational targets applicable to the Ontario portion of Lake Erie, as well as those that will help to monitor and track future progress in meeting these targets.

In keeping with the need for early action, Ontario signed the Western Basin of Lake Erie Collaborative Agreement (Collaborative Agreement) with the States of Michigan and Ohio on June 13, 2015, collectively committing through an adaptive management process to a recommended 40 percent total load reduction in phosphorus entering Lake Erie's western basin by 2025, with an aspirational interim goal of a 20 percent reduction by 2020 (from a 2008 base year). Working with the bordering U.S. Lake Erie States of Ohio, Michigan, New York and Pennsylvania through the Great Lakes Commission, Ontario collaborated on the development of the Joint Action Plan which aligns with other binational and domestic nutrient efforts currently underway.

Ontario is also taking action at home to complement these efforts. Ontario's 12-Point Plan on blue-green algal blooms outlines how we are working with our many partners to prevent and respond to blooms in the Great Lakes and other lakes and rivers, and to protect drinking water supplies.

Ontario continues to work with partners on a number of other related initiatives to protect the health of Lake Erie, including COA, Lake Erie Lakewide Action and Management Plan, Lake Erie Binational Nutrient Management Strategy, and Remedial Action Plans in the Lake Erie basin. The province is also supporting various watershed plans and initiatives, which are underway with partners from all levels of government, conservation authorities, Indigenous peoples, local communities, and key sector groups.

Although Ontario's current nutrient reduction efforts are focused on Lake Erie, future efforts will be directed to Lake Ontario as the next priority Great Lake.

Canada-Ontario Action Plan for Lake Erie:

It has taken time for Lake Erie to get to its present state and because the environment of such a large lake takes time to adapt and respond to actions, it will take time to see improvements within the environment. Further, as there are many point and non-point sources of phosphorus entering Lake Erie, there is a need for immediate and collective action by all sectors and communities to achieve phosphorus load reductions.

While scientists agree that the majority of the loadings to Lake Erie are from U.S. sources, Ontarians must do their fair share of reducing phosphorus loads by 40 percent. The Canada-Ontario Action Plan for Lake Erie, to be developed by 2018, will identify actions that can be taken by all sectors to meet phosphorus load reduction targets, reduce algal blooms, and help restore Lake Erie for future generations.

Ontario (Ministries of the Environment and Climate Change, Agriculture, Food and Rural Affairs, and Natural Resources and Forestry) is working with Canada and members of the Great Lakes community to develop one plan – the Canada-Ontario Action Plan for Lake Erie (or a Domestic Action Plan, as referenced in the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA)), which will meet all of Ontario's binational and domestic commitments related to various nutrient initiatives, including the COA, GLPA, Collaborative Agreement, and Joint Action Plan with U.S. states.

Ontario's Proposed Actions:

Ontario is seeking early public input to help guide the content of the draft Canada-Ontario Action Plan for Lake Erie as part of a two-stage engagement process – to obtain comments now on proposed high level actions, followed by further public engagement once a draft plan is developed. As such, the following proposed actions are not an exhaustive list, and should be viewed as preliminary.

Point Sources

While the relative contribution from urban point sources is estimated to be approximately 10 to 15 percent of the total load across the basin, potential gains for phosphorus reduction from this source can be made. Urban point sources also have a higher soluble reactive phosphorus content than some other sources, which is a key driver of algae growth, and provides a further rationale for continued action. Achieving reductions in point source loadings may be supported by recent funding announced by Canada and Ontario through the Clean Water and Wastewater Fund (Phase 1 of Canada's infrastructure commitments, as well as future funding under Phase 2).

Proposed Action: Work with partners to update provincial policies for Lakes Erie and Ontario in order to establish a legal effluent discharge limit of 0.5 milligrams per litre of total phosphorus for all municipal sewage treatment plants (STPs) that have an average daily flow capacity of 3.78 million litres or more per day. This action will bring Ontario's policies in line with the binational recommendation under the Canada-U.S. GLWQA.

Proposed Action: Work with partners to reduce loadings where feasible, through upgrades to secondary STPs that have an average daily flow capacity of 3.78 million litres or more per day in the Lake Erie basin to a tertiary level of treatment, as well as improvements to wastewater treatment and collection infrastructure to reduce combined sewer overflows and bypasses, and stormwater management systems (including facility rehabilitation and incorporating green infrastructure).

Proposed Action: Ontario will promote and encourage optimization of sewage treatment as a way for municipalities to improve treatment plant performance (including lower phosphorus discharges) and achieve operational efficiencies. As part of this effort, Ontario will continue to support the development of area-wide optimization programs for municipal STPs to reduce phosphorus loads, and make Lake Erie the priority geography for this effort.

Proposed Action: Ontario, in collaboration with the greenhouse sector, will continue to work towards eliminating phosphorus-containing wastewater from entering Leamington area watercourses that flow into Lake Erie, through education, awareness, innovation, cost-shared investments and regulatory compliance and enforcement efforts.

Non-point Sources

Urban non-point sources account for approximately 5 to 10 percent of the total load across the basin. While stormwater runoff (phosphorus loads) from

municipal urbanized and rural areas are estimated to be lower than the loads from municipal sewage treatment facilities, their contribution may be significant in some watersheds.

Proposed Action: Ontario is working with developers and others to promote and support the use of green infrastructure and low impact development (LID), including clarifying and enhancing policies, and developing green standards. Ontario is in the process of drafting a LID guidance manual that will assist proponents in implementing their efforts. The draft manual is expected to be available for public comment in early 2017.

Although septic systems are generally considered to make a minor contribution to the overall phosphorus load to Lake Erie, they can have significant local impact in nearshore areas that have a greater concentration of septic systems. The proper management and maintenance of septic tanks helps prevent phosphorus from entering waterways.

Proposed Action: In collaboration with partners, Ontario is considering enhancing and clarifying regionalized requirements for mandatory pump-out and inspections of septic systems to increase protection of ground and surface water quality.

Ontario has initiated a policy and program review for hauled sewage (e.g., septic tank pump-outs, etc.). Proper management of hauled sewage ensures protection of the environment and waterways, and leads to reduced loadings of phosphorus from rural lands in the Lake Erie basin and province-wide.

Proposed Action: As part of the hauled sewage policy and program review, Ontario will develop, and post for public comment, a draft policy framework for managing hauled sewage in the province.

Agricultural Sources

With approximately 75 percent of the Lake Erie watershed in Ontario in agricultural production, farmland is considered a substantial contributor to the total phosphorus load. Given the variability in land and agricultural systems within the basin, the best approach to reducing phosphorus loss may vary between operations.

Proposed Action: In order to reduce phosphorus runoff during the high risk period (non-growing season), Ontario will partner with the agriculture sector to further enhance its outreach to farmers to promote the application of nutrients at the right time and is considering tighter restrictions on the application of nutrients during this period.

Proposed Action: Support for the implementation of an Ontario industry-led 4Rs program (right time, rate, source and placement of nutrients), based on the internationally-recognized 4R Nutrient Stewardship system which helps farmers reduce nutrient losses into the environment through efficient nutrient application.

Proposed Action: Ontario will continue to leverage funding for initiatives such as the Great Lakes Agricultural Stewardship Initiative that support nutrient management and soil health best practices within targeted areas in the Lake Erie basin.

Proposed Action: In collaboration with stakeholders, Ontario is developing an Agricultural Soil Health and Conservation Strategy to support agricultural soil management practices that provide economic, environmental and social benefits to Ontario. A document was released for public input titled "Sustaining Ontario's Agricultural Soils: Towards a Shared Vision" proposing to build a collaborative framework for developing the strategy, which includes a draft vision, goals and

objectives. The importance of long-term soil health is also featured in Ontario's recently released Climate Change Action Plan and the government intends to provide further support for soil health initiatives.

Proposed Action: Ontario will continue to work with the agricultural sector to enhance and promote environmentally sustainable best practices, including the development of information and tools to increase use of cover crops during the non-growing season to reduce soil loss and field runoff.

Proposed Action: In an effort to support evidence based decisions to ensure healthy lands and waters, Ontario will develop a publicly available digital elevation model of the Lake Erie watershed (based on LIDAR technology) to assist all stakeholders with environmental stewardship planning.

Natural Heritage

Actions to improve and restore natural areas provide enhanced opportunity for improving the overall health of Lake Erie. For example, wetlands can act as a natural feature for capturing phosphorus.

Proposed Action: Through the implementation of the proposed Wetland Conservation Strategy for Ontario, we will improve wetland protection through strengthened policies to stop the net loss of wetlands and sustain essential ecosystem services, including improved water quality.

Proposed Action: Ontario will explore opportunities to target funds for wetland restoration/rehabilitation in priority basins.

Proposed Action: Continue to participate in partnerships such as the Ontario Eastern Habitat Joint Venture that work to promote and conserve Ontario's wetlands.

Science, Monitoring and Public Reporting

Monitoring loadings and tracking progress to achieve nutrient reductions will be essential for ensuring that actions are making a measurable difference to Lake Erie's water quality.

Proposed Action: Enhanced monitoring will be undertaken in the Thames River watershed and in Lake St. Clair to better understand the sources and types of phosphorus that are feeding algal growth.

Proposed Action: Ontario will work with its partners to provide an annual update on Lake Erie through its website, and produce a progress report every three years.

Great Lakes Protection Act, 2015:

Ontario's *Great Lakes Protection Act, 2015* provides new tools that can help address algal blooms in Lake Erie. The Act enables partners to come together to achieve shared goals in a particular watershed or geographic area in the Great Lakes-St. Lawrence River Basin. The GLPA commits the Minister of the Environment and Climate Change to set at least one target by November 2017 to assist in the reduction of algal blooms.

The Minister of the Environment and Climate Change is adopting a target of 40 percent phosphorus load reduction by 2025 (from 2008 levels), using an adaptive management approach, for the Ontario portion of the western and central basins of Lake Erie, as well as an aspirational interim goal of a 20 percent reduction by 2020, in order to assist in the reduction of algal blooms under Part IV subsection 9 (2) of the GLPA. These targets are consistent with efforts being pursued under COA for which an Action Plan for Lake Erie is

currently being developed. Ontario recognizes that these targets will need continual assessment based on best available information. To that end, Ontario will work with its partners and apply an adaptive management framework so that targets and actions could be refined as needed based on monitoring, performance measures, and evolving science and information. The Province will report every three years on progress on these targets, as part of regular Great Lakes progress reports mandated under section 8 of the GLPA.

Subsection 9 (4) requires that for each target established, the area to which the target applies must also be specified, and the manner in which public bodies (such as provincial ministries, municipalities, and conservation authorities) in that area should take the target into consideration. The target of a 40 percent phosphorus load reduction will apply to the Ontario portion of the western and central basins of Lake Erie, which includes the waters from the outflow of Lake Huron through Lake St. Clair and the outflow of the Detroit River into the western basin itself. The Canada-Ontario Action Plan for Lake Erie, currently under development with all partners, will set out the manner in which public bodies with jurisdiction in that area should take the target into consideration.

Subsection 9 (5) specifies that for any target established under the GLPA, the Minister shall also prepare a plan setting out the actions that shall be taken to achieve the target. The forthcoming Canada-Ontario Action Plan for Lake Erie will serve as the Minister's plan for meeting the GLPA Lake Erie target to assist in the reduction of algal blooms.

Once a binational phosphorus reduction target is established for the Lake Erie eastern basin, MOECC will consult on that proposed GLPA target through a future Environmental Registry posting.

Purpose of Policy:

Ontario recognizes that we need to work with all partners to take action now on Lake Erie. Clear targets and a coordinated approach involving actions from all sectors and communities across the basin will help us protect Lake Erie from further deterioration.

Ontario is seeking early public input on proposed actions relating to phosphorus load reduction which will ultimately support the development of the draft Canada-Ontario Action Plan for Lake Erie. A second opportunity for public comment will be provided when a draft Lake Erie Action Plan is developed.

In addition, this notice sets out Ontario's target of a 40 percent phosphorus load reduction by 2025 (from 2008 levels), using an adaptive management approach, for the Ontario portion of the western and central basins of Lake Erie, as well as an aspirational interim goal of a 20 percent reduction by 2020, in order to assist in the reduction of algal blooms under Part IV subsection 9 (2) of the GLPA.

Input received will help inform the development of the draft Action Plan for Lake Erie under COA, and support a number of Ontario's Lake Erie commitments under the GLPA, Collaborative Agreement, and Joint Action Plan with U.S. states.

Some questions to guide discussion and input:

1. Do you have any feedback or input on the proposed actions outlined in this notice, which will ultimately support the development of the draft Canada-Ontario Action Plan for Lake Erie?
2. Are there other actions for Lake Erie that should be pursued in specific parts of the watershed or from specific sources within the Lake Erie basin?
3. As all sectors and communities within the Lake Erie basin need to take action to reduce phosphorus loads, do you have any recommendations on how to encourage collaborative action across the basin? Are there

specific actions that you or your sector or community are taking or considering?

4. Tracking progress will be essential for ensuring that actions are making a measurable difference to Lake Erie's water quality. Do you have any specific ideas for measuring progress towards achieving Lake Erie phosphorus load reduction targets?

Public Consultation:

This proposal has been posted for a 45 day public review and comment period starting October 06, 2016. If you have any questions, or would like to submit your comments, please do so by November 20, 2016 to the individual listed under "Contact". Additionally, you may submit your comments on-line.

All comments received prior to November 20, 2016 will be considered as part of the decision-making process by the Ministry if they are submitted in writing or electronically using the form provided in this notice and reference EBR Registry number 012-8760.

Please Note: All comments and submissions received will become part of the public record. Comments received as part of the public participation process for this proposal will be considered by the decision maker for this proposal.

Your personal information may be used in the decision making process on this proposal and it may be used to contact you if clarification of your comment is required. It may be shared (along with your comment) with other Ontario Ministries for use in the decision making process. Questions about this collection should be directed to the contact mentioned on the Proposal Notice page.

Other Public Consultation Opportunities:

As excess nutrients and associated algal blooms pose a threat to water quality and drinking water supplies for millions of Ontarians, it is vital that strong collaboration by all sectors be an integral part of any action plan that is developed.

Canada and Ontario will continue to engage with the Great Lakes community, including First Nations and Métis representatives and specific sectors on the development of the draft Action Plan for Lake Erie.

A Lake Erie Nutrients Working Group has been established as a platform for sharing multi-sectoral perspectives, identifying potential actions, and for providing input and advice on the development of a draft Action Plan. It includes technical experts and community leaders who are providing strategic advice on potential actions to reduce phosphorus loads and algal blooms. This Working Group includes representation from the following sectors and communities: municipal, agricultural, conservation authorities, First Nations, Métis, environmental, industrial/commercial, academic/science, tourism, cottagers, fisheries, and general public.

Further engagement opportunities will be identified as the draft Canada-Ontario Action Plan for Lake Erie is developed.

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The Regional Municipality of Durham Report

To: The Joint Finance & Administration, Health & Social Services,
Planning & Economic Development and Works Committee
From: R. J. Clapp, Commissioner of Finance
C. Curtis, Commissioner of Works
A.L. Georgieff, Commissioner of Planning and Economic
Development
R.J. Kyle, Commissioner and Medical Officer of Health
Report: 2015-J-22
Date: April 9, 2015

Subject:

Durham Region Comments on Bill 66, the Great Lakes Protection Act

SC # 2015-33, dated March, 2015 from the Hon. Glen Murray, Minister of the Environment and Climate Change, advising of the introduction of the Great Lakes Protection Act and commenting period until April 19, 2015.

Recommendation:

THAT the Joint Finance & Administration, Health & Social Services, Planning & Economic Development and Works Committee recommends to Regional Council that:

- 1) This report be endorsed and submitted to the Ministry of Environment and Climate Change (EBR Registry No.012-3523) as Durham Region's comments on the proposed Great Lakes Protection Act (GLPA) with the following key comments and recommendations:
 - a. The Region of Durham commends and supports the general direction and intent of the GLPA to improve protection of the Great Lakes Basin;
 - b. The Region has concerns about new unfunded costs that may be imposed by the Act on the Region such as:
 - i. Possible changes to water, wastewater and stormwater management

- facilities as a result of higher regulatory standards (i.e. costs to achieve the targets developed under the Act);
- ii. Costs to participate in, comply with or enforce Geographically Focused Initiatives (GFIs) including Regionally funded conservation authorities; and
 - iii. Measures required to bring Official Plans and other municipal bylaws into conformity with initiatives and potential costs of Ontario Municipal Board appeals to official plan amendments undertaken to achieve compliance with a GFI;
- c. Significant new on-going Provincial and Federal funding commitments for current initiatives and future geographically-focused initiatives should be provided due to the cross-jurisdictional nature of water resources and the spill-over of benefits;
 - d. The Region recommends that consultation on appropriate mechanisms, time frames and geographic scales for setting “targets” is required and that quantitative targets be supported by defensible science and peer-reviewed;
 - e. The Region recommends that working with partners in the Great Lakes Basin, the Province establish a common set of key indicators of ecological health for the Basin, gather and compile baseline data for each Great Lake, and develop a monitoring program for tracking the ecological health of the Basin over time;
 - f. The Region recommends that targets set to reduce algal blooms should address the sources that have the greatest nutrient reduction potential in order to maximize the impact on the Great Lakes;
 - g. There are many existing layers of legislation and provincial plans in place to protect water resources in Ontario. The Region recommends that rather than creating additional layers of policy and regulation the Province should:
 - i. Improve and enforce existing regulations;
 - ii. Take an action-oriented approach to GFIs as projects where significant provincial funding would motivate and facilitate joint local efforts and projects to improve the ecological health of shorelines and watersheds; and

iii. Fund and lead programs for each of the Great Lakes to improve ecosystem health;

and;

2) A copy of this report be forwarded to the Ministry of the Environment and Climate Change, the Association of Municipalities of Ontario, the Region's conservation authorities and the eight area municipalities for information.

1. Purpose

1.1. This report provides a summary of Bill 66, the proposed Great Lakes Protection Act and Regional comments. The Bill was posted on the Environmental Bill of Rights on February 18, 2015.

2. The Proposed Great Lakes Protection Act

2.1. The **Great Lakes Protection Act** (GLPA) was first introduced by the Ontario Minister of the Environment in June 2012 but "died on the Order Paper" when the Legislature was prorogued on October 15, 2012. The Act was re-introduced in February 2013, but again, did not advance before the House rose when the June 2014 election was called. The Province had conducted public consultation and Standing Committee hearings on the Bills and received stakeholder comments. In August 2012, the Region of Durham submitted comments on the Act which were summarized in Report 2012-J-28.

2.2. The Region's comments included strong support for the concept of a Great Lakes Protection Act. The proposed GLPA provides new tools for the Province of Ontario to continue to be an effective partner in Great Lakes protection.

2.3. The latest version of the GLPA was introduced in Legislature as Bill 66 on February 18, 2015 and was posted for public comment on the Environmental Bill of Rights Registry (Registry Number: 012-3523). This iteration of the Act is similar to the previous two bills but includes several significant amendments based on input from consultation on the earlier versions.

2.4. The key purposes of the GLPA are:

- To protect and restore the ecological health of the Great Lakes-St. Lawrence River Basin; and

- To create opportunities for individuals and communities to become involved in that effort.

2.5. Key measures proposed in the Bill include:

- Establishing a Great Lakes Guardian's Council with representation of municipal interests along with other stakeholder groups which would meet at least once a year;
- Requiring development of a Great Lakes Strategy which would be updated at least every six years;
- Providing authority for the Minister to set Great Lakes targets (quantitative) and initiatives (qualitative);
- Providing authority for the Minister of Environment and Climate Change (MOECC) or Minister of Natural Resources and Forestry (MNR) to direct public bodies including municipalities and conservation authorities, ministries and agencies to develop geographically focused initiatives (GFIs);
- Providing authority to the Lieutenant Governor in Council (i.e. Cabinet) to:
 - Develop regulations(e.g. a shoreline regulation) that would apply within the geographically focused initiative (GFI) area;
 - Designate public bodies to enforce the provisions of the regulation;
 - Require that within the GFI area, municipal operations, infrastructure and land use decisions conform to designated policies of the GFI; and
 - Incorporate by reference in Section 26, compliance and enforcement provisions of the Lake Simcoe Protection Act.

2.6. Changes incorporated into this version of the GLPA include:

- The sub-purposes of the Act are amended to add protecting the capacity of the Basin in the face of climate change;
- Addition of Conservation Authorities to the representation on the Guardians Council;
- Removal of references to source protection committees and authorities as suggested by Durham Region and several conservation authorities;

- Addition of a series of principles to be included in the Great Lakes Strategy and to guide decisions under the Act Sec. 6(4);
- Revision of Section 8 requirements for monitoring environmental indicators to measure progress, not just activity as well as requirement to report on emerging threats to the Basin;
- A requirement in Section 9(2) for the Minister of the Environment and Climate Change, within two years, to establish at least one target to assist in the reduction of algal blooms in all or part of the Great Lakes Basin;
- A requirement in Section 9(3) for the Minister of Natural Resources and Forestry to establish a target with respect to preventing net loss of wetlands in all or part of the Basin;
- Before the Minister directs a public body to develop a GFI proposal, he or she must consult with other Great Lakes ministers, representatives of municipalities in the affected geographic area as well as representatives of environmental groups, the scientific community, and economic sectors, affected conservation authorities and local Members of Provincial Parliament;
- The requirement for Cabinet approval for a GFI proposal to proceed to the initiative stage has been removed in Bill 66. Only ministerial approval is required.
- At the initiative stage, a new provision requires that the public body(ies) responsible for development of the initiative, must consider other studies, plans, strategies, Acts or land use plans or bylaws that relate to or protect the ecological health of all or part of the GFI area;
- Before referring the GFI for Cabinet approval, the Minister must ensure that affected municipalities receive a copy of the draft initiative and invite them to make written submissions or pass a resolution on the GFI within a set timeframe;
- New provisions in Section 19 (regarding the content of an initiative) require a cost benefit analysis for the GFI implementation and an assessment of the ecological benefits to the Basin;
- The addition of Section 28 provides for the incorporation of First Nations and Metis traditional ecological knowledge into the GFI; and

- A provision in Section 30 to allow any person to request the Minister to establish a target.

3. Analysis and Comments

3.1. Regional staff supports the general direction and intent of the GLPA to improve protection of the Great Lakes Basin. However, many proposals contained within the Act may have significant cost implications for municipalities when it comes to implementation. These include:

- i. Measures required to bring Official Plans and other municipal by-laws into conformity with initiatives;
- ii. Costs of OMB appeals of Official Plan amendments undertaken to achieve compliance with a GFI;
- iii. Possible changes to water, wastewater, and stormwater management facilities as a result of higher regulatory standards (i.e. costs to achieve targets developed under the Act),
- iv. The unknown costs to municipalities to participate in and implement GFIs; and
- v. Costs to conservation authorities and area municipalities associated with the management of shoreline areas for parks and recreation.

3.2. The regulatory environment regarding land-use planning, water, wastewater, and stormwater has evolved quickly in recent years and further changes may challenge the municipal sector to keep up. Regional staff is concerned that this provincial policy initiative that will require the Region to implement another layer of plans. In light of this, it is critical that initiatives coordinate with existing plans and policies to avoid overlap and duplication of effort. Similarly, there will be significant financial and human resource implications for public bodies made responsible for the initiatives. Due to the cross-jurisdictional nature of the problem and the possible imposition of more plans on local jurisdictions, implementation of measures to protect the Basin should be funded substantially by provincial and federal orders of government, and carried out with the agreement of the municipalities affected.

- 3.3. The concept of geographically focused initiatives parallels the source protection plans now beginning to be implemented across Ontario. The Province has not committed any multi-year funding for municipal implementation of these watershed-specific plans. In addition, the Region participates in the geographically-specific groundwater initiative, the York-Peel-Durham-Toronto-Conservation Moraine Coalition.
- 3.4. The pattern of provincial initiatives mandating new responsibilities and costs on municipalities without related funding has been seen with the Lake Simcoe Protection Plan as well. Amendment of the Ontario Building Code in 2010, to require mandatory inspections of private sewage systems in parts of the Lake Simcoe watershed, is an example. Unless significant new on-going Provincial funding commitments for these and other projects, Regional staff would be reluctant to participate in additional GFIs.
- 3.5. "Areas of Concern" were designated in 1987 under the Great Lakes Water Quality Agreement between Canada and the United States as locations within the Great Lakes identified as having experienced high levels of environmental harm and needing remediation. Since then, only three sites have been remediated and removed from the list. The remediation projects may include federal, provincial and municipal funding. Regional staff is concerned that the Act would allow Areas of Concern to be identified as GFIs and that additional responsibilities for remediation could be downloaded to municipalities or conservation authorities.
- 3.6. Section 9(2) requires the establishment of at least one target to assist in the reduction of algal blooms in all or part of the Great Lakes Basin. The Act does not detail whether the targets will be province-wide or based on GFI areas. The Lake Simcoe Protection Act sets targets for phosphorous reduction and regulates inputs to the Lake from municipal water pollution control plant effluent. However, targets have not been established for other sources such as agriculture or stormwater run-off. Should targets be set to reduce algal blooms, they should address the sources that have the greatest nutrient reduction potential in order to maximize the impact on the Great Lakes.
- 3.7. Section 9(3) allows the Minister of Natural Resources and Forestry to establish targets with respect to preventing the net loss of wetlands in all or part of the Basin and create a plan for reaching the target. Various provincial policies and approval processes affecting Durham already contain significant protection for

wetlands. Regional staff will seek clarification on whether the intent of this provision is to extend the protections in these plans to other parts of the province and or to expand protections for provincially significant wetlands generally.

- 3.8. The GLPA suggests the possibility of quantitative and qualitative targets as well as area-specific targets. It also mentions potential allocation of effort to achieve targets within sub-areas. Part IV allows the Minister to either set a target for an area unilaterally or direct a public body to propose a target for an area. Staff is concerned that new costs may be imposed on the affected public bodies to deliver the target as implied in section 8[2(3)].
- 3.9. The target-setting process is extremely vague and therefore difficult to support. Clarifying exactly what is meant by a “target” is essential. Commonly, a target articulates an aspiration or long term goal. Setting a target creates public expectations that it can or will be reached. Accordingly, the Province must be prepared to take action, allocate resources and maintain the effort toward the target. Targets should not be confused with regulated limits or environmental indicators. Consultation on appropriate mechanisms, time frames and geographic scales for setting “targets” is required. Quantitative targets need to be supported by defensible science and peer-reviewed. The social, economic, and environmental costs and benefits involved in reaching a target must be considered before setting it. In a collaborative situation, the target must be embraced by all the partners.
- 3.10. The overriding purpose of the GLPA is to protect and restore the ecological health of the Basin. A critical first step is to establish a set of key indicators of the basin’s ecological health and monitoring program. It is important to select a starting point (i.e. benchmark) as a common baseline from which to measure change in the ecological health of the lakes. Organizations like the International Joint Commission and Environment Canada have done work in these areas. Perhaps the proposed Great Lake Guardians Council could show leadership in establishing these key indicators. Analysis of such indicators may point to or help to delineate appropriate targets.
- 3.11. Targets and/or indicators for a project involving a specific geographic feature or area (like a beach or wetland), should be developed as part of the project plan and relate directly to the goals of that project.

- 3.12. Parts V and VI appear to empower the Minister of Environment and Climate Change to treat other public bodies as an extension to provincial ministry staff – mandating that a proposal for a GFI be developed locally within a specified time frame. The Province can amend or approve both the proposal and initiative and then enact it through provincial regulation. The Minister may also decline the proposal entirely. This lengthy process contradicts the notion of “empowering communities” as expressed in the Act’s purpose statement.
- 3.13. Section 19 of the GLPA stipulates that the GFI must contain a legally binding “policy” of restrictions on buildings, land use planning, development and infrastructure and prescribed instruments and/or request that an area-specific provincial regulation is made under Section 26. Given the lack of success to date in implementing a shoreline regulation under the Lake Simcoe Protection Act, Regional staff questions whether a regulatory approach is desirable or effective.
- 3.14. Section 20 of the Act requires municipalities to come into compliance with policies created by the GFI. Municipal official plans, by-laws, operations, planning decisions and infrastructure improvements must conform to the designated policies for the area governed by the GFI. Regional staff is concerned about these unfunded costs and the potential costs of OMB appeals to official plan amendments undertaken to achieve compliance with a GFI. Also, the number of potential GFIs directed by the Minister is unknown and therefore it could become very onerous for municipalities to complete a series of conformity exercises.
- 3.15. In the case of conflict with other legislation, it is not clear how municipalities or development proponents will determine which act provides the “greatest protection to ecological health” in accordance with Section 20.4 of the GLPA.
- 3.16. The Section 26 compliance and enforcement provisions largely replicate as yet untested aspects of the Lake Simcoe Protection Plan (limits on lake and tributary shoreline activities) and *Clean Water Act 2006* (enforcement provisions). Staff is concerned about additional layers of restrictions on development and the fiscal and operational impacts of potentially being directed to become an enforcement body for GFIs.
- 3.17. Section 32 confirms the top-down spirit of the GLPA stating that a public body “shall comply with the direction” of the Minister of the Environment and Climate Change with respect to the direction in parts IV and V. A public body

developing a GFI, (likely some grouping of municipalities and) must set out a strategy for financing the initiative. Regional staff is very concerned that new financial obligations could be created for the Region by the Province.

4. Conclusion

- 4.1. It is recommended that this report be forwarded to the MOECC as the Region's submission on Bill 66 by the April 19 deadline. Regional staff has identified specific comments and concerns in the body of this report relating to target setting, the need to establish and monitor a set of key indicators of the ecological health of the Basin, overlapping layers of policy and regulation, and the imposition of unfunded new obligations on municipalities to achieve compliance with and to enforce GFIs.
- 4.2. Regional staff will continue to monitor and report back to Committee on the progress of the proposed Great Lakes Protection Act.

Respectfully submitted,

R. J. Clapp, CPA, CA
Commissioner of Finance

C. R. Curtis, P.Eng., MBA
Commissioner of Works

R. J. Kyle, MD, MHSc., CCFP, FRCPC
Commissioner and Medical Officer of Health

~~A. L. Georgieff~~, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

~~G.H. Cubitt~~, MSW

Chief Administrative Office

Attachment 1: EBR Proposal Notice:



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Act Proposal Notice:

EBR Registry Number:

012-3523

Ministry:

Ministry of the Environment

Date Proposal loaded to the Registry:

February 18, 2015

Title:

Bill 66: Proposed Great Lakes Protection Act

Keyword(s): Water

Comment Period: 60 days: submissions may be made between February 18, 2015 and April 19, 2015.

Description of Act:

The ministry is introducing a strengthened proposed Great Lakes Protection Act, 2015.

The proposed GLPA has been strengthened to reflect comments and new priorities:

- . Ensure action to address stressors and issues like climate change, wetland protection, watershed protection, and nutrient and toxics reduction.
- . Ensure the establishment and maintenance of monitoring and reporting programs to improve understanding and management of the Great Lakes.
- . Increase reporting, transparency and accountability by requiring progress reports be tabled every three years in the Legislature and include reporting on performance measures, targets and ecological conditions within the Great Lakes basin.
- . Enable Great Lakes targets, including setting a target within two years to support the reduction of algal blooms.
- . Respond to comments on geographically focused initiatives to enable a collaborative response to pressing issues (e.g. harmful algal blooms) and that initiatives consider costs, benefits and existing policies, legislation and strategies.
- . Require that if traditional ecological knowledge is offered by First Nations, it be considered in the decision-making process.

In strengthening the proposed Act, the Ministry considered:

- . all comments received on the previous proposed Great Lakes Protection Act, 2012 proposal,
- . all comments received on the proposed Great Lakes Protection Act, 2013,
- . discussions with First Nations and Métis communities, municipalities, industries, environmental experts and other groups; and
- . opportunities for input through the previous legislative process.

The proposed Act is enabling and would give new tools to take targeted action to improve water quality, and protect coastlines, beaches and wetlands, with the overall intent of helping to attain Great Lakes that are drinkable, swimmable, and fishable.

Contact:

All comments on this proposal must be directed to:

Laura Blease
Senior Policy Advisor
Ministry of the Environment
Integrated Environmental
Policy Division
Land and Water Policy Branch
135 St. Clair Avenue West
Floor 6
Toronto Ontario
M4V 1P5
Phone: (416) 325-8275
Fax: (416) 326-0461

To submit a comment online, click the submit button below:

[Submit Comment](#)

Additional Information:

The following government offices have additional information regarding this Proposal. To arrange a viewing of these documents please call the Ministry Contact or the Office listed below.

If passed, the proposed Act would:

Land and Water Policy Branch
135 St. Clair Avenue West
Floor 6
Toronto Ontario
M4V 1P5
Phone: (416) 314-7090

The documents linked below are provided for the purposes of enhancing public consultation. All links will open in a new window

1. [EBR Notice on previous proposed Bills \(0 11-6461\)](#)
2. [Legislative Assembly of Ontario website](#)
3. [Ontario.ca/Greatlakes](#)

1. Establish a Great Lakes Guardians' Council to provide a forum for Great Lakes Ministers, municipal representatives, representatives of First Nations and Métis communities, and representatives from conservation authorities, environmental organizations, the scientific community, industrial, agricultural, recreational and tourism sectors and others, to identify Great Lakes priorities for action, propose projects, discuss potential financial measures and partnerships, and help to facilitate information sharing and discuss matters related to setting targets, development of initiatives and inter-jurisdictional agreements.
2. Require that Ontario's Great Lakes Strategy be maintained, reviewed at least every 6 years, and reported on every three years to the legislature. Ontario's Great Lakes Strategy sets out environmental conditions, goals, a summary of actions taken, a description of new or emerging threats and priorities for future action on the Great Lakes. Also require that the Minister of the Environment and Climate Change ensure that monitoring and reporting programs are established or maintained, and publicly report on these programs or actions.
3. Enable the setting of Great Lakes targets, including a commitment to set a target within two years to support the reduction of algal blooms. Providing authority to the Minister of Natural Resources and Forestry to establish a target in respect of preventing the net loss of wetlands. These targets could be accompanied with a plan that would help achieve the purposes of the proposed Act and would support implementation of Ontario's Great Lakes Strategy.
4. Following local discussion and building upon existing work, enable targeted action on priority areas through geographically-focused initiatives. These initiatives could address priority issues such as harmful algae, protection of important Great Lakes habitat, or coordination of efforts to improve beaches. Initiatives could build on existing plans and work, potentially combining and aligning resources and coordinating efforts from different partners in Great Lakes protection.

The proposed Act would allow flexibility regarding what priority issues are addressed, where to target action, and how to address priority issues. These initiatives would be developed through a collaborative process and consultation would be required.

5. The proposed Act would clarify that nothing in the Act should be construed so as to abrogate or derogate from the protection provided for the existing Aboriginal and treaty rights of the Aboriginal Peoples of Canada by Section 35 of the Constitution Act, 1982. It recognises that Aboriginal communities within the Great Lakes-St. Lawrence River Basin have important connections to the Basin: First Nations maintain a spiritual and cultural relationship with water and the Basin is an historic location where Métis identity emerged in Ontario. It also recognizes that First Nations and Métis communities may contribute traditional ecological knowledge to support Great Lakes protection and if it is provided decision makers would have to consider it to help inform the best decision making. The proposed Act encourages sharing information to help determine the best way to protect the ecology of the Great Lakes.

Purpose of Act:

The purposes of the proposed Great Lakes Protection Act, 2015, are to protect and restore the ecological health of the Great Lakes-St. Lawrence River Basin; and to create opportunities for individuals and communities to become involved in the protection and restoration of the ecological health of the Great Lakes-St. Lawrence River Basin. Purposes also include:

- To protect human health and well being through the protection and restoration of water quality, hydrological function and the ecological health of the Great Lakes- St. Lawrence River Basin, including through the elimination or reduction of harmful pollutants.
- To protect and restore watersheds, wetlands, beaches, shorelines and other coastal areas of the Great Lakes-St. Lawrence River Basin.
- To protect and restore the natural habitats and biodiversity of the Great Lakes-St. Lawrence River Basin.
- To improve the capacity of the Great Lakes-St. Lawrence River Basin to respond to the impacts and causes of climate change.
- To improve understanding and management of the Great Lakes-St. Lawrence River Basin by advancing science and promoting the consideration of traditional ecological knowledge relating to existing and emerging stressors and by establishing and maintaining monitoring and reporting programs or actions with respect to the environmental conditions of the Basin.
- To enrich the quality of life in communities in the Great Lakes-St. Lawrence River Basin through support of environmentally sustainable economic opportunities and innovation through environmentally sustainable use of natural resources.

Public Consultation:

This proposal has been posted for a 60 day public review and comment period starting February 18, 2015. If you have any questions, or would like to submit your comments, please do so by April 19, 2015 to the individual listed under "Contact". Additionally, you may submit your comments on-line.

All comments received prior to April 19, 2015 will be considered as part of the decision-making process by the Ministry of the Environment if they are submitted in writing or electronically using the form provided in this notice and reference EBR Registry number 012-3523.

Please Note: All comments and submissions received will become part of the public record. You will not receive a formal response to your comment, however, relevant comments received as part of the public participation process for this proposal will be considered by the decision maker for this proposal.

Other Public Consultation Opportunities:

The Minister of the Environment and Climate Change received input on the proposed legislation through: engagement on the proposed Great Lakes Protection Act, 2012, introduced in June 2012; a number of listening sessions held prior to June 2012; as well as through previous engagement on the 2009 Great Lakes discussion paper titled "Healthy Great Lakes, Strong Ontario: Talking with Ontarians About Protecting, Restoring, Using and Enjoying the Great Lakes."

The 2012 proposal notice for a Great Lakes Protection Act was posted on June 6, 2012, with a 62-day comment period. Comments continued to be received and accepted after the August 7, 2012 end-date of that Registry posting. Public consultation was held under EBR Registry # [011-6461](#)

The province also met with and heard from municipalities, First Nations and Métis communities, environmental experts and stakeholders including industry, agriculture and the tourism sector, to gain the benefit of their views about the issues facing the Great Lakes-St. Lawrence River Basin and to seek their feedback on the proposed Great Lakes Protection Act.

The proposed Great Lakes Protection Act, 2013 (Bill 6), was also posted on the Environmental Registry for a 60 day public comment period, from February 25, 2013 to April 26, 2013. The province also heard from a number of stakeholders

through Standing Committee on Bill 6, including hearings held on November 20, 2013 on the Bill.

The province also received comments on Ontario's draft Great Lakes Strategy under Environmental Registry Notice [Q11-6461](#) (finalized in December 2012)

As the proposed Act proceeds through the legislative process, the Ministry will consider further input received through ongoing Great Lakes dialogues with First Nations and Métis communities, municipalities, industries, environmental experts and other groups. Please visit the Legislative Assembly of Ontario website for details (see link under Additional Information).

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Interoffice Memorandum

Date: November 25, 2016

To: R.M. Anderson, Regional Chair and Chief Executive Officer, and All Members of Regional Council

Works Department

From: S. Siopis, Commissioner of Works

Copy: G.H. Cubitt, Chief Administrative Officer, and Department Heads

Subject: Durham York Energy Centre - Source Test Update

As part of the Ministry of the Environment and Climate Change (MOECC) approved Abatement Plan and the Environmental Compliance Approval (ECA), the Regional Municipalities of Durham and York (Owners) have completed the diagnostic and compliance Source Tests for the Durham York Energy Centre (DYEC).

The diagnostic Source Test was conducted from September 19 to 30 for dioxins and furans on Boilers #1 and #2. The diagnostic Source Test results for dioxins and furans were 8.59 picograms per reference metre cube (pg/Rm³) for Boiler #1 and 16.1 pg/Rm³ for Boiler #2. The diagnostic Source Test report has been posted to the DYEC website (www.durhamyorkwaste.ca).

The compliance Source Test, for all the test contaminants required by the ECA, was conducted on Boilers #1 and #2 from October 24 to November 4. The confirmed results (Attachment #1) demonstrate that the DYEC is operating within the regulatory limits set in the ECA. The compliance Source Test results for dioxins and furans were 9.44 pg/Rm³ for Boiler #1 and 6.40 pg/Rm³ for Boiler #2.

*"Service Excellence
for our Communities"*

If this information is required in an accessible format, please contact 1-800-372-1102 extension 3540.

The results of the diagnostic and compliance Source Tests demonstrate that the DYEC is operating well below the ECA limits set for dioxins and furans—which is 60 pg/Rm³.

A third party independent consultant conducted the Source Tests and the sample analyses were completed by an accredited laboratory. Both the diagnostic Source Test report and compliance Source Test summary table (Attachment #1) have been posted to the project website (www.durhamyorkwaste.ca). The MOECC, AirZone (peer reviewer), and HDR (Owners' consultant) were on site to observe the testing on several occasions.

The final compliance Source Test report is expected by the end of the year and will be submitted to the MOECC for evaluation. Concurrently, the compliance Source Test report will also be posted to the project website (www.durhamyorkwaste.ca). AirZone will then complete their peer review of the final compliance Source Test report.

Original signed by John Presta for

Susan Siopis, P.Eng.
Commissioner of Works

Encl. (Attachment #1: Compliance Source Test results: Summary Table)



The average results for the tests conducted at the Boiler No. 1, along with the respective in-stack emission limits, are summarized in the following table:

Parameter	Test No. 1	Test No. 2	Test No. 3	Average	In-Stack Limit
Power Output (MWh/day)*	-	-	-	386	-
Average Combustion Zone Temp. (°C)*	-	-	-	1231	-
Steam (tonnes/day)*	-	-	-	797	-
MSW Combusted (tonnes/day)*	-	-	-	222	-
NOx Reagent Injection Rate (liters/day)*	-	-	-	1271	-
Carbon Injection (kg/day)*	-	-	-	130	-
Lime Injection (kg/day)*	-	-	-	4772	-
Filterable Particulate (mg/Rm ³) ⁽¹⁾	0.97	0.78	1.09	0.95	9
PM ₁₀ with Condensable (mg/Rm ³) ⁽¹⁾	<6.16	<6.22	<6.56	<6.31	-
PM _{2.5} with Condensable (mg/Rm ³) ⁽¹⁾	<5.80	<5.85	<6.21	<5.95	-
Hydrogen Fluoride (mg/Rm ³) ⁽¹⁾	<0.13	<0.14	<0.14	<0.14	-
Ammonia (mg/Rm ³) ⁽¹⁾	1.36	1.44	1.24	1.35	-
Cadmium (µg/Rm ³) ⁽²⁾	0.048	0.11	0.065	0.074	7
Lead (µg/Rm ³) ⁽²⁾	0.53	0.40	0.25	0.39	50
Mercury (µg/Rm ³) ⁽¹⁾	0.067	0.038	0.047	0.051	15
Antimony (µg/Rm ³) ⁽¹⁾	<0.17	<0.17	<0.16	<0.17	-
Arsenic (µg/Rm ³) ⁽¹⁾	<0.042	<0.042	<0.041	<0.042	-
Barium (µg/Rm ³) ⁽¹⁾	3.31	3.05	3.95	3.44	-
Beryllium (µg/Rm ³) ⁽¹⁾	<0.042	<0.042	<0.041	<0.042	-
Chromium (µg/Rm ³) ⁽¹⁾	1.04	5.66	0.70	2.47	-
Cobalt (µg/Rm ³) ⁽¹⁾	0.040	0.037	0.022	0.033	-
Copper (µg/Rm ³) ⁽¹⁾	1.73	1.78	1.54	1.68	-
Molybdenum (µg/Rm ³) ⁽¹⁾	4.89	4.74	4.82	4.81	-
Nickel (µg/Rm ³) ⁽¹⁾	1.10	1.18	0.74	1.01	-
Selenium (µg/Rm ³) ⁽¹⁾	<0.11	<0.11	<0.10	<0.10	-
Silver (µg/Rm ³) ⁽¹⁾	<0.084	<0.085	<0.082	<0.084	-
Thallium (µg/Rm ³) ⁽¹⁾	<0.21	<0.21	<0.20	<0.21	-
Vanadium (µg/Rm ³) ⁽¹⁾	<0.032	<0.032	<0.031	<0.031	-
Zinc (µg/Rm ³) ⁽¹⁾	5.90	4.67	3.59	4.72	-
Dioxins and Furans (pg TEQ/Rm ³) ⁽³⁾	<7.62	<5.86	<14.8	<9.44	60
Total Chlorobenzenes (ng/Rm ³) ⁽¹⁾	<278	<275	<280	<278	-
Total Chlorophenols (ng/Rm ³) ⁽¹⁾	<583	<577	<588	<583	-
Total PAHs (ng/Rm ³) ⁽¹⁾	<1999	<1978	<2018	<1998	-
Total VOCs (µg/Rm ³) ⁽¹⁾	<261	<188	<244	<231	-
Organic Matter (THC) (ppm, dry) ⁽²⁾	0.9	2.2	1.3	1.5	-
Quench Inlet Dioxins and Furans (pg TEQ/Rm ³) ⁽³⁾	1004	804	1051	953	-
Quench Inlet Organic Matter (THC) (ppm, dry) ⁽²⁾	6.7	3.5	3.5	4.6	50

* based on process data provided by Covanta

(1) dry at 25°C and 1 atmosphere, adjusted to 11% oxygen by volume

(2) dry basis as equivalent methane

(3) calculated using the NATO/CCMS (1989) toxicity equivalence factors and the full detection limit for those isomers below the analytical detection limit, dry at 25°C and 1 atmosphere, adjusted to 11% oxygen by volume



The average results for the tests conducted at the Boiler No. 2, along with the respective in-stack emission limits, are summarized in the following table:

Parameter	Test No. 1	Test No. 2	Test No. 3	Average	In-Stack Limit
Power Output (MWh/day)*	-	-	-	385	-
Average Combustion Zone Temp. (°C)*	-	-	-	1216	-
Steam (tonnes/day)*	-	-	-	796	-
MSW Combusted (tonnes/day)*	-	-	-	218	-
NOx Reagent Injection Rate (liters/day)*	-	-	-	1308	-
Carbon Injection (kg/day)*	-	-	-	127	-
Lime Injection (kg/day)*	-	-	-	5174	-
Filterable Particulate (mg/Rm ³) ⁽¹⁾	0.94	1.17	1.01	1.04	9
PM ₁₀ with Condensable (mg/Rm ³) ⁽¹⁾	<10.2	<10.1	<8.74	<9.67	-
PM _{2.5} with Condensable (mg/Rm ³) ⁽¹⁾	<9.91	<9.71	<8.41	<9.34	-
Hydrogen Fluoride (mg/Rm ³) ⁽¹⁾	<0.14	<0.14	<0.15	<0.14	-
Ammonia (mg/Rm ³) ⁽¹⁾	25.5	25.9	20.2	23.9	-
Cadmium (µg/Rm ³) ⁽²⁾	0.20	0.060	0.10	0.12	7
Lead (µg/Rm ³) ⁽²⁾	0.26	0.37	0.23	0.28	50
Mercury (µg/Rm ³) ⁽¹⁾	0.032	0.028	0.036	0.032	15
Antimony (µg/Rm ³) ⁽¹⁾	<0.17	<0.17	<0.17	<0.17	-
Arsenic (µg/Rm ³) ⁽¹⁾	<0.042	<0.043	<0.043	<0.042	-
Barium (µg/Rm ³) ⁽¹⁾	3.14	2.97	2.12	2.74	-
Beryllium (µg/Rm ³) ⁽¹⁾	<0.042	<0.043	<0.043	<0.042	-
Chromium (µg/Rm ³) ⁽¹⁾	0.68	1.58	0.67	0.98	-
Cobalt (µg/Rm ³) ⁽¹⁾	0.014	0.011	<0.011	<0.012	-
Copper (µg/Rm ³) ⁽¹⁾	1.55	1.56	3.38	2.16	-
Molybdenum (µg/Rm ³) ⁽¹⁾	4.96	5.00	4.79	4.92	-
Nickel (µg/Rm ³) ⁽¹⁾	0.67	0.99	0.57	0.75	-
Selenium (µg/Rm ³) ⁽¹⁾	<0.10	<0.11	<0.11	<0.11	-
Silver (µg/Rm ³) ⁽¹⁾	<0.084	<0.086	<0.086	<0.085	-
Thallium (µg/Rm ³) ⁽¹⁾	<0.21	<0.21	<0.21	<0.21	-
Vanadium (µg/Rm ³) ⁽¹⁾	<0.031	<0.032	<0.032	<0.032	-
Zinc (µg/Rm ³) ⁽¹⁾	4.29	5.19	1.13	3.54	-
Dioxins and Furans (pg TEQ/Rm ³) ⁽³⁾	<6.75	<6.50	<5.96	<6.40	60
Total Chlorobenzenes (ng/Rm ³) ⁽¹⁾	<325	<356	<319	<333	-
Total Chlorophenols (ng/Rm ³) ⁽¹⁾	<818	<607	<574	<666	-
Total PAHs (ng/Rm ³) ⁽¹⁾	<2343	<2426	<2295	<2355	-
Total VOCs (µg/Rm ³) ⁽¹⁾	<219	<214	<217	<217	-
Organic Matter (THC) (ppm, dry) ⁽²⁾	2.1	2.1	1.0	1.7	-
Quench Inlet Dioxins and Furans (pg TEQ/Rm ³) ⁽³⁾	708	886	874	822	-
Quench Inlet Organic Matter (THC) (ppm, dry) ⁽²⁾	4.3	4.7	3.0	4.0	50

* based on process data provided by Covanta

(1) dry at 25°C and 1 atmosphere, adjusted to 11% oxygen by volume

(2) dry basis as equivalent methane

(3) calculated using the NATO/CCMS (1989) toxicity equivalence factors and the full detection limit for those isomers below the analytical detection limit, dry at 25°C and 1 atmosphere, adjusted to 11% oxygen by volume

Boiler No.	Parameter	Minimum	Average	Maximum	In-Stack Limit
Boiler No. 1	Carbon Monoxide (mg/Rm ³) ⁽¹⁾	7.3	11.4	18.3	40
	Hydrogen Chloride (mg/Rm ³) ⁽²⁾	0.4	1.2	1.8	9
	Nitrogen Oxides (mg/Rm ³) ⁽²⁾	111	112	113	121
	Sulphur Dioxide (mg/Rm ³) ⁽²⁾	0	0.8	1.3	35
Boiler No. 2	Carbon Monoxide (mg/Rm ³) ⁽¹⁾	10.3	15.7	25.8	40
	Hydrogen Chloride (mg/Rm ³) ⁽²⁾	0.8	1.2	1.6	9
	Nitrogen Oxides (mg/Rm ³) ⁽²⁾	112	113	115	121
	Sulphur Dioxide (mg/Rm ³) ⁽²⁾	0	0.9	3.1	35

(1) 4-hour average measured by DYEC CEMS, dry at 25°C and 1 atmosphere adjusted to 11% oxygen by volume

(2) 24-hour average measured by DYEC CEMS, dry at 25°C and 1 atmosphere adjusted to 11% oxygen by volume



Original
To: CIP
Copy
To: B. BRILBERMAN
C.C. S.C.C. File
Take Appr. Action

Development Services Department
Planning Services

November 17, 2016

File: D-1100-0042

Land Use Planning Review
Ministry of Municipal Affairs
Ontario Growth Secretariat
777 Bay Street, Suite 425 (4th floor)
Toronto, ON M5G 2E5

NOV 21 '16 PM 2:01

Re: Request from the Township of Scugog to Support Comments Regarding Proposed Provincial Changes to the Oak Ridges Moraine Conservation Plan

Please be advised that City Council at a meeting held on November 7, 2016 dealt with the above-noted matter and adopted the following recommendation of the Development Services Committee:

1. That Report DS-16-185 dated October 20, 2016 be endorsed as the City's additional comments on the proposed Provincial changes to the Oak Ridges Moraine Conservation Plan as presented in the document 'Shaping Land Use in the Greater Golden Horseshoe'; and,
2. That a copy of Report DS-16-185 dated October 20, 2016 and the related Council resolution be sent to the Ministry of Municipal Affairs, the Ministry of Natural Resources and Forestry, the Region of Durham, Durham area municipalities and the Central Lake Ontario Conservation Authority.

For your information, enclosed is a copy of the report of the Commissioner of Development Services DS-16-185.

If you require further information or clarification, please contact Laura Moebs at the address shown or by telephone at (905) 436-3311, extension 2818 or by email to lmoebs@oshawa.ca.

Christine Chase, Administrative Assistant
Development Services Department

LM/c

Attachment

- | | |
|--|----------------------------------|
| c. Regional Clerk, Region of Durham | City Clerk, City of Pickering |
| City Clerk, Town of Ajax | City Clerk, Town of Whitby |
| City Clerk, Municipality of Clarington | City Clerk, Township of Scugog |
| City Clerk, Township of Brock | City Clerk, Township of Uxbridge |
| Chris Darling, CLOCA | |

1. The first part of the document is a list of names and titles.

2. The second part of the document is a list of names and titles.

3. The third part of the document is a list of names and titles.

4. The fourth part of the document is a list of names and titles.

5. The fifth part of the document is a list of names and titles.

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10. The tenth part of the document is a list of names and titles.



Public Report

To: Development Services Committee
From: Paul D. Ralph, BES, RPP, MCIP, Commissioner,
 Development Services Department
Report Number: DS-16-185
Date of Report: October 20, 2016
Date of Meeting: October 24, 2016
Subject: Request from the Township of Scugog to Support Comments
 Regarding Proposed Provincial Changes to the Oak Ridges
 Moraine Conservation Plan
File: D-1100-0040

1.0 Purpose

On September 26, 2016, City Council considered correspondence, dated July 8, 2016, from the Township of Scugog regarding concerns on the proposed Provincial amendments to the Oak Ridges Moraine Conservation Plan (O.R.M.C.P.) and referred the correspondence to staff for a report.

Attachment 1 is correspondence dated July 8, 2016 from the Township of Scugog.

Attachment 2 is Schedule F-3 of the Oshawa Official Plan which illustrates the high and low aquifer vulnerability areas in the Oak Ridges Moraine in Oshawa.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That Report DS-16-185 dated October 20, 2016, be endorsed as the City's additional comments on the proposed Provincial changes to the Oak Ridges Moraine Conservation Plan as presented in the document "Shaping Land Use in the Greater Golden Horseshoe".
2. That a copy of DS-16-185 dated October 20, 2016 and the related Council resolution be sent to the Ministry of Municipal Affairs, the Ministry of Natural Resources and Forestry, the Region of Durham, Durham area municipalities and the Central Lake Ontario Conservation Authority.

3.0 Executive Summary

On September 26, 2016 Council referred correspondence received from the Township of Scugog on proposed Provincial amendments to the Oak Ridges Moraine Conservation Plan to staff for a report.

The correspondence detailed a Township of Scugog Council resolution on the current review of four Provincial land use plans. The correspondence further requested Oshawa Council's support for Scugog's concerns including:

- That new waste disposal sites be excluded from the sensitive Oak Ridges Moraine Conservation Plan Area;
- That the prohibited uses listed in the wellhead protection areas and areas of high vulnerability of the Oak Ridges Moraine Conservation Plan be prohibited from all lands in these areas including agricultural lands;
- That the enabling policies regarding excess soil and fill within the Oak Ridges Moraine Conservation Plan be removed from Section 36 (Comprehensive rehabilitation plans) and placed in Section 41 (Infrastructure) since that Section deals with responsible management of soil from projects such as infrastructure projects; and
- That the Plans prohibit commercial fill operations in pits and quarries similar to the Niagara Escarpment Plan.

This report recommends that the comments in this report be endorsed as the City's additional comments on the proposed Provincial amendments to the Oak Ridges Moraine Conservation Plan.

In the event that the Development Services Committee supports and endorses additional comments, staff will send the comments in advance of the October 31, 2016 deadline to the Province prior to Council approval. Staff will follow-up with the Province once Council deals with the additional comments.

4.0 Input From Other Sources

Not applicable.

5.0 Analysis

5.1 Background on Provincial Plan Review

In May of 2016, under the lead of the Ministry of Municipal Affairs and the Ministry of Natural Resources and Forestry, the Province released proposed changes to the following four Provincial land use plans (the Plans):

- Growth Plan for the Greater Golden Horseshoe (Growth Plan)
- Greenbelt Plan
- O.R.M.C.P.

- Niagara Escarpment Plan (N.E.P.)

The Province is now looking to obtain feedback on the proposed amendments to the plans. Comments on the proposed amendments to the Plans are due by October 31, 2016.

At a Special Meeting held on August 24, 2016, Oshawa City Council endorsed the City's comments on the proposed amendments to the Growth Plan, the Greenbelt Plan and the O.R.M.C.P. through Report DS-16-145. City staff have submitted the Council endorsed comments to the Province for their consideration. The Niagara Escarpment does not extend into Oshawa and therefore the City of Oshawa did not provide any comments related to the N.E.P.

5.2 The Township of Scugog's Comments

The Council of the Township of Scugog passed a resolution on June 27, 2016 outlining concerns related to the proposed amendments to the O.R.M.C.P.

There are four primary concerns outlined in the Scugog resolution which are discussed below.

5.2.1 Exclude New Waste Disposal Sites from the Oak Ridges Moraine

Scugog Comments

The Township of Scugog's resolution requests that the Province adopt the approach in the current and proposed N.E.P. and exclude new "waste disposal sites" in the Moraine.

Oshawa Staff Comments

Waste disposal sites are currently prohibited in high aquifer vulnerability areas and wellhead protection areas.

City staff support the position that new waste disposal sites should not be permitted in any part of the Moraine.

5.2.2 Prohibited Uses Listed In Wellhead Protection Areas and Areas of High Aquifer Vulnerability Sections of the Oak Ridges Moraine Conservation Plan Should Be Prohibited From All Lands in These Areas Including Agricultural Lands

Scugog Comments

The list of prohibited uses in areas of high aquifer vulnerability in the O.R.M.C.P. are:

1. Generation and storage of hazardous waste or liquid industrial waste.
2. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
3. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.

4. Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

The proposed Provincial amendments would allow agricultural operations to now include the list of prohibited land uses in the wellhead protection areas and areas of high aquifer vulnerability section of the O.R.M.C.P. provided the owners or operators are carrying out operations under the Nutrient Management Act and any applicable requirement of the Clean Water Act, 2006.

The Township of Scugog wants all prohibited uses (e.g. waste disposal site, etc.) listed in wellhead protection areas and areas of high aquifer vulnerability in the O.R.M.C.P. to be prohibited from all lands in these areas including agricultural lands.

Oshawa Staff Comments

A “wellhead protection area” is defined in the O.R.M.C.P. as “the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field”. There are no wellhead protection areas in Oshawa.

However, a large part of the Oak Ridges Moraine is located in areas of high aquifer vulnerability (see Attachment 2).

City staff support acceptable farm practices in the Oak Ridges Moraine. The Province needs to clarify what prohibited uses would practically be permitted on agricultural land regulated under the Nutrient Management Act. It does not make sense to allow, for example, the generation of liquid industrial waste and waste disposal sites, on agricultural lands.

5.2.3 Placement of the “Excess Soil and Fill” Section

Scugog Comments

Scugog requests that the “Excess Soil and Fill” Section 36.1 in the proposed new O.R.M.C.P. be removed in its current proposed location in Section 36 dealing with rehabilitation plans for aggregate operations and placed in Section 41 “Infrastructure”. Scugog feels that Section 41 is a more appropriate location for policy language pertaining to the management of excess soil and fill as this section deals with the responsible management of soil from projects such as infrastructure projects in individual municipalities and is consistent with the other Provincial Plans.

Oshawa Staff Comments

The “Excess Soil and Fill” Section is in a standalone Section 36.1 and not in Section 36 and also has a separate title in the Table of Contents. The standalone section is appropriate given the subject matter.

Furthermore, staff do not believe that Section 41 is an appropriate location for the "Excess Soil and Fill" Section as Section 41 deals with infrastructure and excess soil and fill matters extend beyond infrastructure projects (e.g. any development or site alteration).

Staff also support the Region of Durham's position that the Province take a greater leadership role in developing and monitoring regulations for the management of excess soil and fill in all the Plans.

5.2.4 Prohibit Commercial Fill Operations in Pits and Quarries

Scugog Comments

Scugog requests that the Plans essentially prohibit commercial fill operations in pits and quarries similar to the N.E.P.

Oshawa Staff Comments

Section 36 of the O.R.M.C.P. encourages municipalities and the aggregate industry to work together to develop and implement comprehensive rehabilitation plans for mineral aggregate operations.

The proposed amendments are intended to recognize the importance of mineral aggregates as a natural resource in the Oak Ridges Moraine. Accordingly, mineral aggregate operations, subject to stringent criteria are permitted in certain areas of the Moraine.

City staff do not support a prohibition of commercial fill operations in pits and quarries. These areas appear to be the logical areas for fill rather than using productive agricultural land.

6.0 Financial Implications

There are no financial implications associated with the comments in this report.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendation advances the Accountable Leadership and Environmental Responsibility goals of the Oshawa Strategic Plan.

Warren Munro, HBA, Director,
Planning Services

Paul D. Ralph, BES, RPP, MCIP, Commissioner,
Development Services Department

July 8th, 2016

Land Use Planning Review
Ministry of Municipal Affairs and Housing
Ontario Growth Secretariat
777 Bay Street, Suite 425 (4th Floor)
Toronto, ON M5G 2E5

Re: Proposed Changes to the Greenbelt Plans

Dear Sirs;

At the last Council meeting of the Council of the Township of Scugog held June 27th, 2016, the above captioned matter was discussed.

I wish to advise that Council passed the following resolution:

"WHEREAS the Province is coordinating the review of the four provincial lands use plans, the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan (ORMCP) and the Niagara Escarpment Plan (NEP), and

WHEREAS the Province has proposed amendments to these plans and is seeking comments and submissions to the Land Use Planning Review Division of the Ministry of Municipal Affairs and Housing by September 30th, 2016, and

WHEREAS the Ontario Soil Regulation Task Force has identified some concerns regarding the proposed amendments to the Oak Ridges Moraine Conservation Plan that address 1) changes to permitted land uses in the sensitive land uses areas of the Moraine that now includes "waste management systems", 2) exemption of agricultural lands from the prohibited lands uses as described in the "Wellhead protection" and "Areas of high aquifer vulnerability" sections of the ORMCP, and 3) the Excess Soil and fill issues, and

Correspondence Request Item 3

WHEREAS specific proposed changes in point 1) detailed above considers major changes to permitted land uses in sensitive areas of the Moraine that are not in keeping with the spirit of the ORMCP as reflected in the attached OSRTF Summary Report, and

WHEREAS the changes to permitted land uses now includes a new definition of "infrastructure" which includes "waste management systems", which would include "waste disposal sites" and thereby could include proposals from private persons to operate soil remediation facilities, for example, in all land use areas of the Moraine, and

WHEREAS including "waste management systems" in the new definition of infrastructure could result in costly appeals to the OMB from proponents in order to gain approval to operate new soil remediation facilities and other such "waste management systems" on the Moraine,

NOW THEREFORE BE IT RESOLVED

THAT the Council of the Township of Scugog requests that the Ontario Government adopt the approach in the current and proposed Niagara Escarpment Plan and **exclude** new "waste disposal sites" from the sensitive Oak Ridges Moraine Conservation Plan Area as detailed in the attached OSRTF Summary Report, and

FURTHER THAT that new prohibited uses listed in the "Wellhead protection" and "Areas of high aquifer vulnerability" sections in the ORMCP be prohibited from all lands in these areas including agricultural lands, and

FURTHER THAT the proposed section 36.1 regarding "Excess Soil and fill" in the ORMCP be removed from its current proposed placement under the "Comprehensive rehabilitation plans" section and be more appropriately placed in section 41, the "Infrastructure" Section, as this section deals with responsible management of soil from projects such as infrastructure projects in the individual municipalities, thereby keeping the placement of this discussion more consistent with the proposed placement in the other provincial plans as per the OSRTF summary report, and

Correspondence Request Item 3

FURTHER THAT in the interest of harmonization, the Plans include similar language as found in the proposed Niagara Escarpment Plan which essentially prohibits "commercial fill operations" in pits and quarries as per the section 2.9.9 in the NEP, and

FURTHER THAT this resolution be forwarded as a submission to the Province to the following address:

Land Use Planning Review
Ministry of Municipal Affairs and Housing
Ontario Growth Secretariat
777 Bay Street, Suite 425 (4th floor)
Toronto, ON M5G 2E5
and,

FURTHER THAT this resolution be forwarded to the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), and the Greater Toronto Countryside Mayors Alliance, the lower Tier Municipalities in the Region of Durham, York Region, County of Simcoe, County of Peterborough, County of Dufferin and any other lower Tier municipalities that have lands to which the ORMCP applies, and to the Township's MPP and MP, for circulation and support. "

Should you require anything further in this regard, please do not hesitate to contact the undersigned.

Yours sincerely,

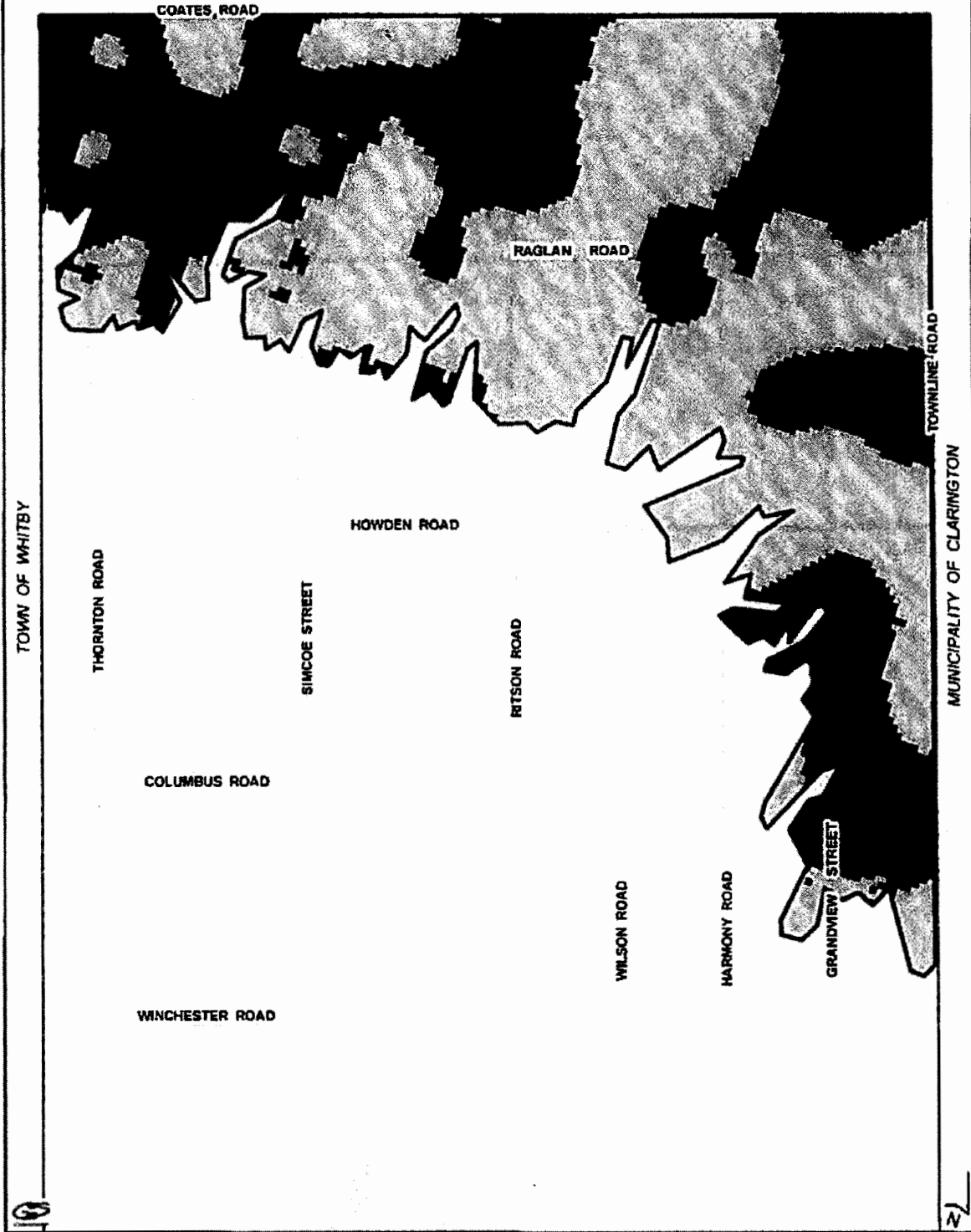
Nicole Wellsbury
Municipal Clerk

Correspondence Request

Item 3

Cc: Association of Municipalities of Ontario (AMO)
Rural Ontario Municipal Association (ROMA)
Greater Toronto Countryside Mayors Alliance
Municipalities in the Region of Durham
Municipalities in York Region
Municipalities in County of Simcoe
Municipalities in County of Peterborough
Municipalities in County of Dufferin
Municipalities that have lands to which the ORMCP applies
Granville Anderson, MPP

TOWNSHIP OF SCUGOG



Schedule F-3
Aquifer Vulnerability

Oak Ridges Moraine






December 2005

Development Services Department

NOTES

This Schedule should be read in conjunction with the text.
Reproduced by the City of Oshawa, dated December 2005 under Licence
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Legend:

-  High Aquifer Vulnerability Areas
-  Low Aquifer Vulnerability Areas
-  Oak Ridges Moraine Boundary

Clarington

November 22, 2016

Debi Wilcox
Regional Clerk/Director of Legislative Services
Regional Municipality of Durham
VIA Email: clerks@durham.ca

Dear Ms. Wilcox:

NOV 22 '16 PM 1:42

Re: Rod and Rhonda MacDonald Regarding the Lakebreeze
Townhomes located at 300-330 Lakebreeze Drive, Newcastle

File Number: E01.GE

At a meeting held on November 21, 2016, the Council of the Municipality of Clarington approved the following Resolution #GG-534-16:

Whereas the Region of Durham has tentatively scheduled construction of their water treatment plant and associated pumping station that will service 300 Lakebreeze Drive to 330 Lakebreeze Drive, Newcastle, for the year 2018 pending Regional Council budget approval;

Now therefore be it resolved that the Municipality of Clarington request that the construction schedule of their water treatment plant and associated pumping station be advanced to 2017 in the interest of eliminating the temporary ejector pump system for 300 Lakebreeze Drive to 330 Lakebreeze Drive.

Yours truly,

'June Gallagher, B.A.'
Deputy Clerk

JG/lp

C: Rod and Rhonda McDonald
Susan Siopis, Commissioner of Regional Works Department
R. Albright, Assistant Director of Engineering Services
T. Cannella, Director of Engineering Services

C.S. - LEGISLATIVE SERVICES

Original
To: CIP
Copy
To: S.SIOPIS
J. CLAPP
C.C. S.C.C. File
Take Appr. Action

CORPORATION OF THE MUNICIPALITY OF CLARINGTON

40 TEMPERANCE STREET, BOWMANVILLE, ONTARIO L1C 3A6 905-623-3379 www.clarington.net

Clarington

November 22, 2016

Debi Wilcox
Regional Clerk/Director of Legislative Services
Regional Municipality of Durham
VIA Email: clerks@durham.ca

Dear Ms. Wilcox:

Re: Celebrate Agriculture, 2017 Legacy Project

File Number: R01.GE

C.S. - LEGISLATIVE SERVICES

Original
To: CIP
Copy
To: B. BRIDGEMAN
C.C. S.C.C. File
Take Appr. Action

NOV 22 '16 PM 1:42

At a meeting held on November 21, 2016, the Council of the Municipality of Clarington approved the following Resolution #GG-551-16:

Whereas Canada is celebrating 150 years as a country in 2017 and has asked all communities to consider special projects to commemorate this important milestone; and

Whereas the Celebrate Agriculture Committee, a subcommittee of Durham Farm Connections and the Durham Federation of Agriculture, has an educational mandate to continually promote the celebration of our Agricultural achievements on an Annual basis as well as promote the further education of the general public on the importance of the Agricultural economy to our local economy as well as the provincial and national economies; and

Whereas the Celebrate Agriculture Committee has identified a project for 2017 that will put the spotlight on our Agricultural Accomplishments in this Region as a whole and the impact those accomplishments have had and continue to have on the Nation; and

Whereas agriculture is an industry as old as Confederation itself and continues to provide jobs and sustainability for our environment as well as food security for our residents; and

Whereas in Durham many of our community museums and libraries are joining in helping celebrate this important industry but unfortunately there is no permanent place in a prominent location central to all communities to showcase Durham's accomplishments in this industry; and

CORPORATION OF THE MUNICIPALITY OF CLARINGTON

40 TEMPERANCE STREET, BOWMANVILLE, ONTARIO L1C 3A6 905-623-3379 www.clarington.net

Whereas our agricultural leadership in Durham has been second to none including The Massey family in Newcastle village, the Tyrone farmer with a small winter hobby that became General Motors of Canada, a world-renowned race horse born and raised in Oshawa, one of the first counties to form a 4-H Leadership Association, 7 Annual Fairs of which 6 are older than Confederation and combined have an annual attendance of approx. 75,000 residents and tourists and Durham is the second original founding community for the Federated Women's Institutes of Canada and the world;

Now therefore be it resolved:

- That the Council of the Municipality of Clarington assist in this significant legacy project by allocating space in their Municipal Offices for a temporary Heritage agricultural exhibit in 2017 as well as a permanent location for a Plaque commemorating the Pioneer Farm Families of Durham (Families that have farmed in Canada for 150 years and now farm in Durham);
- That the Council submit to the Region of Durham and all municipal Councils in Durham a request to support this project and a permanent Agricultural Wall of Fame in a prominent Durham Region location to Showcase our Heritage Accomplishments from 1867-Modern Times.

Yours truly,

June Gallagher, B.A.
Deputy Clerk

JG/lp

C: Marilyn Pearce, Co-Ordinator 2017 Heritage Project
Durham Region Municipalities
Agricultural Committee of Clarington, c/o F. Langmaid
F. Horvath, Director of Operations



CANTON – BONFIELD – TOWNSHIP

365 Highway 531
 Bonfield ON. P0H 1E0
 Email: deputyclerk@ebonfield.org
 TELEPHONE (705) 776-2641 – FAX/TELECOPIEUR (705) 776-1154
 Website: www.ebonfield.org

RESOLUTION OF COUNCIL November 8th, 2016

NOV 17 '16 AM 9:41

No. 10

Moved by Councillor Foisy

Seconded by Councillor Beaudoin

THAT the Council of the Township of Bonfield hereby supports the Town of Latchford's resolution supporting the Town of Lakeshore's resolution that the debt incurred from the 2015 Pan Am and Parapan AM Games should be funded by the City of Toronto; AND THAT a copy of this resolution be circulated to all Municipalities in the Province of Ontario.

Carried

C.S. - LEGISLATIVE SERVICES

Original
To: CIP
Copy
To: R. ANDERSON
G. CURT
B. BRIDGEMAN
C.C. S.C.C. File
Take Appr. Action

DIVISION VOTE

FOR

AGAINST

Declaration of Pecuniary Interest/Conflict of Interest

Declared interest, abstained from discussion and did not vote on the question.

CERTIFIED to be a true copy of Resolution No. 10 of the Township of Bonfield's Regular Council Meeting of November 8th, 2016, and which Resolution is in full force and effect.

 Diane Francoeur
 Deputy Clerk-Treasurer

**Ministry of
Municipal Affairs**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000
Fax: 416 585-6470

**Ministère des
Affaires municipales**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000
Télééc. : 416 585-6470



16-71532

Dear Head of Council,

I am pleased to announce that the government introduced Bill 68 – the proposed *Modernizing Ontario's Municipal Legislation Act, 2016* in the Legislature on November 16, 2016.

The proposed *Modernizing Ontario's Municipal Legislation Act, 2016* is the result of the review of three key elements of Ontario's municipal legislative framework: the *Municipal Act, 2001*, *City of Toronto Act, 2006* and the *Municipal Conflict of Interest Act*. This package of amendments reflects my position that Ontario already has a strong legislative framework governing municipalities, and overall our legislation is working well.

The Bill includes proposed changes to help ensure our local governments remain accountable and have the flexibility to respond to the people they serve. If passed, these changes would benefit local governments and residents by:

- Increasing fairness and reducing barriers for women and parents elected to municipal governments by allowing time off for pregnancy or parental leave
- Empowering municipalities to address climate change in their communities through by-laws related to green construction in certain circumstances
- Broadening municipal investment powers, which may help better finance repairs and replacements of local infrastructure
- Improving access to justice for the public and for municipal councillors by allowing integrity commissioners to investigate complaints'
- Requiring municipalities to have a code of conduct for members of municipal councils and local boards

For a copy of Bill 68 – the proposed *Modernizing Ontario's Municipal Legislation Act, 2016* and to monitor the status of the Bill through the legislative process, please visit the Legislative Assembly of Ontario website: www.ontla.on.ca.

If you have questions please contact us at municipalreview@ontario.ca

You can also contact your regional Municipal Services Office:

Eastern Municipal Services Office

General Inquiry: 613-545-2100

Toll Free: 800-267-9438

Central Municipal Services Office

General Inquiry: 416-585-6226

Toll Free: 800-668-0230

North Municipal Services Office (Sudbury)

General Inquiry: 705-564-0120

Toll Free: 800-461-1193

North Municipal Services Office (Thunder Bay)

General Inquiry: 807-475-1651

Toll Free: 800-465-5027

Western Municipal Services Office

General Inquiry: 519-873-4020

Toll Free: 800-265-4736

Thank you for your help to ensure that our communities remain vibrant and strong, and have the tools they need to address their changing needs.

Sincerely,

Bill Mauro
Minister

Action Items Committee of the Whole and Regional Council

Meeting Date	Request	Assigned Department(s)	Anticipated Response Date
September 7, 2016 Committee of the Whole	Business Case for Projects Managed Directly by the Region – Increasing the number of projects which are managed directly by the Region, whether through employees or contracted staff – referred to the 2017 budget process.	Works	2017 Budget Process
September 7, 2016 Committee of the Whole	It was requested that a copy of Ms. Gasser's delegation questions be referred to staff and that a report be presented to the Committee of the Whole with answers to Ms. Gasser's concerns.	Works	October 5, 2016
September 7, 2016 Committee of the Whole	Staff was requested to provide a report on the correspondence from the City of Pickering with respect to the Notice of Motion adopted at their Council meeting held on June 27, 2016, re: residential tax relief to eligible low income seniors and low income disabled persons (Pulled from August 19, 2016 Council Information Package)	Finance / Social Services	
September 7, 2016 Committee of the Whole	Staff was requested to provide information on the possibility of an educational campaign designed to encourage people to sign up for subsidized housing at the next Committee of the Whole meeting. (Region of Durham's Program Delivery and Fiscal Plan for the 2016 Social Infrastructure Fund Program) (2016-COW-19)	Social Services / Economic Development	October 5, 2016
September 7, 2016 Committee of the Whole	Section 7 of Attachment #1 to Report #2016-COW-31, Draft Procedural By-law, as it relates to Appointment of Committees was referred back to staff to review the appointment process.	Legislative Services	First Quarter 2017

Meeting Date	Request	Assigned Department(s)	Anticipated Response Date
October 5, 2016 Committee of the Whole	Ms. Gasser appeared before the Committee with respect to Covanta's Diagnostic Source Testing Presentation that was made at the September 21, 2016 Energy from Waste - Waste Advisory Committee meeting. Staff was asked to provide a response back to Ms. Gasser's questions and that a copy of their response be provided to the Committee.	Works	
October 5, 2016 Committee of the Whole	That Correspondence (CC 65) from the Municipality of Clarington regarding the Durham York Energy Centre Stack Test Results be referred to staff for a report to Committee of the Whole	Works	
November 2, 2016 Committee of the Whole	Staff advised that the joint Ministry of Transportation and the Ministry of the Environment and Climate Changes Air Monitoring results would be shared with Council.	Works	